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S. HRG. 113–270

NOMINATIONS BEFORE THE SENATE ARMED SERVICES COMMITTEE, FIRST SESSION, 113TH CONGRESS

HEARINGS

BEFORE THE

COMMITTEE ON ARMED SERVICES
UNITED STATES SENATE

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

ON

NOMINATIONS OF

HON. CHARLES T. HAGEL; GEN LLOYD J. AUSTIN III, USA; GEN DAVID M. RODRIGUEZ, USA; HON. ALAN F. ESTEVEZ; MR. FREDERICK E. VOLLRATH; MR. ERIC K. FANNING; GEN. PHILIP M. BREEDLOVE, USAF; GEN MARTIN E. DEMPSEY, USA; ADM JAMES A. WINNEFELD, JR., USN; HON. STEPHEN W. PRESTON; HON. JON T. RYMER; MS. SUSAN J. RABERN; MR. DENNIS V. McGINN; ADM CECIL E.D. HANEY, USN; LTG CURTIS M. SCAPARROTTI, USA; HON. DEBORAH LEE JAMES; HON. JESSICA GARFOLA WRIGHT; MR. FRANK G. KLOTZ; MR. MARCEL J. LETTRE II; MR. KEVIN A. OHLSON; MR. MICHAEL D. LUMPKIN; HON. JAMIE M. MORIN; AND HON. JO ANN ROONEY

JANUARY 31; FEBRUARY 12, 14, 28; APRIL 11; JULY 18, 25, 30; SEPTEMBER 19; OCTOBER 10, 2013

Printed for the use of the Committee on Armed Services

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NOMINATION OF HON. CHARLES T. HAGEL TO BE SECRETARY OF DEFENSE

THURSDAY, JANUARY 31, 2013

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:32 a.m. in room SD–G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, Nelson, McCaskill, Udall, Hagan, Manchin, Shaheen, Gillibrand, Blumenthal, Donnelly, Hirono, Kaine, King, Inhofe, McCain, Sessions, Chambliss, Wicker, Ayotte, Fischer, Graham, Vitter, Blunt, Lee, and Cruz.

Committee staff members present: Richard D. DeBobes, staff director; Travis E. Smith, chief clerk; Leah C. Brewer, nominations and hearings clerk; and Mary J. Kyle, legislative clerk.

Majority staff members present: Jonathan D. Clark, counsel; Jonathan S. Epstein, counsel; Gabriella E. Fahrer, counsel; Richard W. Fieldhouse, professional staff member; Creighton Greene, professional staff member; Michael J. Kuiken, professional staff member; Gerald J. Leeling, counsel; Peter K. Levine, general counsel; Jason W. Maroney, counsel; Thomas K. McConnell, professional staff member; William G.P. Monahan, counsel; Michael J. Noblet, professional staff member; Roy F. Phillips, professional staff member; John H. Quirk V, professional staff member; Robie I. Samanta Roy, professional staff member; Russell L. Shaffer, counsel; and William K. Sutey, professional staff member.

Minority staff members present: John A. Bonsell, minority staff director; Adam J. Barker, professional staff member; Steven M. Barney, minority counsel; Thomas W. Goffus, professional staff member; Ambrose R. Hock, professional staff member; Anthony J. Lazarski, professional staff member; Daniel A. Lerner, professional staff member; Lucian L. Niemeyer, professional staff member; and Robert M. Soofer, professional staff member.

Staff assistants present: Jennifer R. Knowles, Mariah K. McNamara, and Brian F. Sebold.

Committee members' assistants present: Carolyn Chuhta, assistant to Senator Reed; Jeff Fatora, assistant to Senator Nelson; Jason Rauch, assistant to Senator McCaskill; Casey Howard, assistant to Senator Udall; Brian Nagle, assistant to Senator Hagan; Patrick Hayes, assistant to Senator Manchin; Chad Kreikemeier, assistant to Senator Shaheen; Elana Broitman, assistant to Senator Gillilbrand; Ethan Saxon, assistant to Senator Blumenthal;

Marta McLellan Ross, assistant to Senator Donnelly; Nick Ikeda, assistant to Senator Hirono; Jim Catella, assistant to Senator King; Paul C. Hutton IV, assistant to Senator McCain; T. Finch Fulton and Lenwood Landrum, assistants to Senator Sessions; Joseph Lai, assistant to Senator Wicker; Brad Bowman, assistant to Senator Ayotte; Craig Abele, assistant to Senator Graham; Charles Prosch, assistant to Senator Blunt; Peter Blair, assistant to Senator Lee; and Brooke Bacak, assistant to Senator Cruz.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning. The committee meets today to consider the nomination of former Senator Chuck Hagel to be Secretary of Defense.

Before we begin, I want to first welcome Senator Inhofe as the new ranking Republican on our committee, succeeding Senator McCain. Senator McCain has been a great partner over the last 6 years, and I thank him for all that he has done to get our bills enacted, for all of his leadership on a host of issues, for his support of the work of this committee, and for always keeping our hearings lively.

Senator Inhofe has shown his strong commitment to the national defense over his 20 years on this committee, and I know that we are going to work well together to continue the bipartisan tradition of the committee.

We're also pleased to welcome the eight Senators who are joining the committee this year, both those who are new to the Senate and those who are new to our committee—Senators Donnelly, Hirono, Kaine, and King on the Democratic side, and Senators Blunt, Cruz, Fischer, and Lee on the Republican side. You will all find that this is a wonderful committee where we work across party lines to support our troops and their families and their national defense mission.

I would also like to pause for a moment to offer my thanks and the thanks of our committee to Secretary Leon Panetta, who delayed his retirement and his return to California to serve our country first as Director of Central Intelligence and then as Secretary of Defense. Secretary Panetta has provided a steady hand at the Department of Defense (DOD) through 2 very difficult years, and has earned our great respect and our appreciation.

Finally before we get started, I would like to announce that the committee will be holding hearings next week on Benghazi and the week thereafter on the impact of the sequester on DOD.

Senator Hagel, we welcome you to the Senate Armed Services Committee and as an old friend of those of us with whom you served during your years in the Senate. There are few jobs that are more demanding than the position to which you have been nominated. The hours are long and extremely challenging, and require sacrifices from both the Secretary and his family.

We traditionally give our nominees an opportunity to introduce their families at these hearings, and we would welcome your doing so during your opening statement.

If confirmed, Senator Hagel would be the first former enlisted man and the first veteran of the Vietnam war to serve as Secretary of Defense. You cannot read Senator Hagel's account of his military

service and not be impressed by it. As Senator Hagel explained a few years ago, "Probably most fundamental for me when we talk of going to war, we need to think it through carefully, not just for the political, and the geopolitical, and the diplomatic, and the economic consequences, and those are important. But at least for me," he said, "this old infantry sergeant thinks about when I was in Vietnam in 1968, someone needs to represent that perspective in our Government as well. The people in Washington make the policy, but it's the little guys who come back in the body bags."

Senator Hagel's background provides an invaluable perspective, not only with respect to the difficult decisions and recommendations that a Secretary of Defense must make regarding the use of force and the commitment of U.S. troops overseas, but also with respect to the day-to-day decisions that a secretary must make to ensure that our men and women in uniform and their families receive the support and assistance that they need and deserve.

It would be a positive message for our soldiers, sailors, airmen, and marines in harm's way around the world to know that one of their own holds the highest office in DOD, and that he has their backs.

Senator Hagel, you would be in a position to make key recommendations regarding Afghanistan, where we are down to the pre-surge level of troops with 66,000 military personnel in the country. The Secretary of Defense is called upon to advise the President on the size and mission of a post-2014 residual force, and the pace of the drawdown between now and the end of 2014. The key to this transition is ensuring the readiness and ability of Afghanistan security forces to take over the defense of their own country. I have always believed that should be our main mission and its key to success.

During my trip to Afghanistan with Senator Jack Reed last month, we heard from U.S. commanders on the ground that Afghanistan security forces are operating on their own on most operations, including conducting more than 85 percent of operations with limited or no U.S. support in the difficult Regional Command East. Yet difficult obstacles remain to the process of reducing our forces and shifting responsibility to Afghanistan forces, including the difficulty of negotiating a status of forces agreement, including recent reports that the Afghanistan Government might slow down a successful program of growing and training the Afghanistan Local Police, and including questions about the current plan to reduce the size of the Afghanistan National Security Forces from 352,000 to around 230,000 after 2015.

We face a number of new and growing threats elsewhere in the world, such as the ongoing threat posed by Iran's nuclear weapons program and the increasingly destructive civil war in Syria with the risk that conflict could result in the loss of control over that country's substantial stockpile of chemical weapons. There's also the continuing instability in other countries affected by the Arab Spring, the growth of al Qaeda affiliates in ungoverned regions, including Yemen, Somalia, and North Africa, and the continued unpredictable behavior of a nuclear armed regime in North Korea.

We face these challenges at a time when the DOD budget is under a unique pressure as a result of cuts previously agreed upon

by Congress, the budgeting by Continuing Resolution (CR), and the impending threat of a sequester. Secretary Panetta has said that a sequester would be devastating for our military. Senator Hagel's views today on the CR and the sequester will be of great interest to this committee and to the Nation.

Those of us who have served with Senator Hagel in the Senate know that he is a man who is not afraid to speak his mind. Senator Hagel has made a number of statements over the course of his career which committee members will ask him about during today's hearing. For example, Senator Hagel has stated that unilateral sanctions against Iran, "are exactly the wrong approach," and that, "they are the worst thing we can do would be to try to isolate Iran". I believe that while effective multilateral sanctions are preferable, that unilateral sanctions are an important part of the approach that the Obama administration has followed, and that Congress has supported. It appears that sanctions are producing tremendous pressure on Iran.

Another statement which has raised concern is Senator Hagel's recommendation that we conduct, "direct, unconditional, and comprehensive talks with the Government of Iran". Now while there is value in communicating with our adversaries, the formulation used by Senator Hagel seemed to imply a willingness to talk to Iran on some issues that I believe that most of us would view as non-negotiable, and, therefore, any willingness to talk to Iran would need to be highly conditional. Senator Hagel's reassurance to me in my office that he supports the Obama administration's strong stance against Iran is significant, and we look forward to hearing from Senator Hagel today in some depth on that subject.

We will also be interested in Senator Hagel's addressing troubling statements that he has made about Israel and its supporters here in the United States, a statement in 2008 that our policy of non-engagement with the Syrians, "has isolated us more than the Syrians," and a 2009 statement that "we should not isolate Hamas, a terrorist organization".

There is much to be explored at this hearing, but as we struggle with the difficult security challenges facing our Nation, the President needs to have a Secretary of Defense in whom he has trust, who will give him unvarnished advice, a person of integrity, and one who has a personal understanding of the consequences of decisions relative to the use of military force. Senator Hagel certainly has those critically important qualifications to lead DOD.

Senator Inhofe.

STATEMENT OF SENATOR JAMES M. INHOFE

Senator INHOFE. Thank you, Mr. Chairman. First of all, I would like to echo your remarks about Secretary Panetta and the work that he has done. I do not see him here today, but I do recall when he was first nominated, I was probably one of the first phone calls to him, and I have enjoyed working with him.

With Senator McCain, I feel the same way. I will certainly continue to depend on his counsel, and you and I have worked very well together in the past.

Mr. Chairman, before I continue my opening statement, I would like to raise a concern about the sufficiency of materials provided

to this committee by our nominee. Senator Hagel was requested to provide the speeches he has delivered over the last 5 years, yet his initial submission was for only four speeches. Even though, as was noticed by Senator Cruz that he had honoraria for 12 speeches, but submitted 4 speeches. We received some more, but only late last night. I think it would have been a lot more helpful if we had received them before that, and I am hoping that we will be able to get that information before we have to cast votes on this nominee. Thank you, Mr. Chairman.

The President's nomination of Senator Hagel to serve as the next Secretary of Defense comes at a critical juncture in our military and national security interests. Senator Hagel is a good man who has a record of service. I first learned of that when he was first elected, and I have been a great admirer of the time that he spent in Vietnam and the sacrifices that he made.

While his service is commendable, the fate of his nomination should be decided by the totality of his record. It is the votes that he has cast, the statements that he has made over the many years of his career that will inform us as to his judgment, his view of America's role in the world, and his view of the military required to support that role.

As I told Senator Hagel in my office over 2 weeks ago, that after a long and careful review of his record, and there are things that he has said and there are things that I have personally experienced with him, that we are too philosophically opposed on the pressing issues facing our country, for me to support his nomination. Therefore, I told him I would not be supporting his nomination.

His record demonstrates what I view as a lack of steadfast opposition to policies that diminish U.S. power and influence throughout the world, as well as a recent trend of policy reversals that seem based on political expediency rather than on core beliefs.

On many of the security challenges facing U.S. interests around the world, Senator Hagel's record is deeply troubling and out of the mainstream. Too often, it seems, he is willing to subscribe to a worldwide view that is predicated on appeasing our adversaries while shunning our friends. I remember quoting Hiram Mann, who said, "No man survives when freedom fails, the best men rot in filthy jails, and those who cry 'appease, appease' are hanged by those they tried to please."

I am mentioning a few of these things because they are going to come out in this hearing. In 2000, an overwhelming majority of Senators sent a letter to President Clinton reaffirming our solidarity with Israel. I was one of them who carried that letter around. I remember it well. Senator Hagel was one of just four who refused to sign that letter, and I am sure he will want to comment about that.

In 2001, he was one of just two Senators who voted against a bill extending harsh sanctions against Iran. A year later, he urged the Bush administration to support Iran's membership in the World Trade Organization. Senator Hagel voted against a resolution designating Iran's Revolutionary Guard Corp, a group responsible for killing American soldiers in Iraq and Afghanistan, as a terrorist organization. On multiple occasions, he has advocated for direct negotiations with Iran, a regime that continues to repress its people,

doggedly pursue a nuclear weapon capability, and employ terrorist proxies, including Hamas, Hezbollah, who threaten the security of Israel and the region.

Senator Hagel has also been an outspoken supporter of the nuclear disarmament and the Global Zero movement. We are very sensitive to that, and we know that the President has said many times he wants a nuclear free world, and I know that Senator Hagel is right there with him. But at a time when North Korea's belligerent actions threaten our allies with their nuclear capabilities and security of our own Nation and that of our allies, why would we want to unilaterally disarm ourselves of nuclear capability?

Of late, however, Senator Hagel has expressed views in meetings with Senate colleagues, I have been informed, and through the press that appear glaringly at odds with many of his long-held positions, particularly on issues dealing with Israel, Iran, and our nuclear arsenal. This apparent willingness to walk back or alter his position, possibly for the sake of political expediency on such important issues, is deeply troubling and sends a concerning message to our allies and adversaries alike.

Though I respect Senator Hagel, his record to date demonstrates that he would be a staunch advocate for the continuation of the misguided policies of the President's first term. Retreating from America's unique global leadership role and shrinking the military will not make America safer. On the contrary, it will embolden our enemies, endanger our allies, and provide opportunity for nations that do not share our interests to fill a global leadership vacuum we leave behind.

It is for these reasons that I believe that he is the wrong person to lead the Pentagon at this perilous and consequential time.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Inhofe.

We have two former chairmen of this committee with us to introduce Senator Hagel. No Senator has had two dearer friends or better mentors than I have had with Senators Nunn and Warner. I just want to welcome them back to this committee. I do not have to tell them that they are among dear, dear friends, those of us who have known them and who have worked with them. It is a real, real treat actually to welcome you back to the committee.

I think I will call on you, Senator Nunn, first. I think we will call on you alphabetically. I do not have any better way to do it. Sam, welcome back.

STATEMENT OF HON. SAM NUNN, U.S. SENATOR FROM THE STATE OF GEORGIA, RETIRED

Senator NUNN. First, for the record, seniority and age are two different things. [Laughter.]

Chairman Levin, Ranking Member Inhofe, members of the Armed Services Committee, I am honored to join John Warner in presenting our friend, Chuck Hagel, to the committee and recommending that Chuck be confirmed as our Nation's 24th Secretary of Defense.

I think it is worth noting that 68 years ago this month, John Warner enlisted in the U.S. Navy to fight in World War II. That

was the start of his great career of public service, and John, I am very proud to be here by your side.

Mr. Chairman, I spent a lot of my Senate career sitting in your seat waiting on a quorum. Congratulations on not having to do that today. [Laughter.]

Chairman LEVIN. I do not how long it will last, but thanks for pointing it out.

Senator NUNN. Mr. Chairman, I think it should be noted that you and Senator McCain have effectively guided this committee in its important role as a compelling and absolutely essential voice for a strong and effective defense. Together you have managed to pass authorization bills, even during contentious times. I thank you both for your dedicated service to our Nation. I am confident, Mr. Chairman and Senator Inhofe, that you will continue this tradition, and that Senator McCain will still be a very valuable member and voice on this committee.

I believe that our Nation is fortunate to have a nominee for Secretary of Defense with the character, the experience, the courage, and the leadership that Chuck Hagel would bring to this position. First, Chuck is acutely aware that even in an age of rapid technological advances, our military capability and effectiveness depend on the quality and the morale of the people who serve our Nation in uniform, as well as the families that support them.

Chuck received two Purple Hearts in Vietnam, and when he returned home, he continued to fight for veterans and for Active Duty military personnel. He knows that our people are our strongest assets. Second, Chuck's experience in Vietnam shaped his life and his perspective. War for Chuck Hagel is not an attraction. I am confident that if confirmed he will ask the hard and the smart questions before sending troops into battle.

Chuck Hagel knows that the United States has vital interests that are worth fighting for and dying for. He also knows that war should be a last resort and that our Nation must effectively use all of our tools, not limited only to our military, to protect our important and to protect our vital interests.

Certainly, Mr. Chairman, there is a tension in these values, but it is a tension that we should welcome in the thought process and in the advice that our Secretary of Defense gives to our Commander in Chief and to this Congress.

From our service together on the Defense Policy Board in recent years, I know that Chuck Hagel has a clear world view, and that it aligns with the mainstream of U.S. foreign and defense policy, and also with President Obama. Chuck Hagel believes that we must build and preserve American strength as a force for good in the world. He recognizes that protecting our interests requires strong allies and friends, as well as strong American leadership.

Third, Chuck has the depth of experience and the leadership skills required to handle this tough job. There is certainly no shortage of security challenges around the world, as this committee knows, and as you have enumerated this morning, Mr. Chairman. A very large and impressive group of former Cabinet officials and public servants from both sides of the aisle have said that they trust Chuck Hagel with this important responsibility. I strongly agree.

Fourth, on the fiscal side, I am confident that Chuck will be a powerful advocate for a common sense approach, both within the administration and here on Capitol Hill regarding fiscal challenges to the defense budget. He understands that our defense capabilities are being threatened on two budget fronts: first, sequestration with its damaging across-the-board, upfront budget cuts, and second, rapidly rising costs within the Department's budget, including, but not limited to, health care, personnel, and retirement costs.

Mr. Chairman, members of the committee, I believe that Chuck will work effectively with this committee and Congress in meeting these budget challenges while protecting our people, protecting our capabilities, and also while ensuring that the United States has the strongest military in the world.

Chuck Hagel was a soldier and a Senator, but he has been also a highly successful executive in both the public and private sectors. He built a successful company from the ground up. He is a man who knows how to prioritize, and he knows how to make tough decisions. He will listen to and carefully consider the views of our military and civilian leaders, and guide them as necessary.

Fifth, I believe that Chuck Hagel will be a balanced and responsible voice on nuclear weapons policy. President Reagan said it often and said it well: "a nuclear war cannot be won, and it must not be fought."

Mr. Chairman, as this committee knows, the risk of a global nuclear war has thankfully, substantially declined since the breakup of the Soviet Union. But with nine nations possessing nuclear weapons, with nuclear weapons usable material and knowledge spread across the globe, and with terrorists ready to use a nuclear weapon if they manage to buy, steal, or make one, we face enormous risk that a nuclear weapon will be used. If proliferation continues in countries like Iran and North Korea, and if we do not secure nuclear materials and weapons globally, the odds of use will go up even more.

Six years ago George Schultz, Bill Perry, Henry Kissinger, and I made the argument that we reduce reliance on nuclear weapons as a vital contribution to preventing that proliferation, keeping them out of dangerous hands, and ultimately ending them as a threat to the world. Two-thirds of living former Secretaries of State and Defense, and national security advisors have agreed with the vision and the steps that we outlined, including substantial work on verification and enforcement.

Mr. Chairman, I hope that all members of the committee and the Senate will read the recent statement by four credible and very experienced Americans—Ambassador Tom Pickering, Ambassador Richard Burt, General James Cartwright, and General John Sheehan—about their work with Chuck Hagel on nuclear weapons. They made it abundantly clear that they oppose unilateral moves. They support bilateral negotiations. They support verifiable U.S.-Russian arms reductions to be followed by multilateral negotiations, bringing other nuclear weapons countries into a serious and verifiable process of reductions.

In closing, Mr. Chairman, there are many essential characteristics and values that a Secretary of Defense should possess in our

dangerous and challenging world. Let me name just two or three that I think are very important.

First, someone who is well-informed, has an open mind, engages in critical thinking, who is capable of and who seeks out independent thought. Second, someone who sets aside fixed ideologies and biases to honestly evaluate all options, and then provides his or her candid judgment to the President and to Congress. Third, someone who pays attention to people with the best ideas, regardless of their party affiliation. No one is perfect. We all know that. But Chuck Hagel comes as close as anyone I know to having all of these qualities.

Mr. Chairman, Senator Inhofe, and members of the committee, I served for 24 years on this important committee, and I recognize that much has changed since I retired 16 years ago. I continue to believe, however, that every major problem we face today requires the best input from both political parties if we are to arrive at a solution. I believe that Chuck Hagel will seek that input. I urge his support by this committee, and I urge the confirmation of his nomination by the U.S. Senate.

I thank the chairman.

Chairman LEVIN. Thank you very much, Senator Nunn.

Senator Warner.

STATEMENT OF HON. JOHN WARNER, U.S. SENATOR FROM THE STATE OF VIRGINIA, RETIRED

Senator WARNER. Thank you, Mr. Chairman. It is a moving experience for me to reenter this room. I served on this committee for 30 years. In that period of time, Senator Nunn was the chairman, and I was the ranking. But I want to say to you and Jim Inhofe—Jim and I have been good friends and we worked together not only on this committee, but other committees. You will be a splendid ranking member. You follow in the steps of my dear and valued friend of so many years, John McCain.

The leadership of this committee throughout my 30 years in the Senate has been drawn from the ranks of the strongest and the best of its membership. We have it today, and I have every reason we will have it tomorrow.

I would like to say a word to the new members of this committee. As I look back over a very fortunate record of public service for many years, no chapter of my career was more important than service on this committee. You will carry with you for the rest of your life the recollections of the work that you have done for one of America's most valued assets, the men and the women and their families of the armed services of the United States.

I have written out a nice long statement, and then last night late I received Sam Nunn's statement and Chuck Hagel's statement, and I said that I felt that another statement just would not do. I would rather say just a few words from the heart about the importance of what we have by way of decision before all of us today.

I thank Senator Nunn for that reference of 68 years ago in the Navy. I did no more than every other kid on my block. We all went. But I would like to remind you that a half century ago, you served in the Coast Guard. So, Grandpa, here is another grandpa. [Laughter.]

Good friends, we thank Chuck Hagel, and Mrs. Hagel, and his family because if confirmed, there is an enormous commitment by the family to this position. Having known Lilibet and slightly your children, you have made that decision to offer yourself for continued public service. Public service is a privilege. I have always regarded it as such.

I will not give a long statement. This statement by Senator Hagel will soon be shared with you. I read it through not once, twice, but again this morning. I say this carefully, I have read the statements that have been placed before the members of this committee for those 30 years. I have never read a more carefully prepared statement, a more forthright statement, and one that has no hedges or deviations. He hits firm on those issues that will make the decision in your minds and that of your colleagues as to whether or not he is qualified to take on this very important assignment.

I first entered the Pentagon in 1969 during the war in Vietnam under Melvin Laird. Jim Schlesinger followed, and I have worked with every Secretary of Defense since that period of time, all different, all with their strengths and indeed some of their weaknesses. But set forth in this is a series of commitments to you as a committee, to the members of the full Senate, and to the American public as precisely what his goals are and what he will do, how he will serve the President, how he will give the President his best advice. I know Chuck to give it very strongly.

I'm going to talk a little bit about Chuck Hagel, the man that I served with for 12 years. My distinguished colleague and longtime friend, Sam, had gone when Chuck arrived at the Senate. The first year he was here, we had the defense authorization bill on the floor. In those days, as it is today, that bill goes on that floor, that bill stays on that floor, sometimes a couple of days, sometimes a week, sometimes broken up, but we get it through. When it's done, we go immediately back to our committee spaces and begin to write that bill and get it to the printer so that we can go to conference. How many times have we done that together, Senator Nunn, Senator Levin, Senator McCain, Senator Inhofe, many times.

The first year he was here, he watched that process, and when I had taken the staff back to the committee room, surprisingly he showed up. I didn't know him that well, although I had studied his biography and I wanted to get to know him because of my deep and abiding interesting in the Vietnam period, having served for 5 years in that period as Under Secretary of the Navy.

He strolled into the room and I introduced him to the people. He said to the staff, you are one of the most impressive group of young people I've ever seen. I learned a lot. He shared some of histories as a simple, but elegant, soldier that he was. That is the way he started, and thereafter he voted for every single final passage of the authorization bill, every single final passage of the appropriation bill.

He was at home and learned in that generation of Vietnam, and I am so proud to have the affiliation of having been, yes, in comparative safety at the Pentagon. But I did go to the field of battle and see these young men and some women who engaged in that struggle. Chuck Hagel brings with him the experience of having come home to an America that was quite different than what I ex-

perienced when my generation came home from World War II. We were welcomed with open arms. America at that time in Vietnam, and how well John McCain can remember this, was very divided. When you wore your uniform back home, it did not receive the same respect that it deserved for the sacrifices that you and your colleagues had committed. Chuck will never forget that. I will never forget it. John will never forget it.

Today we welcome home and we do it with the fullest heart the young men and women who serve, but there have been times in history when that didn't happen, and that was one. That honed him to be prepared to take on his responsibilities as he addresses the declining budget situation, which is going to be a challenge. I am absolutely certain that he will stand up and fight as hard as two of his predecessors—Leon Panetta you mentioned today, and Robert Gates. They gave their President loyalty, but they gave him their best advice and tough advice, and fought for their troops, and drilled down to what they have to maintain whatever budget. Sequester is not the route. But whatever budget, he will maintain morale and combat readiness. Also, ladies and gentlemen, that pillar of strength of our military system, the All-Volunteer Force.

We had drafts in Vietnam. We saw the effect of that. We decided as a Nation to take a gamble, to let every person who wished to wear the uniform, giving that opportunity and to volunteer. No one is forced in there. That has to be maintained. This man has the experience, gravitas, and the strength to protect the All-Volunteer Force.

I also was deeply impressed by the Senate and the manner in which it confirmed John Kerry. John Kerry was also in that generation, and he served his trials and tribulations, and came home and faced that public in the same way Chuck did. The Senate confirmed him with a very strong vote. They sent him away ready to take on the enormity of his responsibility.

Now I mention that because in my experience, I have seen a good deal of camaraderie, but a good deal of competition between the Secretaries of Defense and the Secretaries of State. It is just sort of built in there, and sometimes a lot of sand gets in that gear box. But it is important to the United States that they, having the major jurisdiction over most of the policy issues, work as a team.

John Kerry and Chuck Hagel are a band of brothers out of Vietnam with that special bond, and I am sure that you will utilize that and remember it, and make those two departments performs their functions to best serve the President and to best serve the country.

I have pretty well said everything I should say. I want to be brief because it is important that this committee pursue its work. But again, Bob Gates, Leon Panetta set the bar for this century of those who take on this job. You mentioned your long friendships, Chuck, and how you know both. I would keep close contact. They have the experience to deal with this President of the United States, and you are the President's choice.

Folks, there is an old saying in the combat Army infantry and Marine Corps. "Certain men are asked to take the point," which means to get out and lead in the face of the enemy. Chuck Hagel did that as a sergeant in Vietnam. If confirmed, Chuck Hagel will

do it again, this time not before a platoon, but before every man and woman and their families in the armed services. You will lead them. They will know in their hearts we have one of our own.

You are on your own, and good luck.

Senator HAGEL. Thank you. [Laughter.]

Chairman LEVIN. We thank you both, Senator Warner, Senator Nunn, for your extraordinarily powerful introductions. I just wish every member of the Senate and every American could have heard, and I hope will hear and read about what you said here today about Chuck Hagel. I also noticed there is another former Senator, who was a member of that band of brothers, who is with us today. I just noticed in the audience Max Cleland is here, and I want to welcome you, Max, too, as an old, old friend of this committee, and the Senate, and of the Nation.

Let me now call on Senator Hagel. Senator Warner, Senator Nunn, again, thank you for your introductions, and you are free to get back to your lives or to stay as you wish.

Senator Hagel.

STATEMENT OF HON. CHARLES T. HAGEL, TO BE SECRETARY OF DEFENSE

Senator HAGEL. Thank you, Chairman Levin, Ranking Member Inhofe, and distinguished members of the committee. I am honored to come before you today as the President's nominee to be the Secretary of Defense.

First, as you suggested, Mr. Chairman, let me introduce my family—my wife, Lilibet. Our son Ziller, and our daughter, Allyn, are not with us today. Our son, Ziller, claims he's taking a test. We will confirm that later. But both are a son and daughter that Lilibet and I are very proud of. I think like any proud father and any proud mother, you all know how I feel about that as you have the same feelings about your children. It is the same way Lilibet and I feel about ours.

I also want to introduce my brother, Tom, who served with me in Vietnam, my brother, Mike, who is our number three brother, and I might add, who actually possesses any talent our family has. He has in the Pentagon 10 paintings as Chairman of the Air Force Artist Guild over the years, and they are hanging in different locations in the Pentagon. We have one brother of some acclaim, and one of us did make it, my brother, Mike. Mike's son is sitting behind him, Josh. He is one of three children that Mike has.

We have here also cousins, many friends, and people I owe money to. [Laughter.]

Who knows who else since I have received some publicity over the weeks.

I want to also thank my friends, Sam Nunn and John Warner. I want to thank them for their support, their encouragement, and their friendship over many years. As each of you who had the privilege of serving with those Senators, I, too, add my thanks for their tremendous service to our country. These two distinguished Americans represent what is best about American public service and responsible bipartisanship. They have embodied both in their careers, long distinguished careers, and are models for each of us.

Of course to my family and friends, and my fellow veterans who are here, as has been noted, Max Cleland, Jan Scruggs, good friends, veterans from all wars, who are here today who I worked with for many, many years. I am grateful to them. Not just to those friends, and supporters, and fellow veterans who are here, but those who are not, thank you.

A life is only as good as the family and the friends you have and the people you surround yourself with. I also want to thank my friend, Leon Panetta, for his tremendous service to our country over so many years. If I am given the privilege of succeeding him, it will be a high honor.

President Obama for his confidence and trust in me, I thank him. I am humbled by the opportunity and the possibility he has given me to serve our country once again. I fully recognize the immense responsibilities of the Secretary of Defense. I assured the President that if I am confirmed by the U.S. Senate, I will always do my best. I will always do my best for our Nation and for the men and women and their families, who are called on to make the enormous sacrifices of military service. Their safety, success, and welfare will always be at the forefront of the decisions I make.

I also assured the President that I would always provide him with my most honest and informed advice. I make that same commitment to this committee and to Congress. If confirmed, I will reach out to the members of this committee for advice and collaboration. It will be a partnership because the national security challenges America faces require it.

Our Nation's security is the highest priority of our leaders and our Government. We cannot allow the work of confronting the great threats we face today to be held hostage to partisanship on either side of the aisle, or by differences between the bodies represented in Articles I and II of our Constitution. The stakes are too high. Men and women of all political philosophies, and parties, and ideas die and fight for our country. As this committee knows so well, protecting our national security or committing our Nation to war can never become political litmus tests.

I know Secretary Panetta has put a strong emphasis on reaching out to Congress. I, like Leon, come from Congress, and respect and understand this institution's indispensable role in setting policy and helping govern our country.

We are all products of the forces that shape us. For me, there has been nothing more important in my life, or a more defining influence on my life, than my family. Whether it was helping my mother raise four boys after my father, a World War II veteran who died suddenly at age 39 on Christmas Day, or serving side by side with my brother Tom in Vietnam, or the wonderful miracle of my wife Lilibet and me being blessed with two beautiful children. That is who I am.

We each bring to our responsibilities frames of reference. These frames of reference are formed by our life's experiences. They help instruct our judgments. We build out from those personal foundations by continually informing ourselves, listening, and learning.

Like each of you, I have a record, a record that I am proud of. I am proud of my record not because of any accomplishments I may have achieved, or certainly because of an absence of mistakes, but

rather because I have tried to build that record by living my life and fulfilling my responsibilities as honestly as I knew how and with hard work. Underpinning everything I have done in my life was the belief that we must always be striving to make our Nation a better and more secure place for all of our people.

During the 12 years I had the privilege of serving the people of Nebraska in the U.S. Senate, I cast over 3,000 votes and hundreds of committee votes. I have also given hundreds of interviews and speeches and written a book. As you all know, I am on the record. I am on the record on many issues.

But no one individual vote, no one individual quote, no one individual statement defines me, my beliefs, or my record. My overall world view has never changed: that America has and must maintain the strongest military in the world, that we must lead the international community to confront threats and challenges together, and take advantage of opportunities together; that we must use all our tools of American power to protect our citizens and our interests. I believe, and I always have believed, that America must engage in the world, not retreat from the world, but engage with the world. My record is consistent on these points.

It is clear that we are living at a defining time. Our Nation is emerging from over a decade of war. We have brought our men and women in uniform home from Iraq, and have started to bring them home from Afghanistan.

That does not mean that the threats we face and will continue to face are any less dangerous or complicated. In fact, it is quite the opposite. Recent events in Mali and Algeria remind us clearly of this reality. The 21st century complexities, technologies, economies, and threats are bringing the 7 billion global citizens closer together than ever before. As our planet adds another 2 billion people over the next 25 years, the dangers, complications, and human demands will not be lessened, but rather heightened.

Despite these challenges, I believe we also have historic opportunities to help build a safer, more prosperous, more secure, more hopeful, and more just world than maybe any time in history of man, for all people. Yes, the curse of intolerance, hatred, and danger exists around the world, and we must continue to be clear-eyed about this danger, and we will be. We will not hesitate to use the full force of the U.S. military in defense of our security. But we must also be smart, and, more importantly, wise, wise in how we employ all of our Nation's great power.

America's continued leadership and strength at home and abroad will be critically important for our country and the world. While we will not hesitate to act unilaterally when necessary, it is essential that we work closely with our allies and partners to enhance America's influence and security, as well as global security. If confirmed, I will continue to build on the efforts of this administration and of former Secretary Gates, Secretary Panetta, and Secretary Clinton to strengthen our alliances and partnerships around the world. I will also look forward to working with my former Senate colleague—your colleague—and our friend, John Kerry, in this pursuit.

As I told the President, I am committed to his positions on all issues of national security, specifically decisions that DOD is in the

process of implementing now. This includes the Defense Strategic Guidance the President outlined in January 2012. Allow me to very briefly address a few of those specific issues now.

First, we have a plan in place to transition out of Afghanistan, continue bringing our troops home, and end the war, which has been the longest war, as we all know, in America's history. As you also know, discussions are ongoing about what the U.S. presence in Afghanistan will look like after 2014. The President has made clear, and I agree, that there should be only two functions for U.S. troops that remain in Afghanistan after 2014: counterterrorism, particularly to target al Qaeda and its affiliates, training, and advising Afghan forces. It is time we forge a new partnership with Afghanistan, with its government and, most importantly, with its people.

Second, as the Secretary of Defense, I will ensure we stay vigilant and keep up the pressure on terrorist organizations as they try to expand their affiliates around the world, in places like Yemen, Somalia, and North Africa. At the Pentagon, that means continuing to invest in and build the tools to assist in that fight, such as Special Operations Forces and new intelligence, surveillance, and reconnaissance technologies. It will mean working hand-in-hand with our partners here at home across the National Security and Intelligence Communities to confront these and other threats, especially the emerging threat—the very dangerous and real threat of cyber warfare.

Third, as I have made clear, I am fully committed to the President's goal of preventing Iran from obtaining a nuclear weapon, and I have been on record on that issue. As I have said in the past many times, all options must be on the table to achieve that goal.

My policy has always been the same as the President's, one of prevention, not of containment. The President has made clear that is the policy of our Government. As Secretary of Defense, I will make sure the Department is prepared for any contingency. That is my job. That is my responsibility. I will ensure our friend and ally Israel maintains its qualitative military edge in the region, and will continue to support systems like Iron Dome, which is today saving Israeli lives from terrorist rocket attacks. That support I have always made clear and been on the record for.

Fourth, while we pursue the reductions in our deployed stockpiles and launchers consistent with the New Strategic Arms Reduction Treaty (START), I am committed to maintaining a modern, strong, safe, ready, and effective nuclear arsenal. America's nuclear deterrent over the last 35 years has played a central role in ensuring global security and the avoidance of world war III. I have been committed to that. My record is clear on that. I am committed to modernizing our nuclear arsenal.

As we emerge from this decade of war, we must also broaden our Nation's focus overseas as we look at future threats and challenges. As this committee knows, that is why DOD is rebalancing its resources towards the Asia-Pacific region. We are in the process of modernizing our defense posture across the entire region to defend and deepen our partnerships with traditional allies, especially Japan, South Korea, and Australia, to continue to deter and defend against provocations from states like North Korea, as well as non-

state actors, and to expand our networks of security cooperation throughout the region to combat terrorism, counter proliferation, provide disaster relief, fight piracy, and ensure maritime security.

I will continue this rebalancing even as we continue to work closely—closely—with our long-time allies of the North Atlantic Treaty Organization (NATO) and our friends, and with allies, and partners, and friends in other regions of the world. At the same time, we will continue to focus on challenges in the Middle East and North Africa where we have clear national interests. Rather, it is a recognition that the United States has been and always will be a Pacific power, and the Asian-Pacific area is increasingly vital to America's security and economic interests. That is why we must become even more engaged in the region over the coming years.

Doing all of this and much more will require smart and strategic budget decisions. I have made it clear I share Leon Panetta's and our Service Chiefs' serious concerns about the impact sequestration would have on our Armed Forces. As someone who has run businesses, I know that the uncertainty and turbulence of the current budget climate makes it much more difficult to manage the Pentagon's resources and our national security. If confirmed, I am committed to effectively and efficiently using every single taxpayer's dollar the right way, to maintaining the strongest military in the world, and to working with Congress to ensure the Department has the resources it needs, and that the disposition of those resources is accountable.

Even as we deal with difficult budget decisions, I will never break America's commitment to our troops, our veterans, and our military families. We will continue to invest in the well-being of our All-Volunteer Force. Working with the Department of Veterans Affairs (VA) and other institutions, we will make sure our troops and their families get the health care, job opportunities, and education they have earned and deserve, just as I did when I co-authored the post-9/11 GI Bill with Senators Jim Webb, Frank Lautenberg, and John Warner. This includes focusing on the mental health of our fighting force, because no one who volunteers to fight and die for this country should ever feel like that they have nowhere to turn. That is unacceptable in this country.

In my 12 years in the Senate, my one guiding principle on every security decision I made and every vote I cast was always this—simply this: Is our policy worthy of our troops and their families and the sacrifices that we ask them to make? That same question will guide me if I am confirmed as Secretary of Defense.

Our men and women in uniform and their families must never doubt that their leaders' first priority is them. I believe my record of leadership on veterans issues over the years, going back to my service in the Veterans Administration under President Reagan, demonstrates my rock-solid commitment to our veterans and their families.

We must always take care of our people. That is why I will work to ensure that everyone who volunteers to fight for this country has the same rights and same opportunities. As I have discussed with many of you in our meetings, I am fully committed to implementing the repeal of Don't Ask, Don't Tell, and doing everything

possible under current law to provide equal benefits to the families of all our servicemembers and their families.

I will work with the Service Chiefs as we officially open combat positions to women, a decision I strongly support. I will continue the important work that Leon Panetta has done to combat sexual assault in the military. Maintaining the health and well-being of those who serve is critical to maintaining a strong and capable military, because an institution's people must always come first.

As we look ahead to the coming years, we have an extraordinary opportunity now at this moment to define what is next for America's military and our country. It is incumbent upon all of us to make decisions that will ensure our Nation is prepared to confront any threat we may face in the future, protect our citizens, and remain the greatest force for good in the world.

If confirmed as Secretary of Defense, it will be my great honor, working with the President, this committee, Congress, and our military, to ensure our policies are worthy of the service and sacrifice of America's men and women.

Thank you, Mr. Chairman. I look forward to your questions.

Chairman LEVIN. Thank you very much, Senator Hagel. Here is what the plan is now for the hearing. We will have a first round of 8 minutes each. We have a vote that is scheduled for 12:15 p.m. We are going to work through that vote, and we are also going to work through lunch, which means that we would ask you to vote some time during that 12:15 p.m. vote and come back for those of you who have not had your turn yet.

There are five votes at 2:15 p.m. I hope that we can complete our first round by 2 p.m. or 2:15 p.m. so that we could then have a late lunch at 2:15 p.m. during those five votes. We would then come back perhaps an hour later. We would ask those who have not had a turn, if that is the case, or during our second round, that to begin our second round that you on the final vote, vote early and then come back so we can start as quickly as possible around 3:15 p.m. or 3:30 p.m., I would assume, to either complete the first round if it has not been completed, or to begin our second round.

Because of the time crunch, we have standard questions which we ask of all nominees. I am going to ask those at a later time during this hearing, but we will ask them. Again, I think that we hope to finish today. We will leave the record open for questions. But our goal would be to finish today no matter how long it takes today, then to have the record open for questions.

Let us now begin our first round of 8 minutes.

Senator Hagel, you have made reference to the looming sequester. We received a letter signed by the Joint Chiefs of Staff relative to sequester which says that we are on the brink of creating a hollow force due to an unprecedented convergence of budget conditions and legislation. They have talked about the readiness crisis which would result: grounding aircraft, returning ships to port, stop driving combat vehicles, training, and so forth.

You have spoken very briefly about your agreeing in general with the impact. Would you expand on the impact of that sequester from your perspective?

Senator HAGEL. Mr. Chairman, I think the Service Chiefs have laid it out rather directly, plainly, as Secretary Panetta has. As re-

cently as 2 or 3 days ago, the Deputy Secretary of Defense, Ash Carter, in an interview went into some detail.

The fact is, the bottom line if sequester would occur, it is not just a reduction in a significant amount of dollars that would occur, but it would be a convergence of taking the flexibility, the projection, the management, the future, away from those who are responsible for managing our budget. Furloughing civilian employees would have to occur. You listed an inventory of consequences; of cutting back on flying time, training, steaming. These are real consequences that would occur.

I know the Pentagon, the Chiefs, those who have responsibility for managing every department of this 3 million person operation, security institution, are preparing for the worst. But make no mistake, this is not an exaggeration. When managers are not given the flexibility, and the opportunity, and the tools to manage with complete uncertainty as to what is ahead, that is disaster.

Chairman LEVIN. Thank you. On the question of Iran and the use of force, the President has said that Iran's leaders should understand that President Obama does not have a policy of containment. He has a policy to prevent Iran from obtaining a nuclear weapon, that he has made clear that he will not hesitate, in his words, to use force when it is necessary to defend the United States and its interests. Do you agree with President Obama's position that, "all options should be on the table," to prevent Iran from obtaining a nuclear weapon?

Senator HAGEL. I do. I have, and I strongly agree with him.

Chairman LEVIN. On Iranian sanctions, President Obama has said that the sanctions which have been put in place are crippling the economy of Iran. I happen to agree. Their currency has dropped 80 percent. Oil production has plunged. Their economy is in a shambles. Do you share the President's views on the importance and effectiveness of sanctions against Iran? If so, how do you reconcile your position with some of your past statements that suggest that the national security of the United States is not served by isolating Iran?

Senator HAGEL. First, I have always agreed with multilateral sanctions because I think they have an effect. I think this President, in particular, has probably done more than any president to effectively employ those kinds of international sanctions starting with a United Nations (U.N.) Security Council agreement and U.N. mandates. I agree with what the President is doing. I have said publicly, incidentally long before the President ever asked me to consider this job, that additional sanctions might be required.

As to my record on votes in the Senate regarding unilateral sanctions, I have differed on some of those. I have voted for some as well. It was always on a case-by-case basis. When I voted against some of those unilateral sanctions on Iran, it was a different time. For example, I believe one was in 2001. We were at a different place with Iran during that time. Matter of fact, I recall the Bush administration did not want a renewal of the 5-year renewal of the Iran-Libya Sanctions Act (ILSA) during that time because they weren't sure of the effectiveness of sanctions.

That was not the only reason I voted against it. It was because I thought that there might be other ways to employ our vast ability

to harness power and allies. It was never a question of did I disagree with the objective. The objective was, I think, very clear to both of us.

I recall, for example, in 2008, Secretary of State Condoleeza Rice sending a letter to the Chairman of the Finance Committee, Senator Max Baucus, requesting that a sanctions resolution unilateral in the Finance Committee not come out of the Finance Committee because the Bush administration at the time was working with the Russians specifically, but with the Security Council of the United Nations to try to get international sanctions, which I think that effort, by the way, in 2008, led to the 2010 international sanctions.

Chairman LEVIN. Can you give us your view on the size of the U.S. force which might be necessary or would be necessary after 2014, the so-called residual force, if you have an opinion on the size? You indicated in your opening statement two missions for that residual force.

Can you also give us your opinion about the size of the Afghanistan National Security Force after 2014, and whether you agree with me, and Senator Graham on this committee, and others that we ought to reconsider the position that the Afghanistan National Security Force should be reduced by a third starting in 2014 to about 230,000 from what its current goal is, which is about 350,000.

Senator HAGEL. As you all know, General Allen has presented his options to the President for the President's consideration. As far as I know, as of this morning, the President had not made a decision on what a residual force, numbers wise, would look like. I have not been included in those discussions, so I do not know, other than knowing that he has a range of options, as you do.

But I would say that from what the President has told me, what Secretary Panetta has told me, that decision will be made to assure resourcing the mission and the capability of that mission.

As to what kind of a force structure should eventually be in place by the Afghans, I do not know enough about the specifics to give you a good answer, other than to say that I think that has to be a decision that is made certainly with the President of Afghanistan, what we can do to continue to support, train, and protect our interests within the scope of our ability to do that. Obviously the immunity for our troops is an issue, which was an issue in Iraq. All those considerations will be important and will be made. If I am confirmed and in a position to give the President on that, I will with consultation of our commanders on the ground and our Service Chiefs giving the best options that we can provide.

Chairman LEVIN. Will you review that question of the size of the Afghanistan force with an open mind if you are confirmed?

Senator HAGEL. I will because I think we have to.

Chairman LEVIN. Thank you. Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

Senator Hagel, my first question is not to be responded as to explaining the position. I want to state the position or restate the position on five things that I mentioned in my opening statement, and merely to ask you if these are accurate reflections of things that happened in the past.

The first one is in 2007, you voted against the designating of Iran's Islamic Revolutionary Guard Corp as a terrorist organization. The second thing in 2006, you were 1 of 12 Senators who refused to petition the European Union (EU) to identify Hezbollah as a terrorist group. Third, in November 2003, you failed to vote on a Syria accountability act authorizing sanctions on Syria for its support of terrorism and occupation of Lebanon. Fourth, in 2001, you were one of only two Senators that year to vote against renewal of the Iran-Libya Sanctions Act. Lastly, in 2001, you were one of four Senators who refused to sign the letter supporting Israel. Are those accurate?

Senator HAGEL. Let's start with the——

Senator INHOFE. No, I just want to know if these are votes that took place. Do you agree that those votes took place?

Senator HAGEL. I want to ask about the letter that you just noted in your fifth point, what was the date in the letter?

Senator INHOFE. The date?

Senator HAGEL. You said I refused to sign a letter.

Senator INHOFE. It was October 2001.

Senator HAGEL. A letter to——

Senator INHOFE. Okay, skip that one. Are the other ones true? [Laughter.]

Senator HAGEL. It is very important, Senator, that we——

Senator INHOFE. It is very important because I was holding the letter at the time that we were gathering signatures.

Senator HAGEL. I see. On the 2008 question regarding designating the Revolutionary Guard as a terrorist organization, I did vote against it.

Senator INHOFE. I am sorry, and I do not want to be rude. You and I are very good friends, but I know that my time is going to expire. Others are going to ask you why you did this. I was asking for the accuracy, and you do not want to answer that, that is fine.

Senator HAGEL. No, I just said I did vote against it, and I was going to explain why I voted against it.

Senator INHOFE. I know, and they will be asking you for your explanation. I want to get to three other things, and that is why it is critical that we keep moving along here.

One of the criticisms I have had of this administration is the lack of priority and funding for the military. While they have increased the deficit by $5.3 trillion in 4 years, the only major part of the budget that has decreased has been the military.

Now, that is something that is pretty well known. A lot of people do not like that idea. The thing that bothers me just as much is putting another agenda under the military budget. For example, you have heard Senator McCain, and me, and others talk about the fact that the Navy paid for 450,000 gallons of fuel, some $26 a gallon that you can get on the market for $3. The Air Force, the same thing, except that it is $59 a gallon.

The question I would have of you is just a commitment that if you are confirmed, will you confine the dollars that we are going to spend in the defense budget for defense purposes, for warfighting purposes?

Senator HAGEL. Of course I will because that is the intent of our budget and DOD.

Senator INHOFE. Good. I appreciate that very much. There was an article the other day in the Washington Post by Jennifer Rubin called "Our Dimwitted State Department". It was kind of an interesting article. There are four questions that I am going to ask that you respond for the record. For people who do not know what that is, that means later on in writing.

The questions that I liked that she asked were, did the sale of the F–16s encourage Mohamed Morsi to crack down on his people? Number two, had we known he would crack, would we still have sent the weaponry? Number three, how will we respond to Morsi's anti-democratic moves and the rise in violence against Christians in Egypt, or, as will likely be the case, a failure to live up to Egypt's security obligations regarding Gaza? Four, have we miscalculated the Muslim Brotherhood? That would be for the record.

[The information referred to follows:]

Question. Did the sale of the F–16s encourage Morsi to crack down on his people?

Answer. I do not believe that there is a correlation between the sale of F–16s and the recent violence in Egypt. The F–16 aircraft has been a key component of the U.S. defense relationship with the Egyptian Armed Forces (EAF) for the last 30 years. The EAF have been a reliable partner during Egypt's transition, and provided security to reinforce Egyptian Ministry of Interior forces during elections and when called upon by President Morsi during the recent protests in the Suez Canal governorates. I believe it is in U.S. interests to maintain our defense relationship with Egypt. Working together to maintain the U.S.-Egypt defense relationship is also in the interest of Israel. It is critical that the U.S. Government continues to assist with the professionalization and the building of EAF capabilities to enable border security, participate in regional missions, and continue Egypt's role as a pillar of regional stability.

Question. Had we known he would crack down, would we still have sent the weaponry?

Answer. I cannot speak for the administration, but as I stated, I do not believe that there is a direct linkage between the sale of F–16s and the recent unrest in Egypt. I join U.S. and foreign leaders in condemning the recent violence. It is clear that a large number of Egyptian citizens are frustrated with the direction and pace of political and economic reform. It is critical that all stakeholders, government and opposition, work to address their frustrations and concerns peacefully and through dialogue.

Question. How will we respond to Morsi's anti-democratic moves and the rise in violence against Christians in Egypt, or as will likely be the case, a failure to live up to Egypt's security obligations regarding Gaza?

Answer. If confirmed, I will take every opportunity to call for a transparent, inclusive political process grounded in universal rights, the rule of law, and respect for the rights of women and religious minorities. The United States maintains the ability to halt assistance to Egypt if it is determined that there are major reversals in Egypt's democratic transition, a severe degradation in the rule of law, or changes in Egypt's foreign or military policy that directly threaten U.S. interests, including any changes to the Treaty of Peace with Israel.

I will also be clear with Egyptian leaders that Sinai security remains a serious concern, which poses risk to Egypt's internal stability as well as the security of Egypt's neighbor Israel. Restoring Sinai security requires consistent action against violent groups acting in the Sinai and weapons smuggling into Gaza. If confirmed, I will look for opportunities to provide U.S. security assistance through training and border security equipment to assist Egypt in addressing this shared security objective, as well as consistently engage senior Egyptian leaders on Sinai security.

Question. Have we miscalculated the Muslim Brotherhood?

Answer. No. We are clear-eyed about the Egyptian leadership; the fact is that the Freedom and Justice Party—the political arm of the Egyptian Muslim Brotherhood—won a majority of votes in Egypt's presidential elections. President Morsi has publicly committed to upholding Egypt's international obligations, including the Peace Treaty with Israel. We need to hold him to these commitments, as he attempts to lead Egypt's political transition and democratic consolidation, address Egypt's rapidly deteriorating economy, and develop sustainable civil-military relations. President Morsi, as the democratically elected leader of Egypt, has a special responsibility to build national consensus and strengthen Egypt's democracy. In my

view, U.S. support through economic and security assistance, as well as consistent engagement, is critical so that Egypt will continue to serve as a pillar of regional stability and peace.

Question. Do you support a third site of ground-based interceptor? It would be on the east coast somewhere.

Answer. If confirmed, I will work to ensure that the analysis Congress requested in section 221 of the National Defense Authorization Act for Fiscal Year 2013 to evaluate additional missile defense locations in the United States, including on the east coast, will be delivered on a timely basis, and that Congress remains informed about the Department's analysis about how to best protect the U.S. Homeland.

Senator INHOFE. In the area of the Global Zero policy, you and I talked about that in my office. Others have talked about it. We are very much concerned.

When I heard Senator Warner and others talk about what used to be the case, the problem, in terms of nuclear capability, we used to be talking about Russia and the United States. It is not true anymore. Our intelligence has told us since 2007 that Iran will have that nuclear capability and a delivery system by 2015, so it is other countries that are involved in that.

The question I would ask you, in your book you wrote that, "We must once again convince the world that America has a clear intention of fulfilling the nuclear disarmament commitments that we have made." Then a bit more recently you said, "I believe that providing necessary resources for nuclear modernization of the triads should be a national priority." Do you stand by your last statement?

Senator HAGEL. My last statement was——

Senator INHOFE. Your last statement is saying that, "I believe that providing the necessary resources for nuclear modernization of the triads should be a national priority."

Senator HAGEL. Absolutely it should be, and I agree with that. That is what the policy of this administration is.

Senator INHOFE. I am merely bringing out the inconsistency because when you were involved with supporting the Global Zero or whatever the organization was, their declaration is, "We, the undersigned believe that to protect our children, our grandchildren, our civilization from the threat of nuclear catastrophe, we must eliminate all nuclear weapons globally. We, therefore, commit to working for a legally binding verifiable agreement, including all nations, to eliminate nuclear weapons by a date certain."

Senator HAGEL. The position of Global Zero, my position, some of the individuals—national security leaders, as Senator Nunn talked about, including himself, has never been unilateral disarmament, ever. Never. We have over the years, which I have supported, the United States has led the efforts to reducing nuclear warheads. There was no more significant voice for that than Ronald Reagan when he laid before Secretary General Gorbachev in 1986 a rather bold plan. In fact, I believe, paraphrasing President Reagan, we must eliminate nuclear warheads from the face of the planet. I believe he said something to that effect.

Global Zero has been very clear on this. Their effort is in line with every major national leader in the world, including President Obama, to continue to try to make an effort to reduce our nuclear warheads. But in a dangerous world, nuclear arsenals and our containment policy, which I mentioned in my statement, has been critically important. We are not going to unilaterally disarm.

Verifiable. It has to be bilateral. It has to be negotiated, as all our treaties have been.

Senator INHOFE. Thank you, Senator Hagel, but the reason I mentioned the mission statement is that is the group that you belong to. We can talk about that later. You may want to expand on that for the record.

My time has expired, but I have one last question I would like to ask, and that is, given that Iran—"The people"—and I am quoting right now—"from Iran, people of the Middle East, the Muslim region, and North Africa, people of these regions hate America from the bottom of their heart." It further said, "Israel is a cancerous tumor in the heart of the Islamist world." It further said, "Iran's warriors are ready and willing to wipe Israel off the map."

The question I would like to ask you, and you can answer for the record if you would like, is, why do you think that the Iranian foreign ministry so strongly supports your nomination to be the Secretary of Defense?

Senator HAGEL. I have a difficult enough time with American politics. Senator, I have no idea. But thank you, and I will be glad to respond further for the record.

[The information referred to follows:]

Question. The question I would like to ask you, and you can answer for the record if you would like, is, why do you think that the Iranian foreign ministry so strongly supports your nomination to be the Secretary of Defense?

Answer. While I cannot speak to the motivations of the Iranian Foreign Ministry spokesperson behind making those statements, there should be no doubt that I fully support and—if confirmed—will faithfully execute the President's multi-vector strategy towards Iran. This strategy has included tough-minded diplomacy, crippling sanctions, and serious contingency planning with the objective of preventing Iran from acquiring a nuclear weapon.

Senator INHOFE. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

Senator Reed.

Senator REED. Thank you very much, Mr. Chairman.

First, I would ask unanimous consent that several letters of support, including one from 13 former Secretaries of Defense, Secretaries of State, and National Security advisors, strongly endorsing Senator Hagel's nomination, be placed in the record.

Chairman LEVIN. It will be placed in the record.

[The information referred to follows:]

Prominent Veterans' Organizations Support Chuck Hagel

- **Veterans of Foreign Wars (VFW)**
  "It is not the place for America's oldest and largest combat veterans organization to advise or recommend to the President who he should nominate for cabinet positions. However, the Veterans of Foreign Wars of the U.S. considers Chuck Hagel — a twice-wounded Vietnam War infantryman and former two-term U.S. senator from Nebraska — to be uniquely qualified to lead the Department of Defense." – *Robert E. Wallace, Executive Director*

- **Iraq and Afghanistan Veterans of America (IAVA)**
  "Without Senator Hagel's leadership in Washington, there would not be a Post-9/11 G.I. Bill." "Senator Hagel has always been a strong advocate for veterans; at the Department of Defense, there is no doubt he will continue that legacy. Time and time again, from Vietnam to the VA to the USO, Senator Hagel has answered his country's call to serve, demonstrating courage, character and resolve at every turn. We encourage the Senate to approve his nomination swiftly." – *Paul Rieckhoff, Founder and Chief Executive Officer*

- **AMVETS**
  AMVETS National Commander Cleve Geer endorsed President Barack Obama's nomination of Chuck Hagel as the next Secretary of Defense. "AMVETS fully supports President Obama's nomination of Chuck Hagel for the future Secretary of Defense," said Geer. "As a veterans service organization, AMVETS' main mission is to serve as an advocate for veterans, their families and the community in which they live. I am confident that former Sen. Hagel will utilize his experience and understanding of America's military to lead this nation's troops and the Department of Defense."

- **VoteVets.org**
  VoteVets' petition for Hagel was signed by over 8000 veterans and military families. "Senator Hagel is a tremendous pick for Secretary of Defense, who I know very well, and I have little doubt that he will serve President Obama with distinction – both as a voice of reason within the administration, and as a faithful advocate for carrying out the policies of the Commander in Chief. When it is all said and done, we will be talking about him as one of the finest Secretaries of Defense we've ever had." – *Jon Soltz, Founder and Chairman*

- **Military Officers Association of America (MOAA)**
  "While MOAA does not endorse or oppose specific candidates for elected of appointed office, we believe Sen. Hagel is certainly a candidate who is fully qualified for appointment to this extremely important position. MOAA's past work with Sen. Hagel has been very positive, and we believe he brings an important sensitivity to the human side of budget and operational considerations. His experience as a combat-wounded Vietnam veteran, as Deputy Administrator of the VA and his two terms in the Senate provide a range of perspectives that would serve any Secretary of Defense well. MOAA previously recognized Sen. Hagel's efforts to protect the interests of military beneficiaries with our Arthur T. Marix Congressional Leadership Award. [...] MOAA does not believe cabinet nominees should be held hostage to political litmus tests." – *Admiral Norbert R. Ryan, Jr., USN (Ret.), President*

- **Non Commissioned Officers Association of the USA (NCOA)**
"NCOA strongly supports the appointment of The Honorable Chuck Hagel to be Secretary of Defense [...] His military service including being twice wounded in action has instilled the values of service and personal sacrifice and for which he knows well the human cost of war. He has been an advocate for Soldiers, Marines, Sailors, Airmen, and Coasties to ensure the training and equipage of America's 21st Century Military Force to coincide with a solid revised Defense posture to meet conventional and unconventional world challenges. Senator Hagel has also championed personnel issues relating to combat dwell time, force protection, transition issues including electronic medical issues, preparation for future employment and training, veterans benefits including enhancements to Post 9/11 educational benefits. He also recognizes the value and sacrifice of families of the men and women who serve in this nation's Uniformed Services." – *Richard C. Schneider, Executive Director for Government Affairs*

- **Vietnam Veterans of America (VVA)**
"We like Hagel. We think he's a great guy, and having a combat veteran in there would be a good thing," *Vietnam Veterans of America President John Rowan said*.

- **The American Legion**
"[Hagel] is a longtime member of the Legion; he joined right after he returned from Vietnam. He's a longtime advocate for veterans in the VA and especially for veterans exposed to Agent Orange. Our organization has consulted with him among others on various national security matters. Having said that, the American Legion is prohibited by our congressional charter... from endorsing any candidate for elected or appointed office." – *John Raughter, communications director for the American Legion*

- **Vietnam Veterans Memorial Fund**
"I first met Mr. Hagel in 1981, when he was the No. 2 man at the Veterans Administration. He had just thrown out of his office some people who were demanding that he stop his support for Maya Lin's design for the Vietnam Veterans Memorial. His integrity and toughness were impressive then. Both qualities have grown since. Long before he became a senator, Mr. Hagel was an infantryman in Vietnam. He fought the enemy up close, and he had to put Americans in body bags. I am sure that as defense secretary, he would not hesitate to use military force aggressively if our nation or its allies are in danger. Yet he knows well that war is terribly unpredictable and needs to be avoided. He has shown some fury at those who have never seen war but encouraged it during the past decade. This is called courage. He has earned his stripes." – *Jan C. Scruggs, Founder and President*

VETERANS OF FOREIGN WARS

VFW STATEMENT ON SENATOR CHUCK HAGEL NOMINATION

VFW EXECUTIVE DIRECTOR SPEAKS ABOUT NEXT SECRETARY OF DEFENSE

January 07, 2013

The following statement is by Robert E. Wallace, executive director of the Veterans of Foreign Wars of the United States, regarding today's nomination of Sen. Chuck Hagel to become the next Secretary of Defense:

"It is not the place for America's oldest and largest combat veterans organization to advise or recommend to the President who he should nominate for cabinet positions. However, the Veterans of Foreign Wars of the U.S. considers Chuck Hagel — a twice-wounded Vietnam War infantryman and former two-term U.S. senator from Nebraska — to be uniquely qualified to lead the Department of Defense."

http://www.vfw.org/News-and-Events/Articles/2013-Articles/VFW-STATEMENT-ON-SENATOR-CHUCK-HAGEL-NOMINATION/

IRAQ AND AFGHANISTAN VETERANS OF AMERICA

Hagel Nomination Praised by IAVA

January 7, 2013



IAVA released a statement today praising the nomination of former Senator Chuck Hagel for Secretary of Defense.

"IAVA applauds the President's nomination of Senator Chuck Hagel to serve as Secretary of Defense," IAVA founder and CEO Paul Rieckhoff said. "Senator Hagel is a welcomed choice and this is a historic day for veterans of all generations. Iraq and Afghanistan veterans know Senator Hagel as a trusted friend, advocate and role model. He is a man of tremendous character who we can always count on to put our country ahead of politics. As a decorated combat veteran of Vietnam, Senator Hagel uniquely understands the challenges America's armed forces are facing worldwide. He also understands the challenges they face when they transition home, which will be essential in the years ahead. As we confront an alarming suicide rate, a shrinking military and high unemployment for veterans, we need a Secretary of Defense who knows where we're coming from. After over ten long years of war, now is the time for a combat veteran like Senator Hagel to lead the Pentagon.

"As a former enlisted soldier, Senator Hagel understands the challenges our troops and veterans face on a deeply personal level. He's a man of great integrity who knows what it's like to put his life on the line for his country. He has walked in our boots, and we know we can trust him to always have our back."

Senator Hagel served as an enlisted soldier in the U.S. Army infantry from 1967 to 1968, when he was a squad leader in the 9th Infantry Division. He earned two Purple Hearts for his service in Vietnam. After returning home from Southeast Asia, Senator Hagel used the Montgomery G.I. Bill to attend college. Later, as a U.S. Senator, Hagel was an initial sponsor of the Post-9/11 Bill, which expanded G.I. Bill benefits for a new generation of veterans returning from Iraq and Afghanistan. IAVA was instrumental in the passage of the New G.I. Bill and worked closely with Senator Hagel on this historic piece of legislation.

"Without Senator Hagel's leadership in Washington, there would not be a Post-9/11 G.I. Bill," Rieckhoff added. "Senator Hagel has always been a strong advocate for veterans; at the Department of Defense, there is no doubt he will continue that legacy. Time and time again, from Vietnam to the VA to the USO, Senator Hagel has answered his country's call to serve, demonstrating courage, character and resolve at every turn. We encourage the Senate to approve his nomination swiftly."

http://iava.org/blog/hagel-nomination-praised-iava

AmVets National Commander Approves Defense Secretary Nomination

LANHAM, Md., Jan. 8, 2013—This afternoon, AMVETS National Commander Cleve Geer endorsed President Barack Obama's nomination of Chuck Hagel as the next Secretary of Defense. Obama announced the nomination yesterday, Jan. 7, 2013.

"AMVETS fully supports President Obama's nomination of Chuck Hagel for the future Secretary of Defense," said Geer. "As a veterans service organization, AMVETS' main mission is to serve as an advocate for veterans, their families and the community in which they live. I am confident that former Sen. Hagel will utilize his experience and understanding of America's military to lead this nation's troops and the Department of Defense."

If confirmed by the Senate, Hagel will be first infantryman to serve as the Secretary of Defense. He will replace current Secretary of Defense Leon Panetta, who has been in this position since 2011. Hagel's experience ranges from serving in the Army during the Vietnam War to representing Nebraska as a senator.

About AMVETS:
A leader since 1944 in preserving the freedoms secured by America's armed forces, AMVETS provides support for veterans and the active military in procuring their earned entitlements, as well as community service and legislative reform that enhances the quality of life for this nation's citizens and veterans alike.AMVETS is one of the largest congressionally-chartered veterans' service organizations in the United States, and includes members from each branch of the military, including the National Guard and Reserves.

To learn more, visit: www.amvets.org.

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http://www.amvets.org/amvets-national-commander-approves-defense-secretary-nomination/

Stewart M. Hickey
Executive Director

Chuck Hagel would make an Outstanding Secretary of Defense

January 16, 2013

The Honorable Carl Levin, Chairman
The Honorable James M. Inhofe, Ranking Member
Committee on Armed Services
United States Senate
Room SR-228 Russell Senate Office Building
Washington, DC 20510

Phone: 202-224-3871
Fax: 202-228-0036

Dear Chairman Levin and Ranking Member Inhofe:

While some of our organizations cannot recommend whom the President should appoint to his cabinet, we believe that Senator Chuck Hagel would make an outstanding Secretary of Defense, and is uniquely qualified to lead the men and women of America's Armed Forces.

Chuck Hagel is true patriot who volunteered to fight in the war of his generation when he could easily have opted for a safe assignment. Twice wounded in the service of our nation, this combat veteran knows first-hand what it means to wear the uniform, what it means when the nation sends its young people to war, and the price that our Soldiers, Sailors, Airmen and Marines sometimes pay in our defense.

He has fought with and for our troops his entire adult life: as a 21-year old infantry sergeant in Vietnam; as the deputy head of the VA who pushed for Agent Orange Benefits and for the Vietnam Veterans Memorial; as the President of the USO; and as a U.S. Senator who co-authored the Post-9/11 G.I. Bill. As Secretary of Defense he will be a strong advocate of preparing servicemen and women for a smooth transition from the military to the VA system, including making jobs and training, and efficient electronic records a top priority. His door would always be open to veterans' service organizations.

Chuck Hagel knows that, while military force in defense of the nation is unfortunately sometimes necessary, decisions concerning war and peace, life and death, never should be undertaken lightly. This is the least that we can ask of our leaders.

The President has said that "in Chuck Hagel our troops see a decorated combat veteran of character and strength. They see one of their own. Chuck is a champion of our troops and our veterans and our military families." "Chuck knows that war is not an abstraction. He understands that sending young Americans to fight and bleed in the dirt and mud, that's something we only do when it's absolutely necessary." As veterans, we could not agree more. As the nation commemorates the 50th anniversary of the Vietnam War, it is fitting and proper that the next Secretary of Defense should be a wounded and decorated veteran of that conflict – the first Vietnam veteran and the first enlisted man to hold this post.

Sincerely,

Stewart M. Hickey
Executive Director

SERVING WITH PRIDE

AMVETS

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MOAA
Military Officers Association of America

VADM Norbert R. Ryan, Jr. USN (Ret)
President

January 18, 2013

The Honorable Carl Levin
Chairman, Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

I am writing on behalf of the 380,000 members of the Military Officers Association of America (MOAA) to express MOAA's concern about some arguments being raised in opposition to the nomination of Sen. Chuck Hagel to be Secretary of Defense.

While MOAA does not endorse or oppose specific candidates for elected or appointed office, we believe Sen. Hagel is certainly a candidate who is fully qualified for appointment to this extremely important position.

MOAA's past work with Sen. Hagel has been very positive, and we believe he brings an important sensitivity to the human side of budget and operational considerations.

His experience as a combat-wounded Vietnam veteran, as Deputy Administrator of the VA and his two terms in the Senate provide a range of perspectives that would serve any Secretary of Defense well. MOAA previously recognized Sen. Hagel's efforts to protect the interests of military beneficiaries with our Arthur T. Marix Congressional Leadership Award.

While there is every potential we might disagree with some future decisions Sen. Hagel or any other Secretary of Defense will have to make on specific issues, we don't believe such speculation is a fair basis for questioning his qualifications.

MOAA believes, barring unexpected revelations of clearly disqualifying circumstances, the Senate should confirm a President's nominations for cabinet positions.

While each senator must vote his or her conscience, MOAA does not believe cabinet nominees should be held hostage to political litmus tests.

Sincerely, Best Regards

Norb Ryan

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Alexandria, VA 22314-2539
800.234.6622 phone
www.moaa.org

NCOA

Non Commissioned Officers Association of the United States of America

P.O. Box 427 Alexandria, Virginia 22313 Telephone (703) 549-0311

January 22, 2013

The Honorable Carl Levin, Chairman
The Honorable James M. Inhofe, Ranking Member
Committee on Armed Services
United States Senate
Room SR-228 Russell Senate Office Building
Washington, DC 20510

Dear Chairman Levin and Ranking Member Inhofe:

The Non Commissioned Officers Association of the USA (NCOA) strongly supports the appointment of The Honorable Chuck Hagel to be Secretary of Defense.

The association's membership is comprised of current and former enlisted members of the active duty military, Guard and Reserve Components to include all elements of the United States Coast Guard. The members of NCOA share a common experience with Senator Hagel who personally experienced the rigors of military service to include combat in the Vietnam War.

His military service including being twice wounded in action has instilled the values of service and personal sacrifice and for which he knows well the human cost of war.

He has been an advocate for Soldiers, Marines, Sailors, Airmen, and Coasties to ensure the training and equipage of America's 21st Century Military Force to coincide with a solid revised Defense posture to meet conventional and unconventional world challenges.

Senator Hagel has also championed personnel issues relating to combat dwell time, force protection, transition issues including electronic medical issues, preparation for future employment and training, veterans benefits including enhancements to Post 9/11 educational benefits. He also recognizes the value and sacrifice of families of the men and women who serve in this nation's Uniformed Services.

The NCOA has no hesitation in asking that Senator Hagel receive an expeditious hearing that confirms his confirmation to be the next Secretary of Defense. This Association recognizes the challenges that will be faced as Secretary of Defense and believe Senator Hagel is well qualified to lead the Department of Defense.

Sincerely

Richard C. Schneider
Executive Director for Government Affairs

VoteVets.org
The Voice of America's 21st Century Patriots

PUBLISHED: January 07, 2013

VOTEVETS.ORG CHEERS HAGEL PICK

Group Garnered Over 8000 Veterans and Military Families in Support of Hagel

WASHINGTON, DC - The largest progressive group of veterans in America, VoteVets.org, today cheered the pick of Chuck Hagel to be the next Secretary of Defense. The group previously launched a petition in support of Hagel, which gained over 13,000 sigatures, including over 8000 Veterans and Military Families.
http://votevets.org/news/releases?id=0528

In a statement, VoteVets.org Chairman and Iraq War Veteran Jon Soltz said:

"Senator Hagel is a tremendous pick for Secretary of Defense, who I know very well, and I have little doubt that he will serve President Obama with distinction – both as a voice of reason within the administration, and as a faithful advocate for carrying out the policies of the Commander in Chief. When it is all said and done, we will be talking about him as one of the finest Secretaries of Defense we've ever had.

Chuck Hagel brings three key things to this post. First, and foremost, as an enlisted soldier, who fought in Vietnam and was awarded the Purple Heart twice, Chuck Hagel's heart is still with the fighting men and women in uniform. He deeply understands what our warriors go through, when deployed. And so, when it comes to military action, Chuck Hagel will ask two questions: Is this good for American security, and is this good for our troops? That is something that is desperately needed.

Second, when it comes to American security, Chuck Hagel bravely broke with his party and his party's President, to stand up against the war in Iraq, which will go down in history as one of our most misguided military ventures. Chuck Hagel has no fear when it comes to standing up to neoconservatives, and their preemptive war, nation building dreams. As a Republican, he adds a very crucial dose of credibility when he speaks out against wrongheaded military action.

Third, and equally as important, Chuck Hagel is a vociferous advocate for cutting Pentagon waste - from outdated weapons to our over-bloated nuclear arsenal, both of which eat up billions and billions of dollars. In these tough economic times, Chuck Hagel will have no problem identifying waste at the Department of Defense, and cutting it. Those savings will both help the American economy, and free up resources to ensure that our troops are taken care of, as they deserve.

Along with John Kerry at the State Department, service men and women will have a real dream team – secretaries who served in war, were wounded, and performed heroically. President Obama is to be commended for standing up for our men and women in uniform, and putting the very best people for the job at the Departments of Defense and State."

Founded in 2006, and backed by over 220,000 members, the mission of VoteVets.org is to use public issue campaigns and direct outreach to lawmakers to ensure that troops abroad have what they need to complete their missions, and receive the care they deserve when they get home. VoteVets.org also recognizes veterans as a vital part of the fabric of our country and will work to protect veterans' interests in their day-to-day lives. VoteVets.org is committed to the destruction of terror networks around the world - with force when necessary - to protect America. While non-partisan, the group is the largest progressive organization of veterans in America.

Vietnam Veterans of America

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A Not-For-Profit Veterans Service Organization Chartered by the United States Congress

January 30, 2013

The Honorable Carl Levin, Chairman
The Honorable John McCain, Ranking Member
United States Senate Committee on Armed Services
Russell Senate Office Building, Room SR-228
Washington, D.C. 20510

Dear Chairman Levin and Ranking Member McCain,

Vietnam Veterans of America (VVA) is pleased and proud to stand in support of the nomination of Senator Chuck Hagel as Secretary of Defense.

We have known Chuck Hagel for more than thirty years. We know him to be a man of the highest character and integrity who will take care of the troops while accomplishing the mission. He has the range and depth of knowledge in foreign affairs as well as defense policy to more than have sufficient gravitas to be an excellent Secretary of Defense. He is an inspired choice.

Senator Hagel's initial experience with governance in the nation's capital did not end well. He left the then Veterans Administration, where he had been Deputy Administrator, because the VA bureaucracy refused to be honest about the health effects of Agent Orange, and the effort by many at the VA to destroy the VET Centers – the Readjustment Counseling Service –to treat Post-traumatic Stress Disorder (PTSD). As far as we know, Chuck Hagel is the only one in our generation to resign such a post on principle. This is very much in keeping with the spirit of our nation's Founding Fathers.

After leaving full-time public service, Chuck Hagel started his business, Vanguard Cellular, and worked tirelessly to make it a real success, creating many jobs along the way. As a private citizen, he helped keep the issue of adequate care and assistance to veterans with PTSD in the fore. Even while building his business he made time to be active in veterans affairs, assisting in the effort to build the Vietnam Women's Memorial and serving on the Board of the Vietnam Veterans Memorial Fund.

As a Senator, he was a key player in securing the GI Bill for the 21st Century, as well as other key programs to assist the veterans of our latest wars. He was the critical champion in the Senate in strengthening veterans' preference in federal hiring, which has made the current campaign to hire veterans of Afghanistan and Iraq into government positions successful.

As a combat-tested soldier who acquitted himself well in battle, he knows first-hand what it means to commit our troops to war. He gets it that warfare is ultimately about the mud and the blood and the efforts of troops on the ground, so he will ensure that we continue to be the best-equipped and trained military in the world. We also believe that Senator Hagel understands that it is small business where much of the best innovation comes from, and so will ensure that there is real competition at DoD, which is another way of saying that he will be committed to small business as a key partner in acquisition and innovation strategy.

VVA recommends Chuck Hagel, without reservation, for quick confirmation as Secretary of Defense, a position for which he is uniquely and pre-eminently qualified.

Sincerely,

John Rowan
National President

December 20, 2012

Ambassadors' Open Letter:
Senator Hagel Impeccable Choice for Defense Secretary

We support, most strongly and without qualification, President Obama's reported intention to nominate Senator Chuck Hagel to be the next secretary of defense. Each of us has known the senator over the past twenty years and has found him invariably one of the best informed leaders in the U.S. Congress on the issues of U.S. national security. Senator Hagel's credentials for the job are impeccable. As a decorated Vietnam veteran, an extremely successful entrepreneur in the private sector and as a two-term senator, he brings unusually high qualifications and experiences to the Department of Defense at this time of budget constraint and challenges to reshape America's military power while keeping it strong for the coming decades.

Senator Hagel's political courage has impressed us all. He has stood and argued publicly for what he believes is best for the United States. When he was attacked for opposing the war in Iraq as "unpatriotic," he replied, "To question your government is not unpatriotic – to not question your government is unpatriotic."

Time and again he chose to take the path of standing up for our nation over political expediency. He has always supported the pillars of American foreign policy – such as: a strong NATO and Atlantic partnership; a commitment to the security of Israel, as a friend and ally; a determination to stop the proliferation of nuclear weapons; and the defense of human rights as a core principle of America's role in the world.

Each of us has had the opportunity to work with Senator Hagel at one time or another on the issues of the Middle East. He has invariably demonstrated strong support for Israel and for a two

state solution and has been opposed to those who would undermine or threaten Israel's security.

We can think of few more qualified, more non-partisan, more courageous or better equipped to head the Department of Defense at this critical moment in strengthening America's role in the world. If he is nominated, we urge the speedy confirmation of Senator Hagel's appointment.

Sincerely,

Nicholas Burns, former Under Secretary of State for Political Affairs, Ambassador to NATO and Greece

Ryan Crocker, former Ambassador to Iraq and Afghanistan

Edward Djerejian, former Ambassador to Israel and Syria

William Harrop, former Ambassador to Israel

Daniel Kurtzer, former Ambassador to Israel and Egypt

Sam Lewis, former Ambassador to Israel

William H. Luers, former Ambassador to Venezuela and Czechoslovakia

Thomas R. Pickering, former Under Secretary of State for Political Affairs, Ambassador to Israel and Russia

Frank G. Wisner, former Under Secretary of Defense for Policy, Ambassador to Egypt and India

30 January 2013

The Honorable Carl Levin, Chairman
The Honorable James M. Inhofe, Ranking Member

Committee on Armed Services, United States Senate
Room SR-228 Russell Senate Office Bldg.
Washington, DC 20510

Dear Chairman Levin and Ranking Member Inhofe:

On behalf of the Foreign Area Officer Association (FAOA) and the defense international affairs community, I am writing in support of the nomination of Senator Chuck Hagel as the next Secretary of Defense. FAOA is the professional organization of our military's specially-trained and experienced international affairs and language/culture experts (the FAOs), including Defense Attachés and Security Cooperation personnel--retired, reserve, active duty, and civilian force.

Chuck Hagel has been a strong and active supporter of FAOA and the defense international affairs and language/culture functions, and we were honored to have Senator Hagel as our Distinguished Speaker last year, to participate in his Atlantic Council events, and to assist with promoting his forward-looking book: *America: Our Next Chapter*. Through these interactions, it was clear that he fully understands and greatly values the role and contributions of the defense international affairs community to our national security. He is a kindred spirit with our purpose, passion, and pursuit of advancing an insightful military and foreign policy, fully informed by true international affairs and region/culture experts. Our nation and Defense Department needs this kind of clear thinking and nuanced approach.

Senator Hagel is a warrior, a statesman, and a profound thinker about the nation's security. Throughout his career, Senator Hagel has also fought for our troops – from an infantry sergeant in Vietnam, to the deputy head of the Veterans Administration, President of the United Service Organizations (USO), and as a Senator and co-author of the Post-9/11 G.I. Bill. Chuck Hagel is uniquely qualified to lead the men and women of our Armed Forces, and would make an outstanding Secretary of Defense. If confirmed, he would also be the first Vietnam veteran and former NCO to be the Secretary of Defense

We urge you to promptly confirm him!

Kurt M. Marisa

Kurt M. Marisa
Colonel (Ret), USAF
President, FAO Association

President@FAOA.org *Mount Vernon, VA 22121* *www.FAOA.org*

December 21, 2012

We write regarding the qualifications of former Senator Chuck Hagel to be Secretary of Defense. As former Generals and Admirals from the Army, Air Force, Marines and Navy, we are certain that Senator Hagel would be a strong leader in the Pentagon.

Senator Hagel is eminently qualified for the job. He is a decorated Vietnam veteran, a successful businessman, a leader in Ronald Reagan's Veteran's Administration and, since his election to the Senate in 1996, one the country's leading voices on foreign policy. He would bring a long-term strategic vision to the job and to the President's Cabinet.

Senator Hagel has stood up for what he believes are best interests of the United States for many years, regardless of party or politics. We all know that the next Secretary of Defense will have a challenging job to do – in this time of budget constraint and unprecedented challenges around the world, the leadership of the Department of Defense must be strong. But, as then-Senator Hagel said to his colleagues on the Senate Foreign Relations Committee in 2007: "If you want a safe job, go sell shoes."

Most importantly, we believe that the person who can best lead the Pentagon is one who understands the importance of the challenges that our warfighter faces. Everyone in the Department of Defense, from the most-recently enlisted Privates to the senior General Officers, respect his service to his country on the battlefields in Vietnam. Even more, his decades of work with Veterans organizations show that he will forcefully advocate for continued support to the men and women of our armed forces long after they have returned from today's battlefields.

We look forward to working with Senator Hagel if and when he is nominated by the President and confirmed by the Senate. Senator Hagel has been a voice of moderation and balance in an unbalanced time, and we can think of few people better qualified to lead the Department of Defense.

Sincerely,

Lieutenant General Brent Scowcroft, USAF (Ret.) former National Security Advisor to Presidents Gerald Ford and George H.W. Bush
Admiral William J. Fallon, USN (Ret.), former Commander of U.S. Central Command and U.S. Pacific Command
General Lester L. Lyles, USAF (Ret.) former Commander, Air Force Material Command, Wright-Patterson Air Force Base
Admiral Robert J. Natter, USN (Ret.), former Commander of U.S. Atlantic Fleet/Fleet Forces Command
General Chuck Wald, USAF (Ret.), former Deputy Commander of United States European Command
General Anthony Zinni, USMC (Ret.), former Commander in Chief of United States Central Command
Lieutenant General John "Glad" Castellaw, USMC (Ret.), former Chief of Staff of United States Central Command
Lieutenant General Daniel Christman, USA (Ret.), former Superintendent of the United States Military Academy at West Point
Lieutenant General Robert G. Gard, Jr., USA, (Ret.), former President of the National Defense University
Brigadier General Stephen Cheney, USMC (Ret.), former Inspector General of the Marine Corps
Brigadier General Dr. John H. Johns, USA (Ret.), former Assistant Commander of the 1st Infantry Division and Professor of National Security Strategy at the National Defense University

FOR IMMEDIATE RELEASE: January 16, 2013
Contact: Iris Bieri, iris@fcsny.org, 937-266-1574

FIFTY AMERICAN STATESMEN TO SENATORS: CONFIRM CHUCK HAGEL AS SECRETARY OF DEFENSE

Diplomats Support Hagel In Largest-Ever Direct Appeal of its Kind

Washington, D.C. -- In a historic letter to the Senate being delivered today, 50 former U.S. Ambassadors and senior officials from the Defense and State Departments and the National Intelligence Council express their **support "strongly and without qualification"** of the nomination of Chuck Hagel to head the Department of Defense. The letter, **the largest-ever direct appeal by American diplomats to Congress in support of a cabinet nomination,** urges the Senate Armed Services Committee and Senate leadership to support a speedy confirmation of the former congressman, business owner and decorated veteran.

Citing their experiences serving Democratic and Republican presidents from Harry Truman to Barack Obama and working with Senator Hagel on national security issues over two decades, the signers commend the nominee for his **unique courage, judgment and commitment to the country's interests over political expediency**; and **call his credentials "impeccable."** They also applaud **Hagel's unwavering support for "the pillars of American foreign policy":** "a strong military; a robust Atlantic partnership; a commitment to the security of Israel, as a friend and ally; a determination to stop the proliferation of nuclear weapons; and the defense of human rights as a core principle of America's role in the world."

Former Deputy Secretary of State John C. Whitehead, former US. Trade Representative and Secretary of Housing and Urban Development Carla Hills, former Chairman of the National Intelligence Council Joseph Nye participated in the letter. **Professional diplomats** Frank Wisner, Nicholas Burns, Richard Murphy, Ryan Crocker and Morton Abramowitz; as well as **six former Ambassadors to Israel**:Thomas R. Pickering, Daniel Kurtzer, Sam Lewis, Edward Djerejian, William Harrop, and Edward Walker; also signed. The letter **highlights Hagel's strong support for Israel and a two-state solution** and his opposition to anything that would undermine Israel's security.

The letter is being delivered electronically and by hand to Senate leadership and each member of the Senate Armed Services Committee.

The full text of the letter is below.

Dear Senator:

We support, strongly and without qualification, President Obama's nomination of Chuck Hagel to be the next Secretary of Defense. Most of us have known the Senator for a decade or more and consistently have found him to be one of the best informed leaders in the U.S. Congress on national security issues. Senator Hagel's credentials for the job are impeccable. As a decorated Vietnam veteran, a successful entrepreneur in the private sector, and a two-term United States

senator, he brings exceptional qualifications and experience to the Department of Defense, particularly at this time of budget constraint and challenges in reshaping America's military power while keeping it strong for the coming decades.

Senator Hagel's political courage has impressed us all. He has stood and argued publicly for what he believes is best for the United States. Time and again, he has chosen to take the path of standing up for our nation, rather than the path of political expediency. He has always supported the pillars of American foreign policy: a strong military; a robust Atlantic partnership; a commitment to the security of Israel, as a friend and ally; a determination to stop the proliferation of nuclear weapons; and the defense of human rights as a core principle of America's role in the world.

We have spent most of our lives in the service of our country, deeply committed to America's security and the example of our democracy. Many of us served in the U.S. armed services and most of us have served for decades as professional diplomats. We are, by profession, non-partisan and have served loyally under Presidents from Harry Truman to Barack Obama. We come from virtually every part of this nation and represent a broad spectrum of Americans.

Most of us have had the opportunity to work with Senator Hagel on Middle East policy and other aspects of foreign relations. He has those rarest of qualities: good judgment and common sense. He listens, learns, and takes wise positions that advance the interests and security of the United States. He has repeatedly demonstrated his strong support for Israel and for a two state solution, and has opposed those who would undermine or threaten Israel's security.

We are greatly encouraged and proud that President Obama has chosen Chuck Hagel to serve our nation again, this time as Secretary of Defense. Few are as qualified, courageous, or well equipped to head the Department of Defense at this critical moment as the nation seeks to strengthen America's role in this changing world.

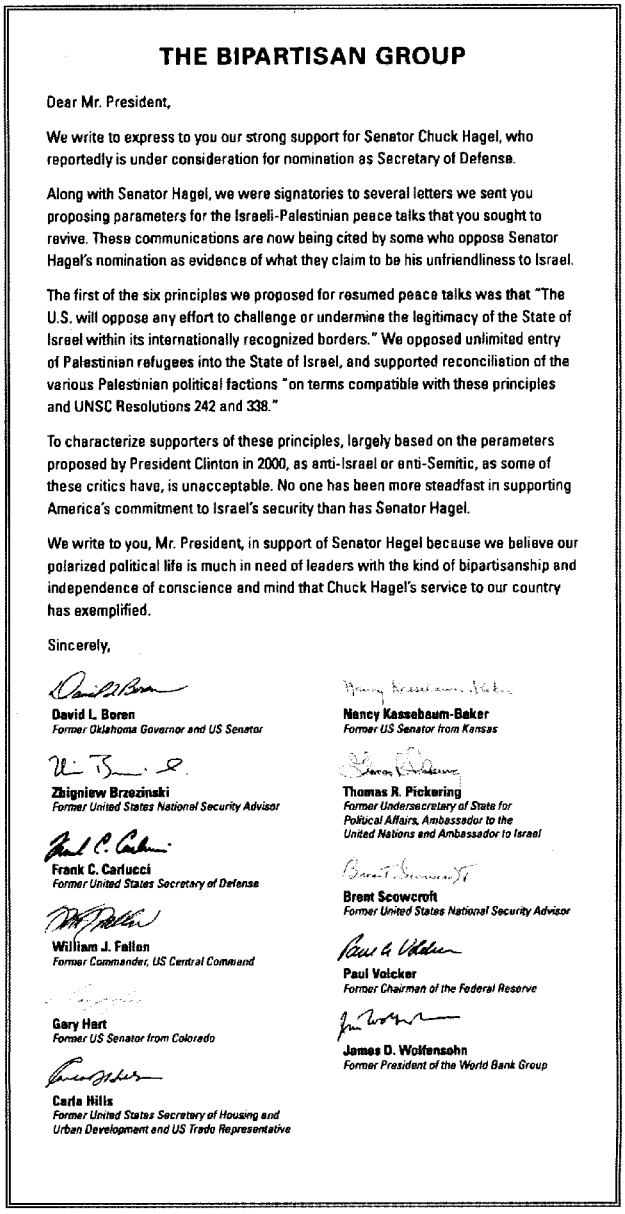
We urge speedy confirmation of this outstanding American patriot to be the next Secretary of Defense.

Sincerely,

- *John Beyrle, former Ambassador to Russia and Bulgaria*
- *Barbara K. Bodine, former Ambassador to Yemen*
- *Avis Bohlen, former Ambassador to Bulgaria and former Assistant Secretary for Arms Control*
- *Nicholas Burns, former Under Secretary of State for Political Affairs, Ambassador to NATO and Greece*
- *Elinor Constable, former Ambassador to Kenya*
- *Edwin G. Corr, former Ambassador to Peru, Bolivia and El Salvador*
- *Ryan Crocker, former Ambassador to Iraq and Afghanistan.*
- *Ruth A. Davis, former Ambassador to Benin and former Director General of the US Foreign Service*

- *James Dobbins, former Ambassador to the European Community and Assistant Secretary of State for Europe*
- *John Gunther Dean, former ambassador to Cambodia, Denmark, Lebanon, Thailand, and India*
- *Edward Djerejian, former Ambassador to Israel and Syria*
- *Nancy Ely-Raphel, former Ambassador to Slovenia*
- *Robert Gelbard, Former Ambassador to Indonesia and Bolivia and Assistant Secretary of State for International Narcotics and Law Enforcement*
- *James Goodby, former Ambassador to Finland*
- *William Harrop, former Ambassador to Israel and State Department Inspector General*
- *Ulric Haynes, Jr. former Ambassador to Algeria*
- *Christopher Hill, former Ambassador to Iraq*
- *Carla Hills, former United States Secretary of Housing and Urban Development*
- *H. Allen Holmes, former Ambassador to Portugal and Assistant Secretary of Defense for Special Operations*
- *Thomas L. Hughes, former Director of Intelligence and Research, Department of State*
- *Dennis Jett, former Ambassador to Mozambique and Peru*
- *Craig Johnstone, former Ambassador to Algeria*
- *Theodore Kattouf, former Ambassador to United Arab Emirates and Syria*
- *Daniel Kurtzer, former Ambassador to Israel and Egypt*
- *Sam Lewis, former Ambassador to Israel*
- *William H. Luers, former Ambassador to Venezuela and Czechoslovakia*
- *Dick McCormack, former Ambassador to the Organization of American States and United States Under Secretary of State for Economic and Agricultural Affairs*
- *Thomas E. McNamara, former Ambassador to Colombia and Ambassador-at-Large for Counterterrorism, and Special Assistant to the President for National Security Affairs*
- *Tom Miller, former Ambassador to Greece and Bosnia-Herzevovina*
- *William G. Miller, former Ambassador to Ukraine*
- *Richard Murphy, former Ambassador to Saudi Arabia, Mauritania, Syria, the Philippines*
- *Cameron Munter, former ambassador to Pakistan and Serbia*
- *Ronald Neumman, former Ambassador Afghanistan, Algeria and Bahrain*
- *Joseph Nye, former Chairman of the National Intelligence Council, and former Assistant Secretary of Defense for International Security*
- *Robert B. Oakley, former Ambassador to Pakistan, Somalia, and Zaire*
- *Phyllis E. Oakley, former Assistant Secretary of State for Intelligence and Research and Refugees*
- *W. Robert Pearson, former Ambassador to Turkey*
- *Pete Peterson, former Ambassador to Vietnam*
- *Thomas R. Pickering, former Under Secretary of State for Political Affairs, Ambassador to Israel, India Jordan, Russia and the United Nations*
- *Steven Pifer, former Ambassador to Ukraine*
- *Howard B. Schaffer, former Ambassador to Bangladesh*
- *Patrick Theros, former Ambassador to Qatar*
- *Nicholas Veliotes, former Ambassador to Jordon and Egypt*
- *Richard Viets, former Ambassador to Jordon, Tanzania, and Portugal*
- *Edward Walker, former Ambassador to Egypt, Israel and the United Arab Emirates*

- *Jennone Walker, former Ambassador to the Czech Republic*
- *John Whitehead, former Deputy Secretary of State*
- *Ross Wilson, former Ambassador to Turkey and Azerbaijan*
- *Frank G. Wisner, former Under Secretary of Defense for Policy, Ambassador to Egypt and India*



THE BIPARTISAN GROUP

Dear Mr. President,

We write to express to you our strong support for Senator Chuck Hagel, who reportedly is under consideration for nomination as Secretary of Defense.

Along with Senator Hagel, we were signatories to several letters we sent you proposing parameters for the Israeli-Palestinian peace talks that you sought to revive. These communications are now being cited by some who oppose Senator Hagel's nomination as evidence of what they claim to be his unfriendliness to Israel.

The first of the six principles we proposed for resumed peace talks was that "The U.S. will oppose any effort to challenge or undermine the legitimacy of the State of Israel within its internationally recognized borders." We opposed unlimited entry of Palestinian refugees into the State of Israel, and supported reconciliation of the various Palestinian political factions "on terms compatible with these principles and UNSC Resolutions 242 and 338."

To characterize supporters of these principles, largely based on the perameters proposed by President Clinton in 2000, as anti-Israel or anti-Semitic, as some of these critics have, is unacceptable. No one has been more steadfast in supporting America's commitment to Israel's security than has Senator Hagel.

We write to you, Mr. President, in support of Senator Hegel because we believe our polarized political life is much in need of leaders with the kind of bipartisanship and independence of conscience and mind that Chuck Hagel's service to our country has exemplified.

Sincerely,

David L. Boren
Former Oklahoma Governor and US Senator

Zbigniew Brzezinski
Former United States National Security Advisor

Frank C. Carlucci
Former United States Secretary of Defense

William J. Fallon
Former Commander, US Central Command

Gary Hart
Former US Senator from Colorado

Carla Hills
Former United States Secretary of Housing and Urban Development and US Trade Representative

Nancy Kassebaum-Baker
Former US Senator from Kansas

Thomas R. Pickering
Former Undersecretary of State for Political Affairs, Ambassador to the United Nations and Ambassador to Israel

Brent Scowcroft
Former United States National Security Advisor

Paul Volcker
Former Chairman of the Federal Reserve

James D. Wolfensohn
Former President of the World Bank Group

Senator REED. Mr. Chairman, I think the President chose wisely. There are very few people in this country with the experience, as a combat infantryman, decorated and wounded, as a business leader, as the second leader of the Veterans Administration, as a U.S. Senator, as someone who every day understands that the decisions we make will be carried out by young Americans, actually looked

in the face of young Americans, who has seen them suffer and die for this country. I think that quality is, if not unique, extraordinarily part of the nominee before us. Again, I think the President made a wise choice.

I think Senator Inhofe's discussions of the Global Zero Report is an opportunity for a quote, and let me quote. "There is one way safely and legitimately to reduce the cost of national security, and that is to reduce the need for it. This is what we are trying to do in negotiations with the Soviet Union. We are not just assessing limits on a further increase of nuclear weapons. We seek instead to reduce the number. We seek the total elimination one day of nuclear weapons from the face of the Earth." President Ronald Reagan in his second inaugural address.

The notion of Global Zero is not something unique. I would also point out that as signatories to the nuclear disarmament treaty, the Nonproliferation Treaty, Article 6 undertakes to commit at least to a treaty ultimately on general and complete disarmament under strict and effective control.

This is an aspiration that the United States has embraced for a very long time under presidents of both parties. I think, as Senator Hagel pointed out, this is not unilateral disarmament. This is a long process of making sure we have the nuclear weapons in place to deal with appropriate challenges, some of them very different than the Cold War, but the aspiration is important. It has been a bipartisan and constant one for decades. Is that a rough summary of what you might agree to, Senator?

Senator HAGEL. Yes, it is, Senator. Thank you.

Senator REED. The other issue is that there were several specific points raised with your record, and let me give you the opportunity to respond, if you will, to the questions that Senator Inhofe posed with respect to votes. If you have the list before you or——

Senator HAGEL. The what? I'm sorry?

Senator REED. Senator Inhofe posed several issues about a 2007 vote, a 2006 resolution with Hezbollah, 2003 Syrian sanctions, et cetera. You were prepared to comment. I think it is appropriate that you have an opportunity to comment. If you want to do so now, I would invite you to do so.

Senator HAGEL. I would be glad to further comment for the record because I have none of those specific quotes in front of me, and which I will, Senator, listing every vote I took.

I would say, though, included in those votes, which I do recall some of them, was a vote in 1998, a vote in 2000, a vote in 2006, specifically against Iran, sanctioning companies, unilateral sanctions, that in any way assisted in Iran's building their capability of nuclear weapons or rocket or missiles. I voted for those.

I recall signing a letter, a Warner-Levin letter in 2002 to the President of the United States regarding anti-Semitism in Russia. I wrote a letter to President Clinton specifically in 1999 recommending to President Clinton a number of steps that he take with President Yeltsin regarding anti-Semitism in Russia. I remember specifically there were two unanimous consent resolutions in 2006 against Hezbollah, against Hamas, against Syria, and Iran that we had unanimous consent, I supported on the floor of the Senate.

So there is a more complete record, Senator, than just one, or two, or three, or four, and those are some of them that I recall. As I noted in one of the responses back to Senator Inhofe, I did not take any action on any vote, as I suspect every colleague has the same way to approach votes, on this specific issue, on Hezbollah, Hamas, which I am on the record many times designating and saying that Hezbollah and Hamas are terrorist organizations. I am on the record many times in speeches, and on the floor of the Senate, and in the book I wrote in 2008 saying that Iran is a state sponsor of terrorism. That is not new. That is in my record.

But the way I approached every vote I ever took in the Senate was based on what I thought could be most effective, what was the situation at the time, how could we do this smarter and better. I have always believed that the President of the United States is the elected leader of America. He has within his responsibilities, and I believe it is clearly articulated in Article 2, to conduct foreign policy. I always thought the best way to deal with foreign leaders was let the President do that directly, for us to communicate with the President.

I do not think there was a letter that I can recall I signed to a President on any of these issues that I agreed with it that I did not sign. So it was never a matter of differing objectives here. It was a matter of how best we could do it.

I mentioned in 2008, the Secretary of State did not want one of those unilateral sanctions to go forward during the Bush administration, wrote a letter, 2001, which is one of the issues that Senator Inhofe brought up. The Bush administration was opposed to a 5-year renewal of ILSA.

Now, I am not saying that is right or wrong, but every one of the decisions I made, every vote I cast, was based on at the time what I thought made the most sense.

[The information referred to follows:]

A: Thank you for the opportunity to comment for the record. I'd like to include a detailed description of my legislative record for your review.

2008: Hagel cosponsored legislation to direct the Secretary of Defense to increase suicide prevention programs (S.2585)
2008: Hagel voted in favor of the revised version of the FY08 National Defense Authorization Act (H.R.4986)
2008: Hagel voted in favor of the 2008 Supplemental Appropriations Act (H.R. 2642).
2008: Hagel voted in favor of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (H.R.2638) which included Department of Defense Appropriations for FY09.
2007: Hagel cosponsored Senate Resolution (S.Res. 321) calling on Hamas to recognize the State of Israel's right to exist, to renounce and end all terror and incitement, and to accept past agreements and obligations with Israel.
2007: Hagel cosponsored legislation to mandate minimum breaks for troops between deployments to Iraq or Afghanistan (S.Amdt.2999 to H.R.1585).
2007: Hagel sponsored legislation to increase the death gratuity payable to survivors of service members who die on active duty or inactive duty training (S.659).
2007: Hagel voted in support of a Sense of Congress resolution to express that US forces in Iraq should transition to a more limited set of missions (S.Amdt.3876 to S.Amdt.3874 to H.R.2764).

2007: Hagel cosponsored an amendment to Defense authorization bill that called for US forces to begin to withdraw from Iraq in 120 days (S.Amdt.2087 to H.R.1585).
2007: Voted in March of 2007 for a goal of March 31, 2008 for withdrawal of US forces from Iraq. (S.Amdt.643 to H.R.1591).
2007: Hagel sponsored and cosponsored legislation that ultimately became the Post 9/11 Veterans Educational Assistance of 2008 (S.22, S.723).
2007: Hagel cosponsored legislation expressing the Senate's opposition to the surge in Iraq (S.Con.Res.2).
2007: Hagel cosponsored legislation to help service members with Traumatic Brain Injuries (S.1349), to establish a center for treatment of military eye injuries (S.1999) and to enhance health care services and benefits for wounded service members (S.1363, S.1606).
2007: Hagel voted in support of the Protect America Act of 2007 (S.1927) which expended the Foreign Intelligence Surveillance Act (FISA).
2007: Hagel voted in favor of the FY2008 National Defense Authorization Act (H.R. 1585). (Note that the bill was vetoed by the president.)
2007: Hagel supported the FY2008 Department of Defense Appropriations Act (H.R.3222), which passed the Senate by Voice Vote.
2006: Hagel voted in favor of the 2006 Emergency Supplemental Appropriations Act for Defense, Global War on Terror, and Hurricane Recovery (H.R.4939)
2006: Hagel voted in favor of the FY2007 Department of Defense Appropriations Act and Continuing Resolution (H.R. 5631).

2006: Hagel supported the FY2007 National Defense Authorization Act (H.R. 5122), which passed the Senate by Unanimous Consent.

2006: Hagel was an original cosponsor and strong supporter of the Palestinian Anti-Terrorism Act of 2006 (S.2370) which set strict conditions for U.S assistance to the Palestinian Authority, including a certification requirement that the Palestinian Authority halt anti-Israel incitement.

2006: Hagel supported and voted for a provision included in the FY2006 Supplemental Appropriations Act (H.R.4939) which prohibited distribution of financial assistance to the Palestinian Authority unless it complied with the standards established in the Quartet meeting of January 2006.

2006: Hagel voted in favor of reauthorizing the Patriot Act (H.R.3199).

2006: Hagel was an original cosponsor of a Senate Resolution (S.Con.Res 78) that condemned the Government of Iran for violating its international nuclear nonproliferation obligations and expressed support for efforts to report Iran to the United Nations Security Council.

2005: Hagel voted in favor of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief (H.R.1268).

2005: Hagel cosponsored legislation to increase the end strength of the Army by 30,000 and to increase the end strength of the by Marines by 5,000 (S.530).

2005: Hagel voted in favor of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act of FY06 (H.R. 2863).

2005: Hagel sent a letter along with Sen. Evan Bayh (D-IN) to then UN Secretary General Kofi Annan urging the UN to offer a strong resolution condemning statements which threatened the existence of Israel and the United States by Iranian President Mohammed Ahmadinejad and Supreme Leader of the Islamic Republic of Iran Ali Khameni.

2005: Hagel cosponsored a resolution urging the President to consider imposing sanctions under the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (S.Res.63).

2005: Hagel cosponsored legislation to provide grants to Israel to support research, development, and commercialization of alternative renewable energy sources (S. 1862).

2005: Hagel cosponsored the Nunn-Lugar Cooperative Threat Reduction Act of 2005 (S.313).

2005: Hagel supported the FY2006 National Defense Authorization Act (H.R. 1815), which passed the Senate by Unanimous Consent.

2004: Hagel cosponsored legislation to increase the end strength of the Army by 1000 (S.2165).

2004: Hagel voted in favor of the FY2005 Department of Defense Appropriations Act (H.R. 4613).

2004: Hagel supported the FY2005 National Defense Authorization Act (H.R. 4200), which passed the Senate by Unanimous Consent.

2004: Hagel sponsored legislation to increase the military death gratuity (S.2876).

2004: Hagel cosponsored the Comprehensive Peace in Sudan Act of 2004 (S.2781) which provided assistance to the Government of Sudan in order to implement a peace agreement.

2004: Hagel voted for the Intelligence Reform and Terrorism Prevention Act of 2004 (S.2845) that reorganized U.S. intelligence agencies as recommended by the September 11th Commission.

2003: Hagel cosponsored legislation to improve military pay and benefits for service members and their families (S.392, S.451, S.585, S.1916).

2003: Hagel voted in favor of the Consolidated Appropriations Resolution (War Supplemental) for 2003 (H.J. Res. 2).

2003: Hagel voted in favor of the Appropriations Act to Support Department of Defense Operations in Iraq for FY 2003 (S.762).

2003: Hagel voted in favor of the FY2004 Department of Defense Appropriations Act (H.R. 2658).

2003: Hagel voted in favor of FY2004 National Defense Authorization Act (H.R.1588).
2003: Hagel voted for a Senate Resolution (S.Res.393) that supported efforts to continue working with others in the international community, to build the capacity and will of Palestinian institutions to fight terrorism, dismantle terrorist organizations, and prevent the areas from which Israel had withdrawn from posing a threat to the security of Israel.
2002: Hagel voted in favor of the FY2003 Department of Defense Appropriations bill (H.R. 5010).
2002: Hagel voted in favor of the conference to the 2002 Supplemental Appropriations Act for Further Recovery and Response to Terrorist Attacks on the United States (H.R. 4775)
2002: Hagel supported the FY2003 National Defense Authorization Act (H.R. 4546), which was passed the Senate by Unanimous Consent.
2002: Hagel voted in favor of the Lieberman Amendment (S.Admt.3389 to the Trade Act of 2002) that expressed solidarity with Israel, commitment to assist Israel's right to self-defense, condemned Palestinian suicide bombings, demanded that the Palestinian authority dismantle the terrorist infrastructure in Palestinian areas and urged all Arab states to oppose terrorism.
2002: Hagel cosponsored legislation to expand Cooperative Threat Reduction funds for projects and activities to address proliferation threats outside the states of the former Soviet Union (S.2026).
2002: Hagel sponsored the Afghan Freedom Support Act of 2002 (S.2717) which provided military and humanitarian assistance to the government of Afghanistan.
2002: Hagel voted in favor of establishing the Department of Homeland Security (H.R.5005).
2002: Hagel voted to authorize the use of military force against Iraq (H.J.Res.114).
2002: Hagel signed the Levin-Warner Letter raising deep concerns "about the resurgence of anti-Semitism both in Europe and in the Arab media"
2001: Hagel voted in favor of the FY2002 National Defense Authorization Act (S.1438).
2001: Hagel voted in support of the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act of 2002 (H.R. 3338).
2001: Hagel voted in favor of the Patriot Act (HR.3162)

2001: Hagel voted in favor of the Authorization for the Use of Military Force (H.J.Res.64) in response to the September 11th attacks.
2000: Hagel voted in favor of the FY2001 Department of Defense Appropriations bill (H.R. 4576).
2000: Hagel voted in favor of the FY2001 National Defense Authorization Act (H.R. 4205).
2000: Hagel voted in favor of the Iran Non-Proliferation Act (H.R.1883) that allowed the United States to sanction companies that sell materials that could be used to make weapons or missiles in Iran.
1999: Hagel voted in favor of the FY2000 National Defense Authorization Act (S.1059).
1999: Hagel voted in favor of the conference report to FY2000 Department of Defense Appropriations bill (H.R. 2561).
1999: Hagel cosponsored a Concurrent Resolution (S.Con.Res.39) that condemned the treatment of religious minorities in the Islamic Republic of Iran, and particularly the arrests of members of that country's Jewish community.
1999: Hagel cosponsored legislation to improve military health care (S.350).
1999: Hagel cosponsored a Joint Resolution (S.J.Res.20) that would have authorized the President to use all military force to intervene in Kosovo.
1999: Hagel was an original cosponsor and voted in favor of a Concurrent Resolution (S.Con.Res.5) expressed opposition to the unilateral declaration of a Palestinian state and urged the President to assert clearly United States opposition to such a unilateral declaration of statehood.
1998: Hagel voted in favor of the FY1999 National Defense Authorization Act (H.R. 3616).
1998: Hagel voted in favor of the FY1999 Department of Defense Appropriations bill (H.R.4103).
1999: Hagel wrote to President Clinton urging condemnation of anti-Semitism in Russia.

1998: Hagel voted in favor of the Iran Missile Proliferation Sanctions Act (H.R.2709), which imposed sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles.
1997: Hagel voted in favor of the Chemical and Biological Weapons Threat Reduction Act (S.495).
1997: Hagel was an original cosponsor of a Concurrent Resolution (S.Con.Res.21) congratulating the residents of Jerusalem and the people of Israel on the 30th anniversary of the reunification of that historic city, and for other purposes.
1997: Hagel voted in favor of the FY1998 National Defense Authorization Act (H.R.1119).
1997: Hagel voted in favor of the FY1998 Department of Defense Appropriations bill (H.R.2266)

Senator REED. Senator, you have clearly stated that you are supportive of the President's efforts to support the State of Israel. You have indicated specifically the example of Iron Dome. I recall a statement recently by Defense Minister Barak that he has seldom seen or never has seen the same level of military support to the State of Israel that he has seen in the last several years.

You are, I presume and I hope, fully prepared to carry out that same effort, that same level of support, because of the vital interests that we share with the State of Israel.

Senator HAGEL. I am, and I have a record on that. In my book in 2008, interviews, speeches, I have always said I am a supporter of Israel. In some cases, I have said I am a strong supporter of Israel. In some cases I have even written, and I think it is in my book, that we have a special relationship with Israel. We always have had.

I have never voted against Israel ever in the 12 years I was in the Senate whether it was military authorizations, additional supplemental appropriations. The record is very clear on that.

I might add, as long as we are on this subject, that—and Senator Nelson may have a clearer view of this since he was just in Jerusalem, there have been a couple of recent statements made by the current Israeli Ambassador to the United States, the former Israeli Ambassador to the United States, now the Deputy Foreign Minister of Israel, that were fairly positive about me.

I think all the Israeli leaders I have dealt with over the years and met, I have been to Israel many times. The first two times I was in Israel was when I was the head of the United Services Organizations (USO). I kept the Haifa USO open. We did not close it. There was a lot of pressure when I took over the World USO to close USOs around the world, and we did. There was a lot of pressure to close the Haifa USO. I am the one that made the decision not to do that.

The former Chief of Naval Operations of Israel, Admiral Zev Almad, who has recently been interviewed about me, has strongly supported me and said specifically that I was a strong friend of Israel. Now the USO is closed, but the current then director of the USO, a lady by the name of Gila Garrison, who lives in Haifa, said I was a strong supporter and friend of Israel.

I think my record is pretty clear on my support of Israel, and I would, of course, continue to support the President's policies. I

think he has been as strong a supporter of Israel as maybe any President since 1948 when Harry Truman helped give birth to Israel. This President has been there. As he said, I have Israel's back—$3.1 billion in assistance, almost $300 additional million out of the Defense Department for Iron Dome, what we are doing with David Sling Arrow. I am a strong supporter of all those programs and will continue to support them.

Senator REED. Thank you.

Chairman LEVIN. Thank you. Before I call on Senator McCain, there is a quorum that is now present, and I now ask the committee to consider a list of 952 pending military nominations. They have all been before the committee the required length of time.

Is there a motion to favorably report those nominations?

UNIDENTIFIED SPEAKER. I so move.

Chairman LEVIN. Is there a second?

UNIDENTIFIED SPEAKER. Second.

Chairman LEVIN. All in favor, say aye? [A chorus of ayes.]

Opposed, any? [No response.]

The motion carries. Thank you all very much.

[The list of nominations considered and approved by the committee follows:]

MILITARY NOMINATIONS PENDING WITH THE SENATE ARMED SERVICES COMMITTEE WHICH ARE PROPOSED FOR THE COMMITTEE'S CONSIDERATION ON JANUARY 31, 2013.

1. MG William H. Etter, ANG to be lieutenant general and Commander, First Air Force (Air Force North) and Commander, Continental U.S. North American Aerospace Defense Command Region (Reference No. 53)
2. MG Kenneth E. Tovo, USA to be lieutenant general and Commander, Combined Security Transition Command-Afghanistan/Commander, North Atlantic Treaty Organization Training Mission-Afghanistan (Reference No. 59)
3. Col. Barbara R. Holcomb, USA to be brigadier general (Reference No. 62).
4. Col. Patrick D. Sargent, USA to be brigadier general (Reference No. 63).
5. In the Army there are two appointments to the grade of major general (list begins with Brian C. Lein) (Reference No. 64).
6. In the Air Force there is one appointment to the grade of major (Kory D. Bingham) (Reference No. 70).
7. In the Air Force Reserve there are three appointments to the grade of colonel (list begins with Michael A. Cooper) (Reference No. 71).
8. In the Air Force Reserve there are four appointments to the grade of colonel (list begins with Victor Douglas Brown) (Reference No. 72).
9. In the Air Force Reserve there are four appointments to the grade of colonel (list begins with Walter S. Adams) (Reference No. 73).
10. In the Air Force Reserve there are six appointments to the grade of colonel (list begins with John J. Bartrum) (Reference No. 74).
11. In the Air Force Reserve there are eight appointments to the grade of colonel (list begins with Kimberly L. Barber) (Reference No. 75).
12. In the Air Force Reserve there are 11 appointments to the grade of colonel (list begins with Dina L. Bernstein) (Reference No. 76).
13. In the Air Force Reserve there are 12 appointments to the grade of colonel (list begins with Timothy Lee Brininger) (Reference No. 77).
14. In the Air Force Reserve there are 198 appointments to the grade of colonel (list begins with Francis Xavier Altieri) (Reference No. 78).
15. In the Army there is one appointment to the grade of lieutenant colonel (Jonathan A. Foskey) (Reference No. 79).
16. In the Army Reserve there is one appointment to the grade of colonel (Marion J. Parks) (Reference No. 80).
17. In the Army Reserve there is one appointment to the grade of colonel (Karen A. Pike) (Reference No. 81).
18. In the Army there are two appointments to the grade of major (list begins with Derek S. Reynolds) (Reference No. 82).
19. In the Army there are two appointments to the grade of major (list begins with Edward A. Figueroa) (Reference No. 83).

20. In the Army Reserve there are two appointments to the grade of colonel (list begins with Jack C. Mason) (Reference No. 84).
21. In the Army Reserve there are 79 appointments to the grade of colonel (list begins with Ruth E. Aponte) (Reference No. 85).
22. In the Army there are 88 appointments to the grade of major (list begins with Leslie E. Akins) (Reference No. 86).
23. In the Army Reserve there are 217 appointments to the grade of colonel (list begins with Timothy G. Abrell) (Reference No. 87).
24. In the Army Reserve there are 225 appointments to the grade of colonel (list begins with Rafael E. Abreu) (Reference No. 88).
25. In the Marine Corps there is one appointment to the grade of major (Jackie W. Morgan, Jr.) (Reference No. 91).
26. In the Marine Corps there is one appointment to the grade of lieutenant colonel (Dana R. Fike) (Reference No. 92).
27. In the Marine Corps there is one appointment to the grade of lieutenant colonel (Samuel W. Spencer III) (Reference No. 93).
28. In the Marine Corps there is one appointment to the grade of lieutenant colonel (Larry Miyamoto) (Reference No. 94).
29. In the Marine Corps there are two appointments to the grade of lieutenant colonel (list begins with George L. Roberts) (Reference No. 97).
30. In the Marine Corps there are two appointments to the grade of lieutenant colonel (list begins with Richard D. Kohler) (Reference No. 98).
31. In the Marine Corps there are two appointments to the grade of major (list begins with Eric T. Cline) (Reference No. 100).
32. In the Marine Corps there are two appointments to the grade of lieutenant colonel (list begins with Jose L. Sada) (Reference No. 101).
33. In the Marine Corps there are three appointments to the grade of major (list begins with Frederick L. Hunt) (Reference No. 102).
34. In the Marine Corps there are three appointments to the grade of major (list begins with Todd E. Lotspeich) (Reference No. 103).
35. In the Marine Corps there are three appointments to the grade of lieutenant colonel (list begins with Jason B. Davis) (Reference No. 104).
36. In the Marine Corps there are three appointments to the grade of lieutenant colonel (list begins with Travis M. Fulton) (Reference No. 105).
37. In the Marine Corps there are four appointments to the grade of lieutenant colonel (list begins with Bryan Delgado) (Reference No. 106).
38. In the Marine Corps there are two appointments to the grade of major (list begins with David B. Blann) (Reference No. 107).
39. In the Marine Corps there are five appointments to the grade of major (list begins with Michael Gasperini) (Reference No. 108).
40. In the Marine Corps there are six appointments to the grade of major (list begins with Stephen R. Byrnes) (Reference No. 109).
41. In the Marine Corps there are seven appointments to the grade of major (list begins with Peter K. Basabe, Jr.) (Reference No. 110).
42. In the Navy there is one appointment to the grade of commander (Harry E. Hayes) (Reference No. 115).
43. In the Navy there is one appointment to the grade of lieutenant commander (Shemeya L. Grant) (Reference No. 116).
44. In the Navy there are two appointments to the grade of commander and below (list begins with Christopher J. Kaine) (Reference No. 117).
45. In the Navy there are 29 appointments to the grade of lieutenant commander (list begins with Jeanine F. Benjamin) (Reference No. 118).
Total: 952.

Chairman LEVIN. Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman. I am pleased to see an old friend here before the committee, and especially pleased to see Senator Warner and Senator Nunn, two of the great members of this committee, who have contributed so much to our Nation's defense.

Senator Hagel, members of this committee will raise questions reflecting concerns with your policy positions. They are not reasonable people disagreeing. They have fundamental disagreements. Our concerns pertain to the quality of your professional judgment

and your world view on critical areas of national security, including security in the Middle East.

With that in mind, let me begin with your opposition to the surge in Iraq. In 2006, Republicans lost the election, and we began the surge, and you wrote a piece in the Washington Post called "Leaving Iraq Honorably". In 2007, you said it is not in the national interests to deepen its military involvement. In January 2007, in a rather bizarre exchange with Secretary Rice in the Senate Foreign Relations Committee after some nonsense about Syria and crossing the border into Iran and Syria because of Syria, and a reference to Cambodia in 1970, you said, "When you set in motion the kind of policy the President is talking about here, it's very, very dangerous. Matter of fact, I have to say, Madam Secretary, I think the speech given last night by this President represents the most dangerous foreign policy blunder in this country since Vietnam. If it is carried out, I will resist it." Then of course you continued on and on for months afterwards talking about what a disaster the surge would be, even to the point where it was clear the surge was succeeding.

In March 2008, you said, "Here the term quagmire could apply. Some reject that term, but if that is not a quagmire, then what is?" Even as late as August 29, 2011, in an interview with the Financial Times, you said, "I disagreed with President Obama, his decision to surge in Afghanistan as I did with President Bush on the surge in Iraq."

Do you stand by those comments, Senator Hagel?

Senator HAGEL. Senator, I stand by them because I made them.

Senator MCCAIN. Were you right? Were you correct in your assessment?

Senator HAGEL. I would defer to the judgment of history to support that out.

Senator MCCAIN. The committee deserves your judgment as to whether you were right or wrong about the surge.

Senator HAGEL. I will explain why I made those comments.

Senator MCCAIN. I want to know if you were right or wrong. That is a direct question. I expect a direct answer.

Senator HAGEL. The surge assisted in the objective. But if we review the record a little bit——

Senator MCCAIN. Will you please answer the question? Were you correct or incorrect when you said that "The surge would be the most dangerous foreign policy blunder in this country since Vietnam." Where you correct or incorrect, yes or no?

Senator HAGEL. My reference to the surge being the most dangerous——

Senator MCCAIN. Are you going to answer the question, Senator Hagel? The question is, were you right or wrong? That is a pretty straightforward question. I would like an answer whether you were right or wrong, and then you are free to elaborate.

Senator HAGEL. I am not going to give you a yes or no answer on a lot of things today.

Senator MCCAIN. Let the record show that you refuse to answer that question. Now, please go ahead.

Senator HAGEL. If you would like me to explain why——

Senator MCCAIN. I actually would like an answer, yes or no.

Senator HAGEL. I am not going to give you a yes or no. I think it is far more complicated that, as I have already said. My answer is, I will defer that judgment to history.

As to the comment I made about the most dangerous foreign policy decision since Vietnam was about not just the surge, but the overall war of choice going into Iraq. That particular decision that was made on the surge, but more to the point, our war in Iraq, I think was the most fundamental bad, dangerous decision since Vietnam.

Aside from the cost that occurred in this country through blood and treasure, aside what that did to take our focus off of Afghanistan, which, in fact, was the original and real focus of a national threat to this country, Iraq was not. I always tried to frame all the different issues before I made a decision on anything.

Now, just as you said, Senator, we can have differences of opinion, but that is essentially why I took the position I did.

Senator MCCAIN. It is a fundamental difference of opinion, Senator Hagel. Senator Graham and I, and Senator Lieberman, when there were 59 votes in the U.S. Senate, spent our time trying to prevent that 60th. Thank God for Senator Lieberman. I think history has already made a judgment about the surge, sir, and you are on the wrong side of it. Your refusal to answer whether you were right or wrong about it is going to have an impact on my judgment as to whether to vote for your confirmation or not. I hope you will reconsider the fact that you refuse to answer a fundamental question about an issue that took the lives of thousands of young Americans.

Senator HAGEL. Senator, there was more to it than flooding——

Senator MCCAIN. I am asking about the surge, Senator Hagel.

Senator HAGEL. I know you are, and I am trying to explain my position. The beginning of the surge also factored in what General Allen had put into place in Anbar Province, the Sunni Awakening. We put over 100,000 young soldiers——

Senator MCCAIN. Senator Hagel, I am very well aware of the history of the surge and the Anbar Awakening, and I also am aware that any casual observer will know that the surge was the fundamental factor, led by two great leaders, General Petraeus and Ambassador——

Senator HAGEL. Well, I do not know if that would have been required and cost us over 1,000 American lives and thousands of wounded.

Senator MCCAIN. So you do not know if the surge would have been required. Okay.

Senator Hagel, let me go to Syria now. More than 60,000 people have been killed in Syria. Do you believe that we should be more engaged in Syria?

Senator HAGEL. I know this administration is very engaged in working with its partners.

Senator MCCAIN. So you do not think we should do more?

Senator HAGEL. When you say "do more," do you mean——

Senator MCCAIN. Do you think we should make sure that the Syrians get the weapons they need, and perhaps establish a no fly zone? Do you think we do?

Senator HAGEL. I believe that part of our review is looking at those options.

Senator MCCAIN. It has been 22 months, Senator Hagel.

Senator HAGEL. I was not there. I do not know the details. I am not there now.

Senator MCCAIN. I am sure you have read in the newspapers that 60,000 people have been killed, and that it is in danger of spilling over into neighboring countries. My question, I guess, is how many more would have to die before you would support arming the resistance and establishing a no fly zone?

Senator HAGEL. I do not think anyone questions the terrible tragedy that is occurring there every day. It is a matter of how best do we work our way through this so that we can stop it to begin with, and then what comes next. I think the President——

Senator MCCAIN. Did you disagree with President Obama on his decision for the surge in Afghanistan?

Senator HAGEL. I did not think we should get ourselves into—first of all, I had no regional position as far as no formal position. But I did not think we were——

Senator MCCAIN. But you were reported on August 29, 2011 saying, "I disagreed with President Obama and his decision to surge in Afghanistan."

Senator HAGEL. That was my personal opinion, yes.

Senator MCCAIN. Thank you, Mr. Chairman.

Senator HAGEL. Thank you.

Chairman LEVIN. Thank you, Senator McCain.

Senator Nelson.

Senator NELSON. Since the issue of Iraq has come up here, I just want to state for the record and lay the predicate that this Senator was one of many that voted for the authorization to go into Iraq, and as it turns out, the lessons of history, we were given incorrect information as a justification for going into Iraq.

We were told by the Secretary of Defense, by the Secretary of State, by the National Security advisor, and the Director of the Central Intelligence Agency (CIA) that there were weapons of mass destruction in Iraq. So for a lot of the decisions that were made at the outset, they were decisions that were informed with incorrect information. As the committee is judging Senator Hagel on that decision as well as others, I want to tell the committee what was this experience of this Senator.

Now, what I would like to do with my time here is that since there are a few of this in this room that served in the military during the Vietnam era, and you clearly had that experience in combat, Senator Hagel, I would—and by the way, a lot of people do not know anything about Vietnam, and do not know how difficult it was, as Senator Warner has so eloquently stated in his comments, how the Nation was divided.

But I would like for you, as the committee is getting to know you, to know something about your service in Vietnam, and your combat experience. Were you wounded, Senator Hagel?

Senator HAGEL. Senator Nelson, thank you. If I may, and if I read into your question some latitude in answering, I would respond this way. I think my time is better served to maybe talk about more of the specific things, like Senator McCain asked me

about and some others. Maybe weave some of my experience as to how it formed my judgment, rather than going through a 12-month journal of my time in the jungles when my brother, Tom, and I were both wounded twice together.

When Tom and I served there, 1968 was the worst year we had. Those who may not recall that year, we sent over 16,000 dead Americans home. Now, that is unfathomable in the world that we live in today, 16,000 dead Americans. I saw that from the bottom.

I think Chairman Levin, in an accurate and appropriate quote about what I said, in his introductory statements about what formed me, and it directly goes to Senator McCain's question about the surge. Just as I said in my statement, I had one fundamental question that I asked myself on every vote I took, every decision I made. Was the policy worthy of the men and women that we were sending into battle and surely to their deaths? In many cases, unfortunately tens of thousands of cases that we are living with, these poor families are living with, wounded, the results, the consequences.

I know it is easy here—it is anywhere—if you do not have a connection to some of this to see these things a little differently. It does not mean I am any better, Senator. It does not mean I am any smarter. It does not mean I am any more appreciative of the service of our country. That is not it. I saw it from the bottom. I saw what happens. I saw the consequences and the suffering when we are at war.

So I did question a surge. It was not an aberration to me ever. I always ask the question, is this going to be worth the sacrifice, because there will be sacrifice. In the surge case in Iraq, we lost almost 1,200 dead Americans during that surge and thousands of wounded. Now, was it required? Was it necessary? Senator McCain has his opinion on that shared by others. I am not sure. I am not that certain that it was required. Now it does not mean I am right. It does not mean I did not make wrong votes. But that is what guides me.

You asked me the question about my time in Vietnam and was I wounded. I was a very insignificant part of this. We were just doing our job, Senator, as every military person knows that. Some of this committee has rather distinguished members who served, starting with Senator McCain, and the sacrifices he has made to this country.

But it does condition you. I am not shaped, framed, molded, consumed by that experience. Of course not. But it is part of me. I tried to explain that in my opening statement. We are all shaped by those experiences. I hope that experience that I have had is for the better. I hope if I have the privilege of serving as Secretary of Defense it will put someone in charge at the Pentagon—not questioning past Secretaries of Defense; I can only speak for myself—who understands the realities of consequences of war. It does not mean I am better, but that is who I am. I do not walk away from that. I acknowledge that. But it does not consume me, Senator.

I do not see the lens of every world event and whether we should use American power through the lens of Vietnam. That is part of me. It is part of that lens. I think that is for the better. I think

we need to be cautious with our power. I think we need to be wise with our power.

We have great power. We have awesome power. No nation in the world is even in our league. We have done so much good with that power. I do not think there is a nation in the history of man who has ever been as judicious and careful with its power as we have. I want to make sure we continue to do that, as you all do.

We will have differences, Senator, on policies, but all I can do is my best based on my own experiences. As I also said in my statement, reaching out, listening, learning, never knowing enough, understand circumstances change.

Chairman LEVIN. Thank you, Senator Nelson.

Senator Sessions.

Senator SESSIONS. Thank you. Senator Hagel, it is great to have you with us and to have this hearing and an opportunity to discuss important issues. I admire your service to your country, and your combat experience is something we all honor and respect.

I have been for the most part chairman, ranking member, or member of the Strategic Forces Subcommittee of this Senate Armed Services Committee for the time I have been in the Senate. We came into the Senate together. So I have had some experience and knowledge about the great debates involving nuclear weapons and national security. I believe the Secretary of Defense should be the core, the rock-solid person, for defense of America. I believe he should project an image of solidity and steadfastness that the whole world and American people can depend on.

I am more than a little troubled by the report that you participated in—the Global Zero report that calls for the total elimination of nuclear weapons, and clearly suggests that is an achievable goal in a realistic period of time, although certainly not immediately. Your report writers defend you. They have issued an article defending you and the report that was just issued last year. They protest mightily and say that, "Chuck Hagel and Global Zero's views on nuclear weapons are in the national security interests and squarely in the mainstream."

Indeed, your defendants insist you are in the mainstream because your position is that of President Obama's, and dramatically they assert you are out of the mainstream if you believe otherwise.

So your report explicitly calls for, "an urgent and transformational change in the U.S. nuclear force structure, strategy, and posture". I think it is a rather exceedingly dramatic report frankly.

Now, specifically as to the historic nuclear force triad that has been the bedrock of our defense policy for half a century, your report calls for bilaterally or unilaterally totally eliminating the intercontinental ballistic missile (ICBM) triad leg. In fact, the report refers to itself as a dyad instead of a triad report. You propose eliminating the 76 nuclear B–52 bombers entirely, leaving only 18 B–2 bombers, reducing nuclear submarines from 14 to 10.

Further, the committee report that you were one of the five members that produced it, you favor eliminating all tactical nuclear weapons, de-alerting all weapons, and according to the report as I read it, that would mean it would take from 1 to 3 days to place a weapon on alert. I certainly agree that that would be a trans-

formational change in our nuclear force structure, strategy, and posture. I think it is a big historic thing.

Now, General Kehler, the present Commander of the U.S. Strategic Command (STRATCOM) and Secretary of Air Force Mike Donley do not agree with the recommendations in this report, people you will supervise. General Kehler told the press on August 8, 2012, "I do not support the former vice chairman," and that is General Cartwright. "I do not think that we are in a place he suggests now, nor do I see that particular place any time soon." So you will be supervising him.

Would you share with us where you are today on that issue? Do you support the view of General Kehler, or do you support the view of the commission report that you signed?

Senator HAGEL. Thank you, Senator. Let me first correct some of your interpretation of what the Global Zero report was, and is, and what it actually said.

First, it did not propose or call for anything. It was, in fact—the word specifically used at the front end of that report was "illustrative," proposing nothing, but laying out different scenarios, and possibilities, and schedules. But here is the key part of all this, and by the way, this was summarized in a letter to President Obama in 2009. Bilateral, never unilateral. Nothing was ever suggested on a unilateral basis to take down our arsenal. Negotiated, verifiable. These are all terms that were in the report.

As Senator Nunn said in his opening statement, and I have alluded generally to this, the mainstream thinking of most Presidents we have had the last 65 years, and I go back to Ronald Reagan's comments as Senator Nunn quoted, was reduction of nuclear weapons for the obvious reasons. That is why we have engaged in treaties to reduce nuclear weapons. Those were not unilateral arrangements, those were bilateral arrangements.

The United States and the Russians have about 90 percent of the nuclear in the world today. Now there are others who have them. There are nine nuclear powers, dangerous. Obviously the so-called loose nukes or non-state actors, terrorist groups getting a hold of these are threats.

Senator SESSIONS. But, Senator Hagel, I think——

Senator HAGEL. I just want to make sure that is clear.

Senator SESSIONS. I know, but it is not clear in your report. The report says on page 1, "These steps could be taken with Russia in unison through reciprocal presidential directives, negotiated in another round of bilateral arms reductions, or in implemented unilateral." A little further on——

Senator HAGEL. Well, that is not proposing.

Senator SESSIONS.—it says it two more times in this report that these ideas could be a—less good approach would be to adopt this agenda unilaterally. It suggests that it should be adopted. That would not be as good, but you would do so. There is another reference to that, and it does call for these reductions. In your conclusion, you say, "The United States should seek to achieve such reductions in 10 years and plan to base its arsenal on a dyad of nuclear delivery vehicles."

You go on to say, "Trident missile submarines—the optimal mix would consist of 10 Trident submarines and 18 B–2 bombers, the

normal conditions it would have for the warhead stockpile would be deployed on these carriers. The other half would be kept in reserve. All land-based intercontinental missiles armed with nuclear payloads would be retired, along with carriers of non-strategic nuclear warheads, all of which would be eliminated. That is the tactical nuclear weapons, all of which would be eliminated from the stockpile. B–52 bombers would be completely dismantled or converted to carry only conventional weapons."

I do not believe that is consistent with the policy of the country as a whole. I supported legislation to create a bipartisan commission several years ago to help us—Senator Levin and others supported that. The House supported it, and it passed—to help us determine how much further we can continue to draw down our nuclear weapons. It was chaired by William Perry, the Secretary of Defense under Carter, James Schlesinger, who served in the Carter and Nixon cabinets. It had John Glenn on it, Martin Halperin, Lee Hamilton, James Woolsey, Keith Paine, and others. They had access to the Defense Department secret documents and information, and they came out with quite a different view.

Let me just point out some of the things that they came up with. They said maintain the triad. They said maintain tactical nuclear weapons. They recommended no change in the alert statute, and, in fact, the Defense Department's nuclear posture review under President Obama and Secretary Gates, explicitly found the alert status should not be altered in their review of nuclear weapons. They fundamentally found a need for nuclear weapons. That is the point. Your commission basically said that it undermines the request for nuclear weapons.

I will give you a chance to respond. On Global Zero, they sort of I think foresaw this argument. Before your report was issued, they said this, "The conditions that might make possible the global elimination of nuclear weapons are not present today, and their creation would require a fundamental transformation of the world political order."

That is a very strong statement, and I think it was aimed at this idea that is practical and realistic for us to expect that the world is going to move to zero nuclear weapons.

So first, I want to ask you one question that you told me in our meeting that I appreciated. President Obama stated when we did the New START treaty discussion, vote, and debate, "I intend to modernize or replace the triad of strategy nuclear systems, a heavy bomber, and air launch cruise missile, and ICBM, and nuclear-powered ballistic missile submarine."

He committed to, "accelerate the design of the Chemistry and Metallurgy Research Replacement Nuclear Facility and the Uranium Processing Facility"—those are the two buildings where our modernizations would take place—"and request full funding for those projects".

First, let me ask you, would you support that vision and commitment the President made?

Senator HAGEL. Absolutely I do, and——

Senator SESSIONS. Then you are free to respond to what I was saying. But I really do feel that—I am uneasy about this vision expressed in that committee report of yours.

Senator HAGEL. Let me just briefly come back to what you said, Senator, and I appreciate you giving me a chance to respond.

First, my record has always been very clear, everything I have voted on in my career in the Senate and wherever I have been. A strong, agile, safe, secure, effective, nuclear arsenal for the United States is not debatable. I voted that way. I believe that. You know that the home of STRATCOM is now in Senator Fischer's State, which used to be the State I represented or I used to be in that State as a Senator. It has not changed.

I know a little something about it, not as much as you and others on the committee, but I have been to that facility many times. I know General Kehler very well, know all the STRATCOM commanders very well. You know what the motto of STRATCOM is. It is a pretty significant motto. "Peace is our business."

What has kept the peace, as I noted in my opening statement as much as anything else in the world since World War II, is that nuclear deterrent. This prospective, Secretary of Defense, would never do anything or in any way take any action that would minimize, or harm, or downgrade that reality. But again, I go back to—not to get caught up in this report. This report was about illustrative possibilities, what and how could things be done. Always bilateral. Always verifiable. Always negotiable, just as we have always done in our treaties.

I will stop there. That is the commitment I make to you. I made it to the President. My record is clear on that.

Chairman LEVIN. Thank you. I think we have to move on.

Senator SESSIONS. Just thank you. I would just say the vision stated in your Global Zero report, I believe, is likely to create instability rather than confidence and stability, create uncertainty in the world among our allies and our potential adversaries. I do not believe it would meet the goal that you said not to weaken our ability.

So I am troubled that—I feel—I appreciate your comments today, but I am troubled by the language in that report.

Chairman LEVIN. Thank you very much, Senator Sessions.

Senator McCaskill.

Senator MCCASKILL. Thank you, Mr. Chairman. In the 6 years I have served on this committee, I have served under Senator Warner as a ranking Republican member, and Senator McCain as a ranking Republican member. I have to tell you that there has never been a time that I did not sense that we all agreed that our work on behalf of our Nation in terms of protecting our country and defending our country, that it was a bipartisan effort.

I believe very strongly that this committee needs to be bipartisan. I hope that the new ranking member holds the same regard for that as Senator McCain and Senator Warner did, because at all times I felt that they were respectful and were willing to listen to our disagreements. I am hopeful that will continue, and I will be optimistic that it will.

I am going to ask a series of questions, and then at the end of them, if you need more time, just say so.

Do you believe that all options should be on the table when we confront Iran?

Senator HAGEL. Absolutely.

Senator MCCASKILL. Do you believe Iran is currently a state sponsor of terrorism and provides material support to Hezbollah and to Hamas?

Senator HAGEL. Yes, and I am on the record a number of times saying that.

Senator MCCASKILL. Do you support sanctions against Iran?

Senator HAGEL. Yes.

Senator MCCASKILL. Do you believe that the United States should unilaterally eliminate its nuclear arsenal?

Senator HAGEL. No.

Senator MCCASKILL. Do you agree with four national security leaders, including Henry Kissinger, Sam Nunn, William Perry, and George Schultz, President Reagan's Secretary of State, when they said, "The four of us have come together in a nonpartisan effort, deeply committed to building support for a global effort to reduce reliance on nuclear weapons, to prevent their spread into potentially dangerous hands, and to ultimately to end them as a threat to the world. We remain committed to working towards this vision and advancing the steps essential to achieve this goal." Do you agree with those four bipartisan national leaders in the area of national security and foreign policy?

Senator HAGEL. Yes.

Senator MCCASKILL. I wanted to take a few minutes to talk about some of the things we talked about in my office, and some people on the committee are going, oh, here she goes on contracting, but the auditability of the Defense Department.

I know you stated in some of the advance policy questions that you want to hold people accountable on auditability. I do not think most Americans realize that as we face shrinking budgets and as we want to secure the preeminence of our military, and not hollow out the spending at the Defense Department, that auditability is a crucial ingredient to us being able to figure out whether all the money that is being spent there is being spent like Americans would want it to be spent.

Can you reassure me that auditability, as prescribed by law, coming through this committee, that it needs to happen no later than 2017? Can you make a commitment to me today on the record that will be a priority of yours, making sure as, Secretary Panetta did and Secretary Gates before him, that auditability will be an essential priority of your time as Secretary of Defense?

Senator HAGEL. As I told you, Senator, I will. I make that commitment to this committee.

Senator MCCASKILL. Then turning to contracting, I have yet to have provided to me, other than raw numbers that we spent, any data that would indicate that major infrastructure rebuilding as part of a counterinsurgency strategy works.

There are many things that work in a counterinsurgency strategy, and one of them, as it was originally posed to me back some 6 years ago on this committee by General Petraeus, was that the Commander's Emergency Response Program (CERP) funds, that walking around money to fix plate glass windows in neighborhoods, that that was an essential part of the counterinsurgency (COIN) strategy.

That morphed into our military building major infrastructure projects without really any data ever to indicate that the billions of dollars that we were spending was, in fact, advancing our military mission.

In addition to that, it is clear if you want to look at Iraq and the failures that Iraq represents in some ways, one of the failures is the crumbling investments that this country made in Iraq: the health centers that never opened, the water parks that sit crumbling, the power facilities that were blown up before they even had an opportunity to operate. I can go down billions of dollars of waste because we didn't do the analysis on sustainability after we left.

I am convinced that we have made the same mistakes in Afghanistan. I would like your response to this issue of major infrastructure building while we are in a conflict being conducted by our military, not by the U.S. Agency for International Development, not by the State Department, and whether or not you would make a commitment to come back to this committee with a report analyzing whether or not there is data to support that aspect of the COIN strategy.

Senator HAGEL. I will make that commitment, and it is part of the larger series of questions and factors always involved when a nation gets clearly committed, as we were, and still are, in Afghanistan, and were in Iraq for 8 years. When you are at war, the highest first priority is to take care of your people. As a result of that, all the rest of the normal latitude, and guidance, theory, and policy, is secondary.

I think in both of those wars, because we got ourselves in so deep with so many people, and the welfare of our men and women was paramount, we tried a lot of things. We had never been this way before. We had never seen anything quite like these two situations. As a result, our Special Inspectors General have come up with billions and billions and billions of dollars that are unaccounted for, corruption, fraud, waste, abuse. It really is quite astounding. But when you think about the universe of money that went into both those wars, no one should be surprised.

Now, how do we fix it? What do we do? To your point, how do we learn? How do we learn from this? We need to learn from this. It was not the fault of the military. The military was asked to do everything. We overloaded the circuits of our military. We said, you do it. You have the money. You have the structure. You have the organization. You have the people. Now go do it.

We put these people—these young captains—you talked about CERP funds—in very difficult spots. These young captains were given $100,000 in cash, essentially walking around money to take care of tribal chiefs and so on and so on. It wasn't their fault. They were told to do this. This is what was part of the strategy.

I do not question necessarily any particular strategy or part of it, but I do think it is part of the whole that you are talking about. If I am confirmed and go over there, I will take a look at this, and we will go deeper and wider into this because we owe it to our people. We owe it to the people of this country who pay the bills. For the future, what did we learn for future challenges?

Senator MCCASKILL. Thank you. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCaskill.

Senator Chambliss.

Senator CHAMBLISS. Thanks, Mr. Chairman. Chuck, again, congratulations on your nomination. As we talked the other day, you and I have been good friends since I came to the Senate in 2002, sat next to each other for 6 years on the Intel Committee, and during that process you cast some votes that I questioned. But we were always able to dialogue, and it never impacted our friendship, and I am very appreciative of that.

You also were introduced by two of my dearest friends, Senator Nunn and Senator Warner, which certainly is a credit to you.

I want to drill down, Chuck, on the issue that I think is going to be very much at the forefront—probably the number one issue you are going to have to deal with, assuming that you are confirmed, and that is the issue of our relationship with Iran and where we go in the future, short term as well as long term.

Now, you wrote in your book, "We blundered into Iraq because of flawed intelligence, flawed assumptions, flawed judgments, and ideologically driven motives. We must not repeat these errors with Iran, and the best way to avoid them is to maintain an effective dialogue." You then go on to advocate again, "for a direct and strategic diplomatic initiative".

Now, I heard you in your opening comments say that your position on Iran is prevention, not containment, when it comes to their nuclear weaponization. I want you to expand on that, and I want to go back to Senator Inhofe and Senator Reed's question or comment relative to why you did not vote to designate the Iranian Revolutionary Guard Council as a terrorist organization.

Iran is the number one terrorist sponsoring state in the world. I do not think there is any disagreement about that. I want you to expand on your position on a nuclear weaponized Iran, and talk about red lines. If your position is truly prevention and not containment, Chuck, what is the red line? What is the point? We know there are some things happening over there right now that are very serious. So how far do we go?

Do you still advocate direct negotiations with Iran as you said and you made clear that all options are on the table, and you stated again that military options is one of those. If you will, talk about direct negotiation. We have never negotiated with a terrorist state. Why do you feel like that we ought to dialogue with them, even on this issue today?

Lastly, what alterations, if any, do you think are necessary to our military force posture in the Gulf region to deter Iranian regional ambitions and support international diplomatic efforts to stop Iran from acquiring nuclear weapons capability? That is a broad statement on my part, broad question, but this is the issue from a national security standpoint, Chuck, and I would like you to be pretty specific.

Senator HAGEL. Let us start with the specific question on a vote regarding designating the Revolutionary Guard as a terrorist organization. You recall because you were there, there were 22 Senators who voted against that. The effort against it, the main point made on the floor of the Senate came from Senator Jim Webb. His point was we have never, ever designated a part of a legitimate government, a state—and when I say "legitimate," it does not mean

we agree with Iran, but it is a member of the United Nations. Almost all of our allies have embassies in Iran. So that is why I note an elected legitimate government, whether we agree or not.

But we have never made any part of a legitimate independent government designated them or made them part of a terrorist organization. We have just never done that. So you say, well, so what? What is the big problem? The problem was, at least 22 of us believed—they were both Republicans and Democrats, by the way, in that vote, but it was Jim Webb who was on the floor most of the time on it—said that if you do that, that is tantamount to giving the President of the United States authority to use military force against Iran without having to come back to get a resolution from, or partner with, or cooperate with, the Congress of the United States. Essentially if we vote for this, we are giving a President, in a sense, that authority. Now, you can agree or disagree with that.

But I listened to that debate, and there was some pretty thoughtful debate. That debate I thought was pretty powerful with me. We were already in two wars at the time, and I thought that this made sense, and so I voted against it. That is why I voted against that. You might also remember that almost Secretary of State Kerry voted against it. Then Senator Obama, he gave speeches against it. He did not vote that day. Vice President Biden voted against it. Dick Lugar voted against it. There were some other Republicans.

As to the Iranian red line, Persian Gulf, some of the Iranian questions you asked. I support the President's strong position on containment as I have said, and I will speak more specifically to a couple of the examples you used from my book. But his position I think is right.

When you asked the question about red line, I think the President has gone as far as he should go publicly on that. He said clearly that in his words, he has Israel's back. He said that his policy is not to allow the Iranians to get a nuclear weapon.

What constitutes when action would be taken? I think that is always something that should not be discussed publicly or debated publicly or out in the public domain.

Your quotations from my book, which you acknowledge as well that I always said the military option should be on the table, and I had said that consistently as well as engaging with Iran. I have always thought it is far smarter to approach these very serious threats, including Iran, probably as significant a threat as we have out there today, although North Korea is beyond a threat. It is a real nuclear power and quite unpredictable. I think Pakistan is another very complicated reality.

But staying on Iran, I think we are far smarter to do what the President has been doing, which I laid out, by the way, in my book. I have a chapter on Iran. I have two chapters on Iraq. I have a chapter on the Middle East. Getting the world community behind us with these U.N. sanctions through the Security Council of the United Nations. These are tough sanctions. They are having a tremendous impact, you know that, on Iran.

If, in fact, the military option is the only one required, I think we are always on higher ground in every way, international law, domestic law, people of the world, people of the region to be with

us on this if we have tried and if we have gone through every possibility to resolve this in a responsible, peaceful way rather than going to war.

Everything I said in my book was about that. I do not have a problem with engaging. I think great powers engage. I think engagement is clearly in our interests. That is not negotiation. Engagement is not appeasement. Engagement is not surrender. I think if the time is right, the climate is right, the dynamics are right, we should find ways, if we can find ways. We cannot force it. But I think we are always smarter and wiser to take that approach initially.

Posture in the Persian Gulf. Senator, our Fifth Fleet is located in the Persian Gulf in Bahrain. As you also know, we have a couple of carrier battle groups in that area. Our military posture there is very strong. It is very ready. It is very capable. These are contingencies and options that the Secretary of Defense, working with these Service Chiefs and their combatant commanders, always have to give in the present and make sure that we are prepared.

Let me stop there, I may have missed some of the specific things that you wanted to discuss.

Senator CHAMBLISS. I am understanding you to say that you are not ready to discuss red lines in a specific way. Am I hearing that right?

Senator HAGEL. I do not think that is my role now to start with. I am not the Secretary of Defense. But I think the President is wise in his course of action in not discussing that publicly. I think it is a far smarter way to handle it, and I think he has said what he needs to say. I think it has been understood in Iran. I think the world understands his position.

By the way, I have just been handed a note that I misspoke and said I supported the President's position on containment. If I said that, I meant to say that obviously his position on containment, we do not have a position on containment. I recognize that I have had more attention paid to my words the last 8 weeks that I ever thought possible, so I do not take any chances. Thank you.

Senator CHAMBLISS. I think I understood you correct on containment and prevention.

Senator HAGEL. Thank you.

Senator CHAMBLISS. Thanks, Mr. Chairman.

Chairman LEVIN. Just to make sure your correction is clear, we do have a position on containment, which is that we do not favor containment.

Senator HAGEL. We do not favor containment. That is the President's position, and that was my position.

Chairman LEVIN. Thank you. I just want to clarify the record.

Senator HAGEL. If you need further clarification, that is why I am here.

Chairman LEVIN. Thank you, Senator Chambliss.

Senator Udall.

Senator UDALL. Thank you, Mr. Chairman. Good morning, Senator Hagel.

Senator HAGEL. Senator.

Senator UDALL. Thank you for your service. Thank you for your willingness to once again heed the call and lead DOD.

We had a great private meeting with you last week. We covered many of the threats and challenges that our country faces: shrinking budgets, strategic national security shifts, and ensuring, as you have underlined over and over again already this morning, that we continue to provide fair and equal opportunities for all of our servicemembers and their families.

Again, I want to tell you I appreciate that opportunity. I am going to take you up on your offer, if you are confirmed, to continue sitting down with you as a member of the Armed Services Committee.

I know this issue has already been addressed, but I want to make sure that I am on the record as raising my concerns, and I want, as I think this committee should, to give you every opportunity to clarify and underline your point of view.

When we met privately, you emphasized your determination to keep all options on the table with regard to Iran, including a military strike, if Iran continues to pursue a nuclear program in defiance of this international obligation.

We also discussed your longstanding support of Israel and our longstanding relationship. But you have critics out there—I do not have to tell you that—who maintain that your record on Iran is in question, and that you are anti-Israel. These are serious charges.

So let me direct some questions your way. Why should Americans trust that you will consider every option when it comes to one of the most serious national security threats facing us today, which is Iran?

Senator HAGEL. First, thank you for an opportunity to clarify these issues. My record has been very clear on Iran. Senator Chambliss noted from my 2008 book and my chapter, specifically noting that I said the military option must remain on the table. I said that as recently in an op-ed that I co-authored last year in the Washington Post with two former U.S. Central Command (CENTCOM) commanders.

We talked about Iran, and one of the very specific points we bring out in that op-ed was the military option must remain on the table along with all the other areas of effort, expertise, diplomacy, economics, and sanctions, the President is using, which I have already said I support.

My record is rather thorough on this, and I would continue to support that position, and I strongly support the President's position.

Senator UDALL. Senator, talk about your view on Israel, our relationship with Israel, how can we continue to have a special alliance with a country with whom we share more than an economic or political philosophy, but with a broader or moral connection that we have to Israel?

Senator HAGEL. I have said many times, just as I have said regarding the military option on Iran many times, in my book, speeches on the floor, interviews I have given, I am a strong supporter of Israel. I have been. I will continue to be. I have also said specifically, and I believe this is in my book, that we have a special relationship with Israel.

Again, my record is pretty clear. I voted in 12 years in the U.S. Senate for every authorization, every appropriation that I had an

opportunity to vote on for Israel. I have been to Israel many times. I have met with their leaders many times.

So again, if you look at my record, I think my record is pretty clear in my strong support for Israel.

Senator UDALL. Senator, I heard you say when you discussed your vote against the resolution applying to the Iranian Revolutionary Guard, that in the end you were protecting Congress' prerogative when it comes to declaring war. Is that correct?

Senator HAGEL. That is exactly right. That is exactly what I was saying, and I did not say it, I guess, that way. But that was the point. Again, I say, like I have in answering some of the other questions, it was not a question of the objective. I shared the objective, and I suspect all 22 members in the Senate who voted against that resolution supported the objective. But as Jim Webb made the case I think pretty effectively, and Senator Webb was an individual who had rather considerable experience in this business. He had been Secretary of Navy under Ronald Reagan. He had been Assistant Secretary of Defense under Ronald Reagan. One of the most decorated veterans of Vietnam, U.S. Senator, celebrated author, lawyer. I thought he made a pretty strong, persuasive case. So did many of us.

Senator UDALL. Let us turn to cyber security. I was pleased that you mentioned cyber security early in your initial remarks. The Pentagon's move to significantly expand its cyber security assets and knowledge. I have to talk about Colorado since I represent Colorado. The Air Force Academy is well positioned to train those new cyber security experts. We are also the home of Space Command and U.S. Northern Command.

Would you talk a little bit more about your take on cyber security, what we ought to be doing, what sorts of resources we need?

Senator HAGEL. Senator, you may know that I have been to those facilities in Colorado a few times, and I do not know as much about them as you do. But I am pretty familiar with them. They are essential to our national security.

Cyber, I believe, represents as big a threat to the security of this country as any one specific threat for all the reasons this committee understands. It is an insidious, quiet kind of a threat that we have never quite seen before. It can paralyze a nation in a second, not just a power grid or a banking system, but it can knock out satellites. It can take down computers on all of our carrier battleships. It can do tremendous damage to our national security apparatus.

That is the larger threat. But when you start defining it down, this body, I know. I watched it, went through a pretty agonizing 3 months at the end of 2012 trying to find a bill that they could agree on cyber. I know, I believe, Congress will come back at it in this new Congress. I think you must, and you know that.

Because we have different intergovernmental authorizations here—Department of Homeland Security, DOD—where is the capacity? Where are the budgets? Where are the authorities? This is law enforcement. This is privacy, business, a lot of complications that we have really never, ever had to face before on other national defense threats to this country.

So cyber will be an area that we will continue to focus on. We must. It is an area that I will put high priority on if I am confirmed to be Secretary of Defense.

Senator UDALL. Senator, in the 2013 National Defense Authorization Act (NDAA), there is a provision that compels the military to accommodate the conscience moral principles or religious beliefs of all members of the Armed Forces. It does sound reasonable on the surface, but I am especially concerned that this could lead to misguided claims of a right to discriminate against lesbian, gay, and bisexual servicemembers, women, or persons with certain religious beliefs.

The President has said—I want to quote him—that DOD will, "not permit or condone discriminatory actions that compromise good order and discipline or otherwise violate military codes of conduct".

Will you ensure that DOD, in accommodating religious beliefs or matters of conscience, does not tolerate discrimination or harm to others?

Senator HAGEL. Absolutely. I will faithfully, diligently enforce our laws. All men and women deserve the same rights, and I can assure you that will be a high priority, to enforce that and ensure that in every way through the entire line of chain of command and accountability.

Senator UDALL. Thank you, Senator Hagel. I look forward to the second round of questions.

Senator HAGEL. Thank you.

Senator UDALL. I think it is now afternoon, so good afternoon to you, and thank you for being here.

Senator HAGEL. Senator, thank you.

Chairman LEVIN. Thank you, Senator Udall.

Senator Wicker.

Senator WICKER. Let me just follow up on that. Does that mean, though, a chaplain would have to perform a same-sex marriage, in your view, if he objected based on conscience?

Senator HAGEL. I think the Pentagon regulations show, Senator, that same-sex marriage is legal in the nine States.

Senator WICKER. No, would a chaplain be able to bow out of that procedure based on conscience?

Senator HAGEL. Certainly.

Senator WICKER. Okay.

Senator HAGEL. But what we do not want, Senator Udall's point is someone to be denied to be married in a chapel or a facility and so on, but certainly a matter of conscience, yes. What I am talking about is a strict interpretation of defending the law, which defends rights.

Senator WICKER. Thank you very much for clarifying that, and thank you for calling on me early on. We had our conversation on January 8, and I appreciated that opportunity.

You just said that your statements over time have gotten a lot more attention than you ever dreamed possible. I hope you agree that is entirely appropriate in this context.

Chairman Levin mentioned in his opening statement that in speaking your mind, you said terrible things that caused him concern. He asked you about that. Senator Inhofe mentioned several

of your statements involved what some people feel are policy reversals based on expediency, and so those are concerns.

You and I talked about two of these topics during our conversation, and one of them was with regard to sanctions against Iran. You told me in our conversation that you opposed unilateral sanctions because they do not work and they isolate the United States. Indeed you had made that statement to the Omaha paper just the day before. "I have not supported unilateral sanctions because when it is us alone, they do not work and they just isolate the United States," in the Omaha paper.

I will have to say that statement seems to be in direct contradiction to your letter to Senator Boxer 1 week later when you told her, "I agree that with Iran's continued rejection of diplomatic overtures, further effective sanctions, both multilateral and unilateral, may be necessary."

Now, a week before that you said that you have opposed them because they do not work. Senator Levin mentioned in his statement he disagrees that. He believes they do work. You gave him an answer to that statement, and we have it on the record. But let me just suggest to you, Senator, that if words have meaning, there is no two ways about it. The statement that you gave in the Omaha paper and that you gave to me the following day is substantially and substantively different from what you wrote to Senator Boxer a week later.

The Office of Secretary of Defense is one of the most powerful positions in the country, and arguably in the world. This official, whoever he or she is, must lead with clarity and precision, and people around the world need to rely on the clear meaning of the words of the Secretary of Defense.

Now, the other thing we discussed that gave me concern during our conversation on January 8 was your statement about the Jewish lobby. You told me that you have had apologized for using that terminology, and you retracted the use of the term "Jewish lobby". What you said was the Jewish lobby intimidates a lot of people up here. This was in an interview that you gave to Aaron David Miller. You said, "I've always argued against some of the dumb things they do because I don't think it's in the interest of Israel."

Here is my problem with your position at this point. You have corrected the term "Jewish lobby," and I assume now the correct term would be "Israel lobby" or "Israeli lobby". Do you still stand by your statement that they succeed in this town because of intimidation? That it amounts to causing us to do dumb things, because I want to say this, Senator. You are here today as the potential Secretary of Defense, and it would seem to me that however you characterize them, you have suggested that there is an effective lobby out there, whether you call them the Jewish lobby, the Israeli lobby, or the Israel lobby, and that they succeed in doing dumb things through intimidation, and that U.S. policy has been the wrong approach because the intimidation has worked.

So when you talked about the Jewish lobby, were you talking about the American Israel Public Affairs Committee? Were you talking about NORPAC? Were you talking about Christians United or Israel? Do you still believe that their success in this town is be-

cause of intimidation and that they are, as you stated, urging upon our Government that we do dumb things?

Senator HAGEL. First, I have never been accused of political expediency. I do not do that. It probably has gotten me in some trouble, Senator.

Second, to address the last comment, and then we will go back sanctions. I have already said I regret referencing the Jewish lobby. I should have said pro-Israel lobby. I think it is the only time on the record that I have ever said that.

Now, you all have done a lot of work with my record, and, yes, it is appropriate, by the way. Any nominee's record, what he or she thinks, says, done, absolutely. I was on your side of dais for 12 years, so I understand that and that responsibility. So I do not have any problem with that. I have already noted that I should have used another term, and I am sorry, and I regret it.

On the use of intimidation. I should have used "influence," I think would have been more appropriate. We were talking about in that book, and you evidently read it, Aaron David Miller's book, by the way, it is a book, "The Much Too Promised Land." He has spoken out directly over the last few weeks, written an op-ed about my position because it has gotten some attention as you have noted, and been quite favorable to me, and said much of that was taken out of context, and he was offended by it. Those were his words.

Those of you who know something about Aaron David Miller know that he is Jewish. He is a highly respected individual who has counseled Presidents and Secretaries of State. He also says in that interview, which is a fairly short interview, he mentioned that I am a strong supporter of Israel. That it is in the interview. So I think that says something.

I should not have said "dumb" or "stupid" because I understand, appreciate, there are different views on these things. We were talking about Israel. We were talking about the Middle East. We were not talking about Armenia, or Turkey, or the banking influence, or chamber of commerce influence. That was what the context of my comments were about.

Your point on the unilateral sanctions conversation and the quote, a couple of points. Let us go back to the ILSA vote, about the original ILSA vote during the Clinton administration and connect that to a comment I made in the World Herald about they do not work. They are ineffective. By the way, I have already noted for the record here that I have supported and voted for some unilateral sanctions, and I think I noted three specific ones that I recall.

But on your specific question about the specific comment. Just to give you an example of partly what I was talking about. You were not in the Senate at the time. Some were. But those who were here in the Senate might recall the EU's reaction to that ILSA Act. I was not in the Senate when that was voted on originally, so I did not have a vote.

But in 1998, the EU passed a resolution against the United States and threatened to take the United States to the World Trade Organization. As a consequence, Secretary Albright had to get into this, and as a consequence of that, President Clinton had

to sign a waiver to allow a French oil company not to be part of that U.S. unilateral waiver.

Now I am not suggesting United States action should be hostage to the EU or any other country. But what I am suggesting is many times there are consequences to these actions. Now, every Senator has their own position on these, exercise their own judgment as they should, and cast their own vote. So I don't think necessarily that there was a disconnect from what I said in The World Herald to where I have been on international sanctions.

As to your specific point about supporting unilateral sanctions as well as international sanctions in the letter to Senator Boxer, it is a different situation to start with. We already have very effective international sanctions on Iran.

Senator WICKER. Are you saying that those two statements do not contradict each other, the one to the Omaha paper and the one to Senator Boxer?

Senator HAGEL. There are two points to it. Let me finish if I could, Senator, thank you, my second point.

My second point is this. Where we are with Iran today, the international sanctions that have been placed on Iran, that puts Iran and the United States in a far different place than where we were in 2000, or 1998, or 2001 when I did not support the reimposition. By the way, the Bush administration did not either. They did not want a 5-year reimposition for some of the same reasons that I questioned that reimposition of 5 years on ILSA.

But my point in making where we are today, connecting that to unilateral sanctions, then we have a different situation. Unilateral sanctions, because we have already got strong international sanctions, should be considered. I think the President is right to consider those. I would support that because it is different than it was in 2001 or 1998.

Senator WICKER. Thank you.

Chairman LEVIN. Thank you, Senator Wicker.

Senator Hagan.

Senator HAGAN. Thank you. Senator Hagel, thank you for being here. Thank you for your service to our country and the military and your service in the U.S. Senate. I also want to thank your wife and your family for standing with you today.

You played an important role in supporting Vietnam veterans impacted by the exposure to Agent Orange. I have been involved in a similar set of issues facing veterans stationed at Camp Lejeune. They continue to search for answers about the effects of water contamination there. As many as a million marines and their families stationed at the base between the early 1950s and the 1980s may have been exposed to harmful chemicals that led to the development of cancer and other ailments.

The quest for answers in looking into this has been long. It has been drawn out, and the recognition that men, women, and children were dying or going broke paying out of pocket for their treatment while they were waiting for these various studies to be completed on the water contamination. We in Congress took action last year. The House and the Senate passed a bill that will provide for the treatment of veterans and their family members through the VA.

I continue to believe that the families of those stationed at Camp Lejeune during this time period, they deserve answers from the U.S. Government about who was exposed to the harmful chemicals, what impact that might have had on their health, and what the Government knew about this exposure.

I have been fighting for answers with a group of other committed Senators on a bipartisan basis. Along the way progress has been held up by endless bureaucratic delays and obstacles.

My question to you is, do you agree that these marines and their families deserve complete answers about the water contamination that occurred at Camp Lejeune? If confirmed, will you pledge to work with us to overcome any bureaucratic hurdles that may halt or delay the pursuit of answers for the affected marines and their family members?

Senator HAGEL. Thank you. You noted that we had a long conversation about this. I committed to you in your office. I will make that commitment in front of this committee. I will do that.

There should never, ever be a question about the health, and the safety, and the environment that we put our men and women and their families in when we ask them to make sacrifices to serve this country. I am committed to that, and we will have further conversations.

Senator HAGAN. Thank you. I know you have answered a number of questions about Israel already today, but I do have one I want to ask you also. There is a special and historic bond between the United States and Israel, and I am personally committed to Israel's security and identity as a Jewish state.

When we met earlier this week, I was pleased to hear you say you agree and that you also support a two-state solution and oppose any unilateral declaration of a Palestinian state.

We also discussed the need for a strong military and intelligence engagement between the United States and Israel. Just last fall I was in Israel, and I have spoken with senior military officials from both countries, and I have continually heard that the ties between our military and our intelligence organizations have never been stronger.

If confirmed, do you intend to maintain this close relationship, and do you have any ideas for how we can further strengthen this coordination?

Senator HAGEL. I would once again reaffirm the commitment that I made to you to this committee. I absolutely support the continuation and the strengthening of our relationship with Israel. As been noted before, in my book, a chapter I have on Israel, I talk about the special and historic relationship between the United States and Israel.

It is critically important that the qualitative military edge that we have assured Israel since 1948 be maintained and be enhanced. The Iron Dome is I think but one example. The latest military exercise we had with the Israelis last fall, Austere Challenge, it was the largest military exercise between our two countries in the history of our two countries. I think our intelligence agencies are working closer, and are stronger and more coordinated than ever before.

I think this President has done as much to support Israel as any president, as I mentioned earlier, since Harry Truman, and I would look forward to continuing to follow those policies and enhance those policies.

Senator HAGAN. Thank you. I wanted to ask a question on sequestration. Stopping sequestration from occurring is very important to me. In North Carolina, we have 7 military installations, and we have over 100,000 Active Duty servicemembers in my State. I believe that these cuts are going to harm our national security, will impair our readiness, will defer necessary maintenance that will help keep our troops safe and delay important investments in research and procurement, as well as stunt our economic recovery at this time.

I do not believe we can allow these cuts to move forward. Congress needs to work on a bipartisan basis on a balanced plan that will help eliminate this threat of sequestration. Also we have to reduce our deficit and protect the critical investments and areas in our national defense.

When we spoke earlier this week, I was pleased to hear you say that you did not support these indiscriminate, unprioritized cuts that sequestration would cause. If allowed to take effect, how will sequestration impact the Department's ability to meet the future threats and challenges?

As I shared with you, I chair the subcommittee of this committee on Emerging Threats and Capabilities, so I am particularly interested in your thoughts. You were commenting earlier to Senator Udall's questions on cyber security issues, which is obviously being considered in the Emerging Threats and Capabilities Subcommittee.

My question is, what impact do you believe that these cuts would have on our servicemembers and their families at home and abroad, and in particular the cuts—the sequestration, how would this impact areas such as cyber security and the other areas?

Senator HAGEL. First, as we have said this morning and you know, the Chiefs have made very clear and Secretary Panetta, there will be consequences, significant consequences to the management of our Defense Department and our ability to have the flexibility to make the decisions not just for the immediate, but for the future.

When you hang that kind of uncertainty over any institution, but especially the institution charged with national security in our country, it is very dangerous. Readiness is obviously the number one priority, and we will continue to do that. The Chiefs have already started to work through this, and I think in some of the public statements they have made, we are preparing for that. They will be prepared. If in the event the sequestration does take effect, we will be ready to deal with it. But this is going to be very difficult.

We talked a little earlier here this morning about how we are going to have to reduce training, steaming time, flying time. But I think the American people do need to be reassured, as I think Secretary Panetta and the Chiefs have, that the security of this country is not going to be in jeopardy. But it is going to be difficult, and it is going to affect longer-term kinds of planning.

But make no mistake, if this happens, this is going to be a severe problem.

Senator HAGAN. My time is up. Thank you for your comments.

Chairman LEVIN. Senator Hagan, thank you so much. Now we were going to work right through the vote that is going on now, but we are going to take a 10-minute recess right now and come right back. Then we are going to call on Senator Ayotte and then Senator Manchin. They are next in line, and I urge them to go vote and come right back.

We will now recess for 10 minutes. [Recessed.]

Chairman LEVIN. We will come back to order.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

I want to thank you, Senator Hagel, for your service to our country and for being here today in this important hearing, and I want to thank your family as well.

Senator Hagel, I think we have established, as I understand it from the prior questions you have been asked, in July 2001, you were one of only two Senators to vote against extending the Iran Sanctions Act, the sanctions in that act. That is a vote that you have agreed that you have taken. Correct?

Senator HAGEL. Yes.

Senator AYOTTE. Yes or no? Yes. That was when you were only one of two Senators in the entire Senate to vote against that.

Also, in 2008, I believe you were asked you were again one of two Senators within the Senate Banking Committee, though, not the entire Senate, to vote against the Comprehensive Iran Sanctions Accountability Act of 2008. Is that right?

Senator HAGEL. That is right.

Senator AYOTTE. Okay. Thank you.

Senator HAGEL. Yes. I am sorry. Yes.

Senator AYOTTE. Yes, thank you, Senator.

As I understand it, on October 2, 2008, Majority Leader Harry Reid brought a similar bill to the floor. In fact, it was called the Comprehensive Iran Sanctions Accountability Act of 2008, and he brought it to the floor on October 2, 2008. There have been media reports that you blocked unanimous consent for the consideration of that bill. Are those true or not?

Senator HAGEL. I was one of some Republican Senators who did not want that vote to go forward. I voted against it in the subcommittee, and the reason I did was because the Bush administration did not want that bill to go forward.

The reason that they didn't is because they were involved in negotiations with the Russians in the U.N. and Security Council members to put multilateral sanctions on Iran.

Senator AYOTTE. Thank you.

But just to be clear, you did block unanimous consent of that bill in 2008?

Senator HAGEL. I was part of an effort, yes. That is right.

Senator AYOTTE. Okay. Thank you.

Also, would it surprise you that an earlier version of that sanctions bill was actually cosponsored by Secretary Kerry, Secretary Clinton, and President Obama at the time? You were not a cosponsor. Would that surprise you?

Senator HAGEL. Well, no, not necessarily. I didn't ever base my votes, Senator, on what everybody else thought or did. I voted based on what I thought was right.

Senator AYOTTE. Also, we, of course, the sanctions that are in place now, that bill or its next generation passed the U.S. Senate after you left in a vote of 99 to 0, and no one in the Senate, in fact, voted against that. So that has been our clear policy of the bill, really the next generation of the bill that you blocked in the Senate.

I want to ask you also about your position with respect to involvement in the Global Zero report. I know many people have asked you questions about this.

Senator HAGEL. Yes.

Senator AYOTTE. Here is what is troubling me. You have testified before this committee today that you have never been for unilateral nuclear disarmament. In other words, unilateral actions by the United States of America. Yet this report itself, which you call an illustration, its illustration or recommendation or however you want to frame it, is to actually—there are many recommendations in it.

One of them is to eliminate a leg of our triad, which is the land-based ICBMs. You would agree with that? That is the illustration that is contained in this report, or you call it an illustration. Is that right?

Senator HAGEL. I call it an illustration, Senator, because that is the term it used at the front end of the report.

Senator AYOTTE. Well, let us——

Senator HAGEL. Not a recommendation.

Senator AYOTTE. Let me talk about the other terms that this report uses because this report twice, as Senator Sessions asked you, on page 1 and on page 16 says that the illustrations or this example given in this report, one of which is eliminating a leg of our nuclear triad could be implemented unilaterally.

So here is what I am struggling with. Why would you ever put your name on a report that is inherently inconsistent with what you are telling us today is that you have never been for unilateral disarmament as a possibility?

Senator HAGEL. It is not inconsistent, I don't believe, Senator. But you used the term "could". That is a pretty important operative word in the report.

The report does not recommend we do these things. The report says "could," "illustrative," "scenarios," "possibilities". You probably know the four other individuals who were involved in that report, mainly General Cartwright, former strategic commander and——

Senator AYOTTE. Senator Hagel, I know we don't have a lot of time here. I don't dispute the qualifications or the service of the other individuals that are involved in this report. But of all the illustrations and of all the "coulds" you could pick, this report says that the President could implement these unilaterally, although that is inconsistent with what you say is your position. Yet you signed off on this.

This report also says of all the illustrations you could have picked, the illustration is eliminating a leg of our nuclear triad. One thing that troubles me is that of all the things that this group

could have picked as what you call an illustration is a significant reduction in our nuclear deterrent.

To me, I view that as troubling and inconsistent. One thing I would hope you wouldn't do as Secretary of Defense is to sign off on a report that would say something like unilateral, like this one does, that could be implemented unilaterally that is different than your philosophy or our policy.

Senator HAGEL. As Secretary of Defense, I won't be signing off on reports in the same way as a private citizen. Obviously, I will have a different kind of responsibility if I am confirmed by the Senate.

But I don't think that there is anything that also changes my position in that report because it was a letter sent, which you may have, to the President of the United States——

Senator AYOTTE. Just so we are clear, and I am not—I don't want to interrupt you, but we just don't have a lot of time. Just so we are clear, you don't view what you are telling us today and the language in this report as inconsistent?

Senator HAGEL. I do not because it wasn't a recommendation. The report also says and the authors of it says, have always said, none of this can be any reductions unilateral, just like any strategic arms reduction treaty that we have signed, both Republican and Democrats have led on that, has to be bilateral, has to be verifiable, has to be negotiated.

I have always been there, and that is where we have been on this report.

Senator AYOTTE. Okay. Thank you.

May I follow up on the discussion about containment, nuclear containment with Iran? The first question I would have, as you said very clearly to Senator Levin, that you believe that a military option should be on the table with respect to Iran. In fact, I think you said, "I do, I have, and I strongly agree" in terms of that being one of the options the President of the United States would have in addressing Iran is the language that you said.

Senator HAGEL. Yes.

Senator AYOTTE. Can you help me understand when you went to Islamabad, Pakistan, in 2006, you said at that time that a military strike against Iran, a military option is not a viable, feasible, or responsible option. It strikes me as what you are saying about the military option now seems inconsistent with that statement.

Why would you make that statement in Pakistan that it is not a viable, feasible, or responsible option in light of your statement today that you do, "I have, and I strongly agree" that a military option should be on the table?

Senator HAGEL. That statement was made in the context of all options regarding Iran, and Pakistan was where I was at the time. The larger context of that was nuclear powers, which certainly Pakistan is part of that club.

Not unlike what Secretary Gates said about a strike on Iran, my point was that this would not be a preferable option. There would be consequences to this option. Things would happen as a result of it.

If we could find a better option, a better way to deal with Iran to assure they do not get nuclear weapons, then we are far better off. That was the context of that statement.

Senator AYOTTE. Senator Hagel, I know that my time is up, and I know we will have an opportunity for a second round of questions. But as I see your quote, it didn't say preferable option. It said it was not a responsible option. I view those words as having a very different meaning.

So I look forward to following up in the subsequent round of questioning. Thank you.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Manchin.

Senator MANCHIN. Thank you. Thank you, Mr. Chairman.

Senator Hagel, thank you so much and your family for your service and for putting your services on the line for us. I appreciate it very much.

I would like to say this. You and I have not known each other before. I never had the pleasure of serving with you, which I wish I would have. We had a great conversation. You bring a breath of fresh air, truly a breath of fresh air to this process in a bipartisan way. Having two great Senators sitting by your side—one a Democrat, one a Republican—that basically support you wholeheartedly speaks volumes in the toxic process that we have today.

With that being said, also everyone has been so fixated on your past, what you have said, and I think I have come to learn in the very short time I have been a Senator that this town and this process and this body has become almost a guilt by conversation. With that being said, I respect you being the person being able to say what you thought needed to be said. You voted the way you thought you should be voting for your constituents and your country, and you weren't really driven by your party or by any pressure groups.

I can't tell you how much I wish I would have served with you. Sometimes I feel very lonely.

With all that being said, sir, we are asked to consider you as a part of the Cabinet. Is there anything that would lead us to believe that you wouldn't follow the orders that were given?

Senator HAGEL. No. I understand clearly the responsibilities of the Secretary of Defense. As I said in my opening statement, those responsibilities are very serious. I don't know of many jobs that are more serious, and I would obviously always make every decision for the Defense Department and my advice to the President based on only one thing, and that is the security of this country.

Senator MANCHIN. I looked back at your record. You and I come from the same era. We are very close in age, and I remember the Vietnam era very well. That, I think, shaped all of us to a certain extent of how we looked after, post-Vietnam, of how we would have looked at it if we would have known what we knew before.

I am sure that kind of guided you as you looked at this, Iraq, and I saw the information that we were given. If I had been a Senator, probably I might have voted also, like many people that were misled.

But after having seen 5 or 6 years of that unfortunate scenario play out, the surge, and I know where you are coming from, would

you say that your experiences in Vietnam and looking at basically what sometimes our misguided mission had been shaped a lot of your positions today?

Senator HAGEL. There is no question that as I have said this morning, that my experience in Vietnam very much guided the questions. I think I noted a couple of times in my opening statement that it was one fundamental question that I always asked, was the policy worthy of the men and women that we are asking to make the sacrifices?

I know there are differences of opinion. You mentioned Iraq. You mentioned the surge. My positions there were very much guided by, well, what is the political purpose of the surge?

Senator MANCHIN. Right.

Senator HAGEL. Where do we go from here? Yes, you put 35,000 more American troops in an area for a sustained period of time or more on top of more than 100,000 we already had there, you will have a tactical victory. But there will be a cost for that victory.

That is what always guided me. Do we understand the costs? Are we prepared to make those costs in lives? Then where was the bigger answer here? Where were we going with the surge? How was this going to take us, advance us to where we needed to go, and where did we think we needed to go?

So, yes, those experiences did shape my questions.

Senator MANCHIN. I appreciate that. Let me just say that as speaking of now, what we deal with and the concerns that people had with your nomination, the support of Israel, I have no doubt in my mind your support of Israel as our greatest ally and would always be there. I think you have answered that. I think we all feel very comfortable with that.

Also your commitment that Iran should not under any circumstance have the ability to have a nuclear weapon, and I appreciate that position very much.

Where we go with the strength of our Army if we have our military might in DOD, the National Guard, how does the National Guard play in your role of thinking of what they should be doing and what they could be doing?

Senator HAGEL. The National Guard now has a chair at the table with the Joint Chiefs. General Grass represents the National Guard effectively, a new chief. But their role will continue to be important, as will the Reserves.

I think we saw over the last 12 years of war how important our National Guard is and the Reserves. We could not have conducted those two wars without the National Guard and Reserves. I think that has professionalized both Services. They are going to continue to be necessary. They are important.

Their training, their credibility, their leadership, that is obviously why the decision was made to assure their representation with the Joint Chiefs, and I strongly support the National Guard and Reserves.

Senator MANCHIN. Personnel, I think that Senator McCaskill touched on things I am very concerned about. Every time I hear about the sequestering and people tell me that if we do a sequestering it could destroy our ability to defend ourselves and have the military might that we do.

Now I don't see that whatsoever, and I followed the statistics. I followed all the post-war eras from starting with Korea and Vietnam, Cold War, and where we are today. This will be the least amount of money that we have asked to draw down under any post-war time. But yet everyone is hollering that it will be devastating.

I know there is a way to do that, but the contracting. We are having a hard time getting our hands around the contracting, the cost of contracting, the ability for people in the contracting world to be reimbursed by over $700,000, almost twice what the President gets paid. Some of these things, would you embrace working with us and sitting down and looking and embracing an audit?

Myself and Senator Tom Coburn have had legislation asking for a complete audit of DOD. Your thoughts on those two things, sir?

Senator HAGEL. Of course, I will, and as I have noted this morning, I am committed to do that. I will do it.

Accountability is a primary responsibility of any institution or organization. That is clearly in the purview of Congress. We have to do it. We have to improve on the process.

We talked a little bit this morning about the astounding amount of waste, fraud, and abuse the Inspector General, Special Inspectors General both in Iraq and Afghanistan have found. I am committed, as I have said, to assure that we make that deadline of 2017 on the audits, and I will work with you closely on that.

Senator MANCHIN. My time is up, and one thing I want to state that we talked about in my office is the commitment to help our returning veterans get jobs. The Jobs Caucus, "I Hire a Vet," it is so important. I appreciate your support for that. I look forward to working with you that we can put more of our vets back to work when they come home and get them back into mainstream America.

Thank you, sir. I look forward to voting for you.

Senator HAGEL. Thank you.

Chairman LEVIN. Thank you, Senator Manchin.

Senator Fischer.

Senator FISCHER. Thank you, Mr. Chairman and Mr. Inhofe.

Good afternoon, Senator. It is good to see you again.

Senator HAGEL. Thanks.

Senator FISCHER. I want to begin by thanking you for your service to our country and to the State of Nebraska. I do appreciate your continued willingness to serve the United States.

But I need to be honest with you. After our meeting last week, I still have some concerns about your nomination. Many of my colleagues are concerned that you have changed your views, and I share that concern. But I must admit that I am more worried that your views have not changed.

From your meeting with me last week, it was clear that you maintain the views that have led to so much scrutiny of your nomination. Despite these recent claims to the contrary, you continue to hold, I believe, extreme views far to the left of even this administration.

In particular, your clear statement to me during our meeting that if given the opportunity to recast your vote on the Iranian

sanctions, you would still oppose those sanctions. I believe that indicates that you hold these concerning views.

Our Nation faces many challenges, perhaps none greater or more immediate than Iran's continued progress towards obtaining nuclear weapons. At the same time, DOD is entering a period of transformation that will likely define its role for many decades to come. The future of our nuclear deterrent could depend on our choices made by the next Secretary of Defense.

I am going to bring up the report that we have heard about quite a bit. You are listed as a coauthor of that May 2012 Global Zero report on our nuclear posture. I believe there is a recommendation in there, and I believe that the recommendation is to drastically reduce the U.S. nuclear forces.

When we spoke last week, you described this report as being authored by General Cartwright. I had the impression, and I believe you implied to me, that you weren't closely affiliated with it. But you are listed as a coauthor of that report, as one of the five coauthors.

Moreover, you told me at that time that this report discussed options. You have reiterated that stance today. But after I have reexamined it once again, the only options that I have found in the report are related to how best achieve those drastic reductions that I believe it advises. There are no alternative views or dissenting opinions that are presented or discussed in the report.

It states many controversial opinions. It states them as facts in support of its conclusion, and I believe it is important to determine whether or not you agree with those positions. As it has been said before, my time here is limited, and so I would like to quickly go through and review some of those more concerning proclamations that it makes with you. I would appreciate if we could kind of go through this quickly.

For example, the U.S. ICBM force has lost its central utility. That is stated in the report. Do you agree with that?

Senator HAGEL. Senator, that report was not a recommendation. That report, as we have said, was a series of scenarios. Again, I use the term "illustrative" because that was the beginning of the report as possible ways we could continue to reduce our warheads. Not unilaterally, but bilaterally.

Every treaty we have ever signed to reduce warheads and the thrust capability with the Russians has been about reduction. So that is not new. That is where it has always been.

But ICMBs, your specific question, it is a 25-page report. I assume you have read it. It talked about one of the reasons ICBMs may well eventually be insignificant because of the overflight over Russia and so on. Now those aren't fictional analyses. Those are facts.

Now no one is recommending in that report—and you probably know General Cartwright. When he was in Omaha, you probably got acquainted with him. These are serious people who understand this business, and no one is recommending that we unilaterally do away with our ICBMs.

What that report was about was looking at where this is all going. Again, the title of the report was "Modernizing Our Nuclear Strategy," not eliminating it.

Senator FISCHER. Correct. But do you agree with the statement made in the report that the ICBMs, that force has lost its central utility?

Senator HAGEL. That is not what the report said.

Senator FISCHER. I have it—I have it cited, Senator. With respect, I can enter that into the record. But it is cited in the report.

Senator HAGEL. The report, in the overall context, ICBMs and all of the parts of that report were about the utilities of our triad, where is this going, and the money that we are investing in it, and we have to look at it. I think those kinds of reports are valuable to assess our needs, to assess our nuclear capability, to assess our nuclear deterrent.

I mean, we do studies all the time. This was not an official report from an official government. Think tanks do this all the time. I think that is valuable.

Now whether policymakers——

Senator FISCHER. Excuse me. I, too, think that reports from various organizations—think tanks, individuals, groups—I think those are all very important in getting information and opinions out there. But when you coauthor a report, I think you should be able to answer if you agree with statements that are made in the report.

Senator HAGEL. I do not agree with any recommendation that would unilaterally take any action to further reduce our nuclear warheads on our capability. But again, that is not what the report said.

But I do not agree with that. Every option that we must look at, every action we must take to reduce warheads or anything should be bilateral. It should be verifiable. It should be negotiated.

Senator FISCHER. Every action that this country takes needs to be bilateral?

Senator HAGEL. I didn't say that. I said in nuclear capabilities in our warheads. When we are talking about reducing warheads, as every treaty we have signed with the Russians has been bilateral. It has been verifiable.

Ronald Reagan said it best, "Trust, but verify". I think that is the key word. He also said, as I said this morning, we should wipe nuclear weapons from the face of the Earth.

I think almost every President has agreed with that, including, by the way, this President, who has seen this report. World leaders do agree with the continued reduction, and this is not a report that is out of the mainstream at all. President Obama has said in his Prague speech in 2009 that that was his goal, as Ronald Reagan did, as many Presidents did.

Senator FISCHER. Thank you.

If I could continue on this vein of questioning, please? Also, as I read the report, it calls for all U.S. tactical nuclear weapons to be eliminated over the next 10 years and asserts that their military utility is practically nil.

Do you agree with that statement?

Senator HAGEL. Senator, I don't believe it calls for that. These are scenarios and schedules and possibilities and options. But none of this could ever, ever happen unless it would be negotiated, bilateral, and verifiable. That was part of a letter that the Global Zero growth group sent to the President in 2009 specifically stating that.

If I might give you a more recent example of that. Senator Feinstein's subcommittee——

Senator FISCHER. Just a quick one, please.

Senator HAGEL.—had a hearing on this last year. In that hearing, and the committee can get the transcript if it doesn't have it, General Cartwright and Ambassador Pickering testified. They went into this, that this is all, everything with any action we would take would have to be negotiated. It would have to be bilateral. No unilateral action.

They made that point again on the record in front of Senator Feinstein's subcommittee. I support that. I agree with that.

Senator FISCHER. I have another statement from the report. The U.S. ICBM rapid reaction posture remains in operation and runs a real risk of accidental or mistaken launch.

I think that statement is pretty clear. Do you agree with that?

Senator HAGEL. Yes. I mean, I think accidental launches and those kinds of things are always to be concerned about. We need to assure, as we have over the years, that that doesn't happen, both on the Russian side——

Senator FISCHER. That we run a real risk of accidental or mistaken launch?

Senator HAGEL. Well, you take "real" out. You could just put risk. But there is always a risk. I mean, when we are talking about nuclear weapons and the consequences, you don't get a lot of second chances. We need to be very sure about these things, and I think that was the whole point.

Chairman LEVIN. I think you need to save any additional questions for the second round, if you would today.

Senator FISCHER. Oh, I am sorry. Thank you.

Chairman LEVIN. You may not have gotten a card. I am sorry if you didn't.

Senator FISCHER. Oh, thank you very much.

Chairman LEVIN. Thank you.

Senator FISCHER. Thank you, Senator.

Senator HAGEL. Thank you, Senator.

Chairman LEVIN. Thank you very much, Senator Fischer.

Senator Gillibrand.

Senator GILLIBRAND. Thank you, Mr. Chairman.

Thank you, Senator Hagel, for testifying today.

I appreciate that you have brought your family with you. I appreciate the support of your wife.

I am going to submit several questions for the record because they are important to me as the Senator from New York, particularly about New York bases, cybersecurity, and children of military families with disabilities. But today, I want to focus on the most urgent issues from my perspective. I want to talk more about your thoughts on Israel and Israel's security. I want to talk about Afghanistan, and I want to talk about personnel issues.

On Israel. Obviously, our relationship with Israel is tremendously important to Israel, and we are fundamentally tied to them because of being such a strong democracy in the Middle East and having our national securities very much being tied in many ways.

We talked quite a bit about Iran, and you have clarified your position that containment is not an option. I am concerned about a

statement you said with regard to Iran. A nuclear Iran is an existential threat to the United States, as well as Israel. The Iranian Government has been responsible for the deaths of U.S. servicemembers, an attempted attack on U.S. soil, and the funding, training of terrorist groups.

Their latest in a long list of direct threats to Israel came just today. I want to make sure that in your statement earlier today with regard to whether Iran is legitimate, I can understand if you meant it is a legal entity that has international relations and has diplomatic relations and is a member of the U.N. But I do not see Iran or the Iranian Government as a legitimate government, and I would like your thoughts on that.

Senator HAGEL. Thank you, Senator.

What I meant to say, should have said, it is recognizable. It has been recognized, is recognized at the United Nations. Most of our allies have embassies there. That is what I should have said, and thank you.

Senator GILLIBRAND. You are welcome.

With regard to Israel, Israel's security is very important, and I have been one of the strongest advocates for our alliance, fighting for more increases in missile defense cooperation as well as coordination on a number of the technology programs that are fundamental to Israel's security.

Last year, Iron Dome more than proved itself as missiles from Gaza continually headed towards Israel. In December, Ranking Member Inhofe and I successfully pushed for full funding of the U.S.-Israel cooperative missile defense systems.

Will you personally support robust funding for Iron Dome, David's Sling, and other programs? If we have to have a Continuing Resolution, the funding for Iron Dome will be well below the authorized amount for fiscal year 2013. In such a case, will you recommend either reprogramming other funds or sending forth an anomaly budget requesting to fully cover our commitment to this program?

Senator HAGEL. First, I fully support and will continue to fully support Iron Dome and Arrow and David's Sling. As to a commitment to the second part of your question, I would have to better understand what our restrictions are going to be in our budgets before I could make any decisions like that, and I would have to talk with our Chairman of the Joint Chiefs and each of the chiefs and want to better understand, depending on how bad and deep this sequestration might get.

But make no mistake. It is clearly a priority program. I believe we will continue to fund it. We should. I will support the continuing funding.

Senator GILLIBRAND. I hope you will also be a strong advocate because our budget is, even under sequestration, significant. This is a very high priority certainly for me.

Senator HAGEL. If I am confirmed, we will work together, as I will with this committee, on this and other issues.

Senator GILLIBRAND. Thank you.

A number of members were just in Egypt, and we met with President Morsi. Obviously, we are very concerned about the Sinai becoming a route for arms coming straight from Libya going to ter-

rorist groups. We, obviously, are very concerned about we give $1.2 billion to Egypt in aid, and we want to figure out if there is a way to put some of those funds towards more anti-terrorism missions as opposed to the typical technology.

Do you have any thoughts on that and what we can do to really try to assist in cracking down on the weapons trade?

Senator HAGEL. It is a huge challenge and part of obviously what allows terrorists, extremists to advance their cause. Maritime security, piracy issues, I mentioned in my opening statement that is all part of why we need to rebalance resources and why we need the kind of flexible, agile resource base—in particular our Navy—to be able to do this.

It also is going to continue to take cooperation with our allies. We can't do this alone. As good as our intelligence is, the best in the world, best military in the world, we are the largest, wealthiest country in the world. But we have to work with allies, and we have to find that through intelligence before it gets beyond the capacity to be used to do damage against the interests of this country and our allies.

Senator GILLIBRAND. As Israel is one of our most important allies, one of the growing risks we have now is Syria, particularly chemical weapons being not properly locked down. There is concern, and obviously with what happened yesterday, I suspect that there has been very close cooperation between our militaries on contingency plans with respect to Syria's chemical weapons. But will this be something that you can focus your concern on because of your past statements about the Israel-Hezbollah war in 2006?

Is this something that you will also commit to and keeping this alliance strong and making sure we have a strong contingency plan with regard to any chemical weapons coming out of Syria?

Senator HAGEL. Yes. By the way, I have said on the record many times that Hezbollah and Hamas are terrorist groups, and I have said many times on the record that Iran is a state sponsor of terrorism. So, yes, I am committed to do that and will do that.

Senator GILLIBRAND. Okay. For my last minute, with regard to Afghanistan, we have heard your views, and you didn't give a specific statement about how many troops when. But will you, in your capacity as Secretary of Defense, advise the President that we should be drawing down troops sooner rather than later?

Senator HAGEL. I think he has made that pretty clear that he wants to do that. If I am confirmed, I will need to better understand all the dimensions of this. I don't know all those dimensions. I think that there is little question that—and I support completely where the President wants to go in Afghanistan and his commitment to unwind that war.

As we have said, there should be, there will be. He has noted that he will, in fact, enforce a new policy and new relationship based on a limited objective for our troops there, and I support that.

Senator GILLIBRAND. My last question that I will submit more for the record, but you and I talked at length about it. Obviously, the personnel of our military is our most important asset, and when we hear reports that there are upwards of 19,000 sexual assaults in the military against women, it is unacceptable.

We also have finally repealed "Don't Ask, Don't Tell". But it is difficult for a military spouse to even go to the commissary and be on base or be notified if a spouse is killed in action. I will need a strong commitment from you that you will treat our military families and look after them in the way you would look after your own.

I want you to be concerned about every man and woman in the military, that their well-being is being looked after, and see real advocacy and leadership. Not status quo. Not implementing whatever we put forward. But actually fighting for them every single day.

Senator HAGEL. You have my complete commitment on that. I have made that commitment to, I think, all members of the committee that I have spoken to directly and privately.

Again, I mentioned that point in my opening statement, you will recall. I think I have a pretty clear record on that in my life. I will continue to do that, will do that, and I agree it is not good enough just to say zero tolerance. The whole chain of command needs to be accountable for this, all the way down to the bottom. So I will.

Senator GILLIBRAND. Thank you.

Senator HAGEL. Thank you.

Chairman LEVIN. Thank you, Senator Gillibrand.

Senator Graham.

Senator GRAHAM. Thank you, Mr. Chairman.

Senator Hagel, congratulations on your appointment. You are a good, honest man, and I really appreciate your willingness to serve the country in the past and be willing to do so in the future.

What percentage of the gross domestic product do we spend on defense?

Senator HAGEL. We are, I think, it is probably 5 percent now in that area in our budget, our discretionary budget——

Senator GRAHAM. Is that historically high or low?

Senator HAGEL. I think generally depends on real dollars and wars, but—

Senator GRAHAM. Are we at war?

Senator HAGEL. We are at war in Afghanistan. We are at war around the world with active threat——

Senator GRAHAM. So you agree with me we are at war in Afghanistan? We are at war around the world. So when you look at spending on defense, every Senator should be aware of the fact we are still at war. Do you agree with that?

Senator HAGEL. I am sorry. What is your question?

Senator GRAHAM. Do you agree that every Senator, every Member of Congress should be wide-eyed and understanding that when you vote on a defense budget we are at war?

Senator HAGEL. Yes, I do.

Senator GRAHAM. Okay. Thank you.

Now let us talk a little bit about statements you made. You have explained this a bit. You said, "The Jewish lobby intimidates a lot of people up here. I am not an Israeli senator. I am a U.S. Senator. This pressure makes us do dumb things at times."

You have said the Jewish lobby should not have been—that term shouldn't have been used. It should have been some other term. Name one person, in your opinion, who is intimidated by the Israeli lobby in the U.S. Senate.

Senator HAGEL. Well, first——
Senator GRAHAM. Name one.
Senator HAGEL. I don't know.
Senator GRAHAM. Well, why would you say it?
Senator HAGEL. I didn't have in mind a specific——
Senator GRAHAM. First, do you agree it is a provocative statement? That I can't think of a more provocative thing to say about the relationship between the United States and Israel and the Senate or Congress than what you said.

Name one dumb thing we have been goaded into doing because of the pressure from the Israeli or Jewish lobby.

Senator HAGEL. I have already stated that I regret the terminology I used.

Senator GRAHAM. But you said back then it makes us do dumb things. You can't name one Senator intimidated. Now give me one example of the dumb things that we are pressured to do up here.

Senator HAGEL. We were talking in that interview about the Middle East, about positions, about Israel. That is what I was referring to.

Senator GRAHAM. So give me an example of where we have been intimidated by the Israeli/Jewish lobby to do something dumb regarding the Mideast, Israel, or anywhere else.

Senator HAGEL. Well, I can't give you an example.
Senator GRAHAM. Thank you.

Do you agree with me you shouldn't have said something like that?

Senator HAGEL. Yes, I do. I have already said that.

Senator GRAHAM. Now do you agree with me that Hezbollah is a terrorist organization?

Senator HAGEL. Yes.

Senator GRAHAM. Now, in 2006, you were 1 of 12 Senators who refused to sign the letter to the EU asking them to designate Hezbollah as a terrorist organization for the purposes of the EU sanctioning Hezbollah. Why were you 1 of 12 who refused to sign that letter?

Senator HAGEL. Because I have generally had a policy during my time in the Senate that I didn't think it was the right approach for the Congress of the United States to be sending leaders any instructions or any documents versus letting our President do that. As I have already stated——

Senator GRAHAM. Why did you sign the letter to Bill Clinton, urging him to deal with the Russians when it comes to their policy against Jewish people?

Senator HAGEL. Because I think that is the appropriate approach because I think it is our President who conducts foreign policy.

Senator GRAHAM. All I could suggest to you is that when a letter is presented to a U.S. Senator about the times in which we live in, you can't write one letter and not write the other and, in my view, be consistent.

The letter was urging the EU to impose sanctions on Hezbollah, and you have been a big believer that we shouldn't go it alone. We shouldn't do it unilaterally. Why in the world wouldn't you take this chance to urge the EU to go ahead and sanction Hezbollah because it may help the world at large deal with this terrorist organi-

zation? Your answer is you just don't think we should be writing letters?

Senator HAGEL. That wasn't my answer. My answer was I think the President of the United States is the appropriate official——

Senator GRAHAM. So Congress has no interest at all in whether or not the EU would designate Hezbollah as a terrorist organization? Do you think that is our role up here, that we should just stay out of those things?

Senator HAGEL. Congress has an interest and responsibility in all things. But I——

Senator GRAHAM. Okay. I got you. Apparently not there.

Now let me ask you this about the Iranian Revolutionary Guard. You said just a minute ago you think they are a terrorist organization. Do you agree with that?

Senator HAGEL. Yes.

Senator GRAHAM. Okay. You voted against the amendment designating them a terrorist organization because you thought we would be going down the wrong road by doing that because they are a recognized state. Iran, you wouldn't want to designate the army of a recognized state as a terrorist organization?

Senator HAGEL. I said that Iran is a state sponsor of terrorism. I also just clarified a statement on Iran being a recognized nation by the United Nations, by most world bodies. The reason again, I will explain it again, why I did not vote, as 22 other members did——

Senator GRAHAM. Right.

Senator HAGEL.—because I think Jim Webb's argument was a strong argument, and that was we have never—this is what he said on the floor—designated part of a government as a terrorist organization. Thereby what his concern was, as was mine and other Senators who voted against it, would this be then tantamount to giving the President of the United States authority from Congress to take military action against Iran?

Senator GRAHAM. I got you. Now let me just ask you this. Do you believe that the sum total of all of your votes—refusing to sign a letter to the EU asking Hezbollah to be designated a terrorist organization, being 1 of 22 to not vote to designate the Iranian Revolutionary Guard a terrorist organization, being one of two on two occasions to vote against sanctions that this body was trying to impose on Iran, the statements you have made about Palestinians and about the Jewish lobby—all that together, that the image you have created is one of sending the worst possible signal to our enemies and friends at one of the most critical times in world history?

Senator HAGEL. No, I would not agree with that because I have taken actions and made statements very clear as to what I believed Hezbollah and Hamas are as terrorist organizations. In fact, Senator——

Senator GRAHAM. If you there was a vote on the floor of the Senate this afternoon to label the Iranian Revolutionary Guard, the people who have killed our soldiers in Iraq, some of the most vicious people to the people of Iran themselves, if there were a vote tomorrow or this afternoon or after lunch, would you still vote no?

Senator HAGEL. Well, I would want to know from the President what they were doing, but again——

Senator GRAHAM. I mean, you read the paper. You watch TV. You have any doubt what they are doing? They are expanding terrorism. They are trying to intimidate their own people. They are the instrument of the theocracy to oppress their own people, and they are the biggest supporter of the regime keeping them in power so then they can get a nuclear weapon.

If you had a chance tomorrow, today, after lunch to vote to say that the Iranian Revolutionary Guard was a terrorist organization, would you still vote no?

Senator HAGEL. Well, the reason I voted no to start with began with the same——

Senator GRAHAM. Well, I know why. You told me that. My question is——

Senator HAGEL. That hasn't changed.

Senator GRAHAM.—would you reconsider, and would you vote yes this time, or would you still vote no?

Senator HAGEL. Well, times change. I recognize that, and yes, I would reconsider. But the whole theory——

Senator GRAHAM. Well, thank you. That is encouraging.

My time is up, but we will have another round.

Senator Inhofe said that you were one of four Senators who refused to sign a letter in October. The first paragraph says, "We write to you to express our solidarity with the State of Israel at this moment of crisis and our profound disappointment and frustration with Palestine Liberation Organization Chairman Arafat and the Palestinian Authority. We are dismayed that they would allow violence by Palestinians to be carried out without restraint or comment."

This was when the Intifada was being raging, and Senator Inhofe, led by Daschle and Lott, wanted a letter from every member of this body to clearly put us on record that we believe Arafat and the Intifada is undercutting the agreements they had reached and that they had resorted to violence to intimidate the Israeli Government and people in a way that was just absolutely unacceptable.

If you had a chance to do it over, would you sign this letter now? I am going to give it to you during whatever break we have and ask you to reconsider. I would ask you, Senator Hagel, to tell the country, the world at large, particularly the State of Israel, you made a mistake by not signing that letter.

Senator HAGEL. Who is the letter to?

Senator GRAHAM. I think it goes to the President. Is that who it was to? It was the President.

Senator HAGEL. I will look at it. I don't recall the letter, and I will look at it and give you an answer.

Senator GRAHAM. All I can say, it was a very big deal at a very important time. The lack of signature by you runs chills up my spine because I can't imagine not signing a letter like that at a time when it really mattered.

We will continue this conversation. Thank you.

[The information referred to follows:]

United States Senate
Washington, D.C. 20510
October 12, 2000

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

We write to you to express our solidarity with the State of Israel at this moment of crisis and our profound disappointment and frustration with PLO Chairman Arafat and the Palestinian Authority. We are dismayed that they would allow violence by Palestinians to be carried out without restraint or comment.

Resorting to violence constitutes a fundamental violation of the Peace Process. Following the signing of the Declaration of Principles in September 1993, Chairman Arafat wrote Israeli Prime Minister Rabin that:

The PLO commits itself to the Middle East Peace process, and to a peaceful resolution of the conflict between the two sides ad declares that all outstanding issues in relation to permanent status will be resolved through negotiations.

The PLO considers that the signing of the Declaration of Principles constitutes a historic event, inaugurating a new epoch of peaceful coexistence, free from violence and all other acts which endanger peace ad stability. Accordingly, the PLO renounces the use of terrorism and other acts of violence, and will assume responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations and discipline violators.

It was on the basis of these assurances that Prime Minister Rabin, among other things, recognized the PLO.

We are deeply concerned at the continuing, coordinated campaign of Palestinian violence. That campaign leads us to believe that Arafat either seeks to use violence as a negotiating tool to extort even further concessions from the Government of Israel, or that he in fact intends to end the peace process in its entirety as a prelude to a unilateral declaration of Palestinian statehood.

This stands in contrast to what the Government of Israel has -sought throughout this crisis. We note, for example, that the Government of Israel proposed unprecedented compromises to achieve a final peace agreement Despite subsequent provocations, despite the violence, despite the wanton destruction of Joseph's Tomb -a revered Jewish holy site-Israel has sought to see the violence stopped so that peace negotiations could be resumed. Yet, Arafat has failed to issue a statement to the Palestinian community that violence is unacceptable, unlike Prime Minister Barak who has said publicly that "I urge our Jewish citizens to refrain from attacking Arabs and their property under any circumstances."

We urge you to express American solidarity with Israel at this crucial moment, to condemn the Palestinian campaign of violence, to do everything possible to secure the return of the three kidnaped Israeli soldiers from Lebanon, and to stand with Israel in international arenas - not only because we should, but because such actions are also the best way to restore the negotiating process. Arafat vast understand that he will achieve none of his political objectives through violence, that a unilateral declaration of statehood will not be recognized by the United States that only through negotiations can the Palestinians' legitimate political aspirations be realized, and that abandoning the negotiating process will have serious repercussions.

This is a very dangerous hour in the Middle East. America's open and abiding commitment to the security of Israel is the surest way to see our way safely through it.

Sincerely yours,

[Signatures of 96 senators beginning with Trent Lott and Tom Daschle]

The four Senators who did not sign this letter are:
Spencer Abraham, R–MI
Robert Byrd, D–WV
Judd Gregg, R–NH
Chuck Hagel, R–NE

Chairman LEVIN. Thank you, Senator Graham.

We now will go to Senator Blumenthal.

Senator BLUMENTHAL. Thank you, Mr. Chairman.

I want to join, Senator Hagel, in thanking you for your service, thanking your family, and expressing appreciation not only to you for your service in uniform, but also afterward to our veterans, which people may not appreciate as much as they do your military service, but I think is every bit as important to our Nation.

I just want to say about that letter, I wasn't here when the letter was circulated. I would have signed it, but I would certainly join in urging that you reconsider and commit to the statement of support in the letter for the State of Israel. If it is appropriate now and applicable to today's events, I hope you will consider expressing your support for it.

I noted in your opening statement that no single quote and no single vote define you in the entirety, and perhaps not as a whole, but votes and quotes do matter. I think that the questions about what you have said and what you have done in the past are entirely appropriate, and I think also reconsidering or your views evolving is also appropriate.

I am going to be submitting questions on some of the topics that you have heard. You and I have discussed some of these questions. I might say your private meetings with members of this body have been very productive and effective, as you have seen in some of the comments that have been expressed here. So, the more we hear from you, I think the better you do on many of these issues.

I want to begin by talking about one issue that concerns our veterans, and particularly our Vietnam veterans. Many Vietnam veterans in Connecticut and around the country received less than honorable discharge as a result of conduct that was a direct consequence of post-traumatic stress (PTS), at a time PTS was not a term, not diagnosed, not treated.

But they have to live with the consequences of a less than honorable discharge. They have to live with fewer benefits often. I would

like a commitment from you that DOD will reevaluate and revisit perhaps some of those individual cases as well as its general policies to take account of the fact that we now know that many of those veterans during the Vietnam era suffered from PTS or related kinds of injuries.

Senator HAGEL. You have my commitment to do everything I can about that. I understand the issue pretty well, been working on this issue long before I actually ever got to the Senate. So I will.

Thank you.

Senator BLUMENTHAL. Thank you.

I would like the same kind of commitment that you have expressed very persuasively on the repeal of "Don't Ask, Don't Tell" on the issue of sexual assaults. This issue bedevils the military. I don't know whether you have seen an excellent documentary called "The Invisible War"?

Senator HAGEL. Yes.

Senator BLUMENTHAL. I know you are familiar with this issue. I commend you for what you have said to me privately, and I would ask that your commitment not only to the prosecution and holding accountable people who are involved in this criminal conduct, but also to the victims so that they receive the kind of services that in the civilian world many of them do through victim's advocates in the courts and similar kinds of roles played.

So both to prosecution—effective, vigorous, zealous—but also to protection of the victims. Can you commit to that?

Senator HAGEL. Absolutely, I will commit to that, yes.

Senator BLUMENTHAL. Thank you.

Senator HAGEL. Thank you.

Senator BLUMENTHAL. On the strategic issues, I wonder if I could talk to you for a moment about submarines, which you and I discussed privately briefly. DOD, the Joint Chiefs, and the President have all committed to an *Ohio*-class replacement program that consists of a fleet of 12, starting no later than 2031.

The Global Zero report settled on a lower number, 10. I strongly believe that the cost will increase, the cost per submarine, and that we will be at severe risk, for reasons that you may well understand, although we can't really discuss them in detail here because I think they may be classified. I would like a commitment that you are committed as well to a fleet of 12 *Ohio*-class replacement submarines.

Senator HAGEL. On that issue, I would want to talk with our Chief of Naval Operations to get a better understanding of our budget. I can tell you this. I am committed completely to modernizing our Navy and everything it includes and will require. I will give you that commitment.

Senator BLUMENTHAL. I am sure you know that the *Ohio*-class replacement program is really the cornerstone of our nuclear deterrence.

Senator HAGEL. I do.

Senator BLUMENTHAL. Vital to our national security, but it requires clear leadership and support from the next Secretary of Defense. I hope you will perhaps come back to us on that issue.

Senator HAGEL. I will. You and I will be discussing this, I am sure, many times if I am confirmed. So thank you.

Senator BLUMENTHAL. Thank you.

Going to the *Virginia*-class submarines, the next multiyear purchase, known as Block IV, envisions 10 submarines. There is a threat that it could be reduced to nine. For reasons related to both cost and national security, I think that number should be 10.

The intent and spirit of the last NDAA was that it should be 10, and I would like to ask you, similarly, for your commitment that there will be 2 submarines for 2014 and that the program continues to be viable at the level of 10.

Senator HAGEL. Senator, I will commit to what we have committed to carry out what we need to fund and develop and build in order to maintain the kind of modern Navy we are going to require. Those submarines, as you note, are cornerstones to that security.

Senator BLUMENTHAL. They are absolutely vital cornerstones, essential building blocks to our national security as we move to the Pacific-Asia theater and seek to advance our interests there. They have the intelligence, reconnaissance, and surveillance capability as well as, as you well know, counterterrorism, the importance. I hope that that effort will continue, and I appreciate your commitment.

Let me just finish with a question that I think goes back to the contracting area where you were asked questions before. Senator Ayotte and I, in a trip led by Senator McCain, recently visited Afghanistan and were briefed—and I am going to try to make this question brief—about the continuing corruption in the Afghanistan Government. Deeply troubling and even shocking.

But equally so is the waste of American taxpayer dollars in part because of the procedural roadblock to enforcement of section 841. I am not going to quiz you on 841. So you can take a deep breath there. But 841 is designed to protect American tax dollars from corrupt contracts that, in fact, go to benefit the enemy.

We are working revisions that will make more effective the procedures for terminating those contracts, getting back American dollars, extending those protections to nondefense dollars, and I hope that we can have your commitment as well to work with us on that area.

Senator HAGEL. You have my commitment, and I will enthusiastically work with you on this area.

Senator BLUMENTHAL. Thank you.

Senator HAGEL. Thank you.

Senator BLUMENTHAL. I appreciate your frank and forthright answers, and I don't know whether I will be here for the second round of questioning, but I want to express my sincere gratitude to you for your willingness to serve and your patience and forthrightness in answering all our questions.

Thank you.

Chairman LEVIN. Thank you, Senator Blumenthal.

Senator Blunt.

Senator BLUNT. Thank you, Chairman.

Senator Hagel, thank you for being here today. Thank you for your service to the country in so many ways and your willingness to serve again. To see your wife and your brothers there behind you

is an indication of the family commitment as well as your personal commitment.

There are several things that I may get to in a second round on Iran and sanctions. I was very involved in that unilateral sanctions effort when I was in the House of Representatives. We drafted some of that legislation in my office when I was in the House.

Our relationship with Israel is of great concern to me, and it is a priority to our efforts in the Middle East. I think that is largely exhausted in this first round, at least from my point of view. I may want to come back to some of it later.

I want to talk a little bit about the ongoing structure of the force. The Wall Street Journal in an editorial today said that the current American military was the smallest, least modern, and least battle-ready in recent memory.

I don't think that means we are not maybe more modern than anybody else in the world or more battle ready than anybody else in the world. But I think that is a recognition that our investment and the way we have used those resources has gotten them in a position where we maybe need to be more focused on rebuilding than we do building down.

Secretary Panetta has been very forthcoming in his comments about the sort of across-the-board cutting approach of sequestration. What do we do to get our worn-out equipment and our worn-out personnel in a better position a year from now than they are right now? Your brief strategic view of that because I don't have very much time here.

Senator HAGEL. Yes. Senator, you have just identified one of the priorities of the next few years at DOD. Resetting equipment and essentially reshaping our force structure, but also renewing our force structure.

The fact is we have been at war for 12 years. Every Senator here knows and you have constituents that we keep sending these kids back and back and back to two wars. Of course, there is going to be a consequence. Something is going to break down, not only your equipment, but your manpower. You can't keep doing that.

So that is going to be an overall challenge, Senator, that is going to take as much of my time, if I am confirmed, as anything, as it will our Chiefs. Our Chiefs know this better than anyone, as we structure, rebalance, renew, and re-outfit.

We have, I believe, a force structure that is as capable as ever. I don't accept that our force structure is somehow behind or not modern or not capable. I don't think that is true.

Senator BLUNT. I think the point that the editorial was making was not that we were behind, but we are not at the quite as far on the cutting edge as we may have been. I would hope you and I would both want to see us get there.

Senator HAGEL. Yes.

Senator BLUNT. Let me ask a question about that. Secretary Gates said recently that one of his big concerns was that we repeat the mistakes of what I think he referred to as a "procurement holiday" that we took in the 1970s and then, to some extent, again in the 1990s. We spent a lot of time in the 10 years after that trying to get built back up to where we had hoped to be.

How, in these discussions of cutting, do we keep the lines open, do we keep our effort ongoing? One of the things that I know quite a bit about is the F–18 line because it is in St. Louis, MO, where Boeing Military is. I do know that if you ever close that line down, we are always talking about, well, what other country needs some version of this, and how do we keep our capacity at a time when there is this talk about cutting and not just cutting, but sort of cutting everything a little bit, which means that some of the things that get cut a little bit I think disappear because they can't survive if they are only partly there.

Senator HAGEL. Senator, you have just again identified one of the great challenges that lies ahead, and that is maintaining our industrial base. You use the F–18.

Senator BLUNT. There are lots of other lines. That just happens to be the one I have been on the most times.

Senator HAGEL. No, I understand. But that is a good example of what we are going to have to continue to keep strong.

The reality is, as you say, because we know what we have to deal with, what our budgets are as a result of the Budget Act of 2011. What we don't know brings us back to the uncertainty of sequestration. Some of the examples you are using are good examples of areas that will and can be, could be cut arbitrarily in order to fulfill budget requirements.

I think what you have just noted again is going to be a huge part of keeping our technological superiority, our edge. Senator Blumenthal mentioned submarines. That is another component of this. All the superior technical edge this country has possessed since World War II has kept us, along with other things and for other reasons, the strongest military power in the history of man. That must be maintained.

Threats change. Cyber is a good example. I mean, 10 years ago, nobody had any idea what we were talking about, cyber. Even 5 years ago. We have to adjust to that challenge, that reality.

Senator BLUNT. Let me see if I can——

Senator HAGEL. The core base, though, Senator, is exactly right, and we have to protect that.

Senator BLUNT. We do. We have made efforts with our allies and friends to give them some other version of equipment we had, maybe not quite as good as we had, but something that keeps our defense procurement lines in place so that when we do need them, they are still there. That is critically important.

Before you were designated Secretary of Defense, as the potential nominee for this job, in talking about sequestration, you made a comment about there is lots of bloat—I am sure you have talked about this comment quite a bit and are very familiar with it, more than you were before you made it probably—in the Pentagon. What do you have in mind there?

What is being done at the Pentagon that could maybe better be done somewhere else or is being duplicated somewhere else? I think in some of the follow-up of that, I saw you mentioned things that should be in the State Department have gotten over to the Pentagon. Are there examples of that that we can work on and you will want to lead on?

Senator HAGEL. Two things. First, that comment came in a large, extended interview about budgets about everything, and that interview was done in 2011 prior to the Budget Control Act, just to get the timeframe right on that. I never supported sequestration, by the way.

Now, to your question about what we could do. Obviously, much of the conversation here in the last few hours has been about acquisition, about waste, fraud, and abuse, billions of dollars. Why aren't we auditing these programs? Where is the accountability? That is certainly an area that we are going to have to take a look at.

My reference to State Department programs, some of the general areas, I mentioned this this morning—where we have pushed down on the military the last 12 years to do things that usually are done out of State Department, aid type programs and exchange programs, helping civilian type programs in areas. That was all given to the—not all, but a great deal of it was given to the military at the time we were at war in Iraq and Afghanistan.

So the military has taken on a tremendous volume of assignments and funding that goes with that. That needs to be sorted through, I think. Those are areas where I think we——

Senator BLUNT. One of your commitments will be to help us sort through that?

Senator HAGEL. It has to be, Senator. It has to be.

Senator BLUNT. I am out of time, Senator. I will be here for the second round.

Senator HAGEL. Thank you.

Chairman LEVIN. Thank you, Senator Blunt.

Senator Donnelly.

Senator DONNELLY. Thank you, Mr. Chairman and Mr. Ranking Member. It is an honor to be part of this committee. I look forward to working with my colleagues, and I am proud to serve the people of Indiana.

We are the heartland of America, and Senator Hagel, we have over 14,000 members of the National Guard. In our State, we have the fourth-largest contingent of National Guard members in the entire country. I want to thank you for your service to the country, you along with all Vietnam veterans and other veterans, for what you have done for our Nation. I appreciate your taking the time to meet with me.

We had an extensive discussion, and your understanding of the complex challenges we face in the Middle East and the importance of our alliance with Israel. It is a special and historic relationship. I believe it is a special and historic relationship. The people of my State believe that as well.

I think it was important for you to let everyone know that there can be no nuclear Iran, that there are lines that cannot be crossed, and we will stand up and defend our friends and the entire world in that area.

When we were together, I mentioned to you about my visit to Crane Naval Warfare Systems in Indiana. What they do is they work to create the technologies to control the spectrum, in effect, try to win the battlefield before the battle ever starts on the ground.

We were wondering what can be done in this time of challenging budgets to ensure that in the area of technology, in the area of spectrum, we can maintain our budget so that, as I said, before the war is ever started on the ground, we have won it on the spectrum level? How critical is that in terms of your planning in the Defense Department?

Senator HAGEL. Senator, I think that focus is on as much the core challenge that the Pentagon has in front of it as any one thing. This committee is going to be particularly important to help the leaders of the Pentagon sort through that because, as evidenced in the whole series of questions that have been asked today, Senator Blunt's most recent questions, this is a time of priorities.

Budgets drive that, but missions should always drive everything. What are going to be our missions in the Defense Department over the next few years? How are we going to resource those missions? What are the priorities going to be? It is the entire universe of what the responsibilities are and how do we carry those responsibilities out to secure this Nation?

Your general questions and most of the questions asked here today have been about this. Until I would get over to the Pentagon, if I am confirmed, and understand more of the specifics and work with the Chiefs and get a better grasp of exactly what we have, I won't be in a position to be able to say this or this or we will do this or we won't.

Obviously, that is why I say this committee, the authorizing committees are going to be particularly important.

Senator DONNELLY. My next question probably ties into that as well, which is, as I mentioned, we have over 14,000 members of the Guard in our State, Army Reserves. They have done tour after tour after tour in Iraq and in Afghanistan. As we wind down, I think it is critical to make sure that we have a strategic plan for the Guard in the future so that the Guard we have today, equipment-wise, it is struggling on equipment. We have to upgrade not only our vehicles, but in other areas as well.

I guess the question is, how do you view the mission of the Guard in the years ahead?

Senator HAGEL. During our conversation and a couple of the questions I have had here today on the Guard, I have said I am committed to a strong National Guard. It is an essential part of our force structure going into the future. I think it was proven quite clearly and effectively the last 12 years.

That will be maintained. I think further evidence of that, putting a Chief of the National Guard into the Joint Chiefs. You have my commitment that I will be continually focused on that integration and the upgrading in every way.

Senator DONNELLY. I have had the privilege of working with General Shinseki in recent years on veterans issues, but I think back to when he testified regarding Iraq and talked about how many troops he thought were needed and all the repercussions that came out of that not only for the general, but in so many ways.

I think it is critical that the generals and the people in the Pentagon provide you with the most unvarnished information possible. They tell you exactly what they think. You tell them exactly what you think, and that nobody at any time has their career affected

for telling you the truth. I want to make sure that is the way that you are approaching this as well.

Senator HAGEL. That is the way I would approach it. I value that. There is no other way to assure that we are getting the best, the most honest advice from our most capable leaders than to say it like that.

The General Shinseki episode was a very unfortunate episode in this country, what happened to him for telling the truth. I will assure this committee that if I am Secretary of Defense that kind of thing will never happen, for a general officer, a senior commander to be handled and treated that way when he told the truth to the Congress of the United States.

Senator DONNELLY. I will say, and I know you know this, the job he has done for veterans as the VA Secretary has been extraordinary.

Another area in regards to not only our veterans, which we are challenged with right now, but also on Active Duty, is the suicide rate. It has been heartbreaking. In 2012, we lost more Active Duty members to suicide than we did in fighting in Afghanistan.

I know General Chiarelli has at this point basically dedicated his life to trying to solve this problem. I want to make sure that the Defense Department is going to lean all in to try to fix this and provide the care and help and answers so that that number goes to zero in the years ahead.

Senator HAGEL. You have my complete commitment on this issue.

Senator DONNELLY. It is something that our veterans then face as well. It is also a transition issue that as much as you can work with the VA, as our Active Duties transition out and our National Guard when they go home, that they have somebody to talk to, somebody to tell how they feel, and somebody who understands what they are going through because if we can help with that, they have borne the burden of battle, and we owe them. We owe them everything.

Another question I wanted to ask you about is Pakistan. As we know, the incredible challenges we have in Afghanistan, so much of it is caused by Pakistan. We spent about or provided about $2.5 billion in aid. Do you think those were dollars well spent?

Senator HAGEL. Pakistan is a complicated relationship. It is a nuclear power. They cooperate with the United States on some things. We have difficulties with them on others.

As to your question on investment in Pakistan, we condition that assistance. We must continue to condition that assistance. I think Pakistan is too dangerous and that area of the world is so clearly in the national security interest of this country that we just can't walk away from it and not deal with them.

It is complicated. It is imperfect. But this is where all the levers of influence and relationships and diplomacy and economics and power come into play. How we wisely use all of those resources is going to determine some of the outcomes.

We have to be honest as well. We are dealing with factors there that we don't agree with, that we have difficulties with. But again, we have to continue to work at it, and I believe that we will and we should.

Senator DONNELLY. Senator, thank you very much.

Senator HAGEL. Thank you.

Chairman LEVIN. Thank you, Senator Donnelly.

Senator Cruz.

Senator CRUZ. Thank you, Mr. Chairman.

Senator Hagel, I want to thank you for being here, and I want to begin by thanking you for your honorable service to our Nation, for your personal sacrifice that you have put into standing and fighting for this country.

Senator HAGEL. Thank you.

Senator CRUZ. I would like to begin by addressing a question of process. In your prepared statements today, you describe that you have given hundreds of speeches and interviews.

Senator HAGEL. Yes.

Senator CRUZ. This committee asked you in this process to submit those speeches in the last 5 years, and in response to that, you handed over a total of four speeches. In my view, that submission was facially insufficient for this committee to assess your record.

Indeed, your financial disclosure revealed you had received paid honoraria in the past year for 12 speeches, and yet you did not even hand over those speeches for which you were paid substantial sums of money. Beyond that, 2 days ago, 6 Senators, including Ranking Member Inhofe, sent you a letter asking for financial disclosure. You have not chosen to respond to that letter.

That letter in particular asked about the private organizations that have paid you over the past 5 years and the degree to which any of those funding sources have come from foreign countries, foreign nationals, foreign sovereign debt funds. You chose not to respond to that letter.

In my view, unless and until you respond to the requests of members of this committee, this committee does not have a proper record on which to assess your confirmation, and I think we need full disclosure and adequate time to assess that.

Now I would like to ask initially a point of clarification. With respect to the International Criminal Court, do you believe the United States should become a party to the International Criminal Court?

Senator HAGEL. Senator, may I quickly respond to your first comment?

Senator CRUZ. I would like you to answer my question. My time is limited.

Senator HAGEL. That question is one that I am most likely not going to be dealing with, as Secretary of Defense.

Senator CRUZ. It is a simple question. Do you think we should be a member of the International Criminal Court? I am asking for your judgment on whether the United States should be a party.

Senator HAGEL. I support where the United States is today.

Senator CRUZ. We are not a party today. You think we should not be a party. Is that a correct statement of your position?

Senator HAGEL. That is correct, yes.

Senator CRUZ. Okay. Thank you.

I would like to draw your attention to an interview you did in 2009 with Al Jazeera. With the chairman's indulgence, if we can play an excerpt of that interview?

[Video excerpt shown.]

Chuck Hagel interview with the Riz Khan Show, Al Jazeera, March 21, 2009
Available at http://www.youtube.com/watch?v=lgcEJlXdd3k

Exchange #1:

GUEST HOST: This Marley, from London. Go ahead with your question.

CALLER: Hello, sir. Good evening. It's very good—ah—proposition. But first of all I believe very strongly, I believe the current leadership around the world that there is a moral failure going on. Unless they have a moral capacity to talk and do what they talk. For example, if you look at Palestine there is no war, there is a war crime and they is not dealing with it. But, in Sudan, they are dealing with it and they are really biased justice. And, if you look at Sri Lanka, the Tamars being killed is a genocide of war going on in Sri Lanka. Nothing being done. So there is a total moral failure.

GUEST HOST: So—Marley. What is your question in regards to the issue we're talking about, the reduction of nuclear weapons.

CALLER: Yes, my question is that, leaders, there is a total moral failure unless we bring these leaders to a moral standard, nothing can be done. That's my question. What do you think about it?

HAGEL: Well, I think you're exactly right. And, I said in my opening statement that leadership is critical, because we know in life that nothing is ever accomplished without leadership.

Senator CRUZ. Now in that excerpt, Senator Hagel, the caller suggests that the Nation of Israel has committed war crimes, and your response to that was not to dispute that characterization, but indeed to describe what he said as, "Well, I think that is exactly right."

I would like to ask you, do you think the Nation of Israel has committed war crimes?

Senator HAGEL. No, I do not, Senator. I would want to look at the full context of the interview. But to answer your question, no.

Senator CRUZ. The context of that question, we played the entirety of it, and I wanted to give you that context so you could hear the question and you can hear your response. I would suggest that a suggestion that Israel has committed war crimes is particularly offensive, given that the Jewish people suffered under the most horrific war crimes in the Holocaust.

I would also suggest that for the Secretary of Defense or prospective Secretary of Defense not to take issue with that claim is highly troubling. I would also point out in 2006 your characterization of the Nation of Israel's action, and that was in a speech on the floor of the Senate, you referred to Israel's military campaign against the terrorist group Hezbollah as a "sickening slaughter".

Now I would suggest the characterizations, do you think it is right that Israel was committing a "sickening slaughter," as you said on the floor of the Senate?

Senator HAGEL. Again, I would want to read all of it, what I said. First, I have said many, many times, Senator, every nation has a right to defend itself.

Senator CRUZ. Do you think a "sickening slaughter" would constitute a war crime?

Senator HAGEL. No. Depends on were they attacked, depends on many factors. If Israel was defending itself, there was slaughter going on on both sides.

Senator CRUZ. Does one typically characterize defending yourself against terrorism as a "sickening slaughter"?

Senator HAGEL. No, but again, Senator, I would want to look at everything because——

Senator CRUZ. Okay. Let us look at another excerpt from the same interview, if we can play the second excerpt?

[Video excerpt shown.]

Chuck Hagel interview with the Riz Khan Show, Al Jazeera, March 21, 2009
Available at http://www.youtube.com/watch?v=lgcEJlXdd3k

Exchange #2:

GUEST HOST: We've got an email from Wendy Day. She writes to us from Georgia, here in the United States. And, she writes, "Can the rest of the world be persuaded to give up their arsenal when the image of the U.S. is that of the world's bully? Don't we indeed need to change the perception and the reality before asking folks to lay down their arms (nuclear or otherwise)?

HAGEL: Well, her observation is a good one and it's relevant. Yes, to her question.

Senator CRUZ. Senator Hagel, do you think it is appropriate for the chief civilian leader of the U.S. military forces to agree with the statement that both the perception "and the reality" is that the United States is "the world's bully"?

Senator HAGEL. I didn't hear her say that, by the way, of the United States, and I think my comment was it is a relevant and good observation. I don't think I said that I agree with it.

Senator CRUZ. With respect, I think the record speaks for itself. It was in writing that she said the United States is "the world's bully," that it is the reality, and your response, you did say you agree with it. You said, "Her observation is a good one. It is relevant. Uh, yes, to her question."

You explicitly agreed with the characterization of the United States as the world's bully, and I would suggest that is not a characterization. I think the United States has spilled more blood, more treasure standing for freedom, liberating people across the world. To go on Al Jazeera, a foreign network, broadcasting propaganda to nations that are hostile to us and to explicitly agree with the characterization of the United States as the world's bully, I would suggest is not the conduct one would expect of a Secretary of Defense.

Senator HAGEL. Senator, she said that was an observation.

Senator CRUZ. I will point out that her quote was "the perception and the reality". With that, my time is expired. I look forward to a second round of questioning.

Chairman LEVIN. Thank you.

Now what we are going to do, given the fact that some of those tapes there are—they need to be transcribed to be made part of the record so that people can judge exactly what was said and what was asked. I heard that first question, by the way, as a response to the need for moral leadership. I didn't hear it the way Senator Cruz did.

But in any event, it is important that the words be transcribed so they can be made part of the record. It is a rather unusual thing. I told Senator Cruz that I preferred that we have a transcript and that you be asked questions from a transcript, but that I didn't want to stop him from offering the tape of it, and he went ahead and did it.

In any event, the fair thing now is that the transcript of each of those segments be made part of the record and that we give also Senator Hagel an opportunity, should he want either on this question or, by the way, on other questions, an opportunity to answer for the record in any way he might proceed as though he were answering questions for the record.

Senator CRUZ. Thank you, Mr. Chairman.

We will be happy to provide a transcript, and we will also be making public a link both to these excerpts and to the entire transcript so that anyone who wants can view it in its entirety and assess it in context.

Chairman LEVIN. That would be very helpful. Thank you, Senator Cruz.

[The information referred to follows:]

Link to Full Clip Show:
http://www.aljazeera.com/programmes/rizkhan/2009/03/200933174623720671.html

Clip # 1 (time stamp: 6:20)

Host: Well let's go to one of our viewers who's calling in from London, this is Marley from London, go ahead with your question.

Marley: Hello, sir, good evening, it's a very good proposition, but first of all I believe, very strongly I believe, that current leadership around the world, that there is a moral failure going on, unless they have a moral capacity to talk and do what they talk, for example, if you look at Palestine, there is no war, there is a war crime and they're not dealing with it, but in Sudan they are dealing with it, and they are really biased justice and if you look at Sri Lanka, the Tamils being killed, there is a genocidal war going on in Sri Lanka, nothing being done, so there is a certain moral failure…

Host: So Marley, what is your question with regards to the issue we are talking about, the reduction of nuclear weapons?

Marley: Yes, my question is that leaders there's a total moral failure unless we bring these leaders to a moral standard, nothing can be done, that's my question, what do you think about it?

Host: Ok, thank you, let me put that to the Senator.

Hagel: Well I think you're exactly right, and I said in my opening statement, that that leadership is critical, because we know in life, nothing is ever accomplished without leadership. I think it's interesting that the two leaders that we're talking about specifically of Russia and the United States, Mr. Obama and Mr. Medvedev, are both in their 40s. And it represents a new generation of thinking, now again, that's a long leap between that thinking and commitment to getting it done, and again, we're well aware of the difficulties, but we must start somewhere, and that kind of as the caller says, that kind of moral leadership is absolutely critical. Now, the reality is we are going to continue to have unfortunately conflict in the world, but we can't as leaders of the world stand back and just say, well there's nothing we can do about it, we owe the next generation of mankind far more than that and I do believe that if we can commit ourselves, and enough leaders will join this effort, and I believe for example the G20 here that is meeting, as they discuss this issue and other issues, I don't know of one of those leaders that would not commit to some at least moral obligation responsibility to try to rid the earth of nuclear weapons.

Clip # 2 (time stamp: 8:50)

Host: We've got an email from Wendy Day, she writes to us from Georgia, here in the United States and she writes: *Can the rest of the world be persuaded to give up their arsenal when the*

image of the U.S. is that of the world's bully? Don't we indeed need to change the perception and the reality before asking folks to lay down their arms (nuclear or otherwise)?

Hagel: Mmm-hm, well, her observation is a good one, and it's relevant, uh, yes to her question, and again I think that's all part of leadership, that's why this must begin with the United States and Russia. Look for example what President Obama has done in the first two months he's been in office, his Secretary of State, Mrs. Clinton, has met with the Russian foreign minister, she's been in five regions of the world, the President of the United States is out of the United States now, will be in different parts of the world over the next week, I think that is the beginning of, not just symbolism of reaching out, but in fact engaging, in listening, finding common ground to build common interest based on consensus, and we're going to have differences, we will always have differences, but we should define our relationships based not on those differences but on our common interests.

Host: Well, I mean, that brings us to the new administration that is here in Washington, I think that perception of the United States being a bully in the world has come largely from what the previous administration has done.

Hagel: Oh I think that's right, and we are now in our unfortunately 7th and 8th year in two long wars. That's not all America's fault, of course not. But I think this last administration misplayed a lot of the great good will that redounded to this country and the American people after the terrorist attacks on our country on September 11, 2001. The fact is, the past is the past, we now move forward, let's try to get to high ground and fix some of these great problems and challenges for mankind, working together, I believe we can do that.

Chairman LEVIN. Senator Hirono.

Senator HIRONO. Thank you, Mr. Chairman and Ranking Member Inhofe.

I join my colleagues in welcoming you, Senator Hagel.

We live in a complex world, and any Secretary of Defense should ask tough questions, maybe not particularly politically popular questions. I see you, Senator Hagel, as that kind of person, based on your service to our country, your conduct and responses to the questions asked of you today, and the conversation that you and I had.

Turning to your statement this morning, you talked about looking at our future threats and challenges and why DOD is rebalancing its resources toward the Asia-Pacific region. Of course, this kind of rebalance is critically important to Hawaii in our forward position in the Pacific.

Would you expand as to why and what particular economic or national security factors come into play as we rebalance to the Asia-Pacific region?

Senator HAGEL. Senator, you know better than most your region and its importance and why it will continue to be important to the world, but certainly to the United States. As I noted in my opening statement and you know, we have always been a Pacific power. We have been a Pacific power because we have clear economic interests there. We have diplomatic security interests there. We have strong allies there. I mentioned some of them in my opening statement.

When we look at the growth of economies, we look at trade growth, we look at population growth, the rise of China. But not just China, but that entire Asia-Pacific region, we need to stay relevant to opportunities as well as challenges in all areas, but in par-

ticular the areas that we see as emerging as to the largest, most significant economic security issues and challenges and opportunities.

It is appropriate that any nation rebalance assets. You have to be relevant to the times, to the shifts, the changes. Our world today is totally different than it was 12 years ago. Our force structure is being refit, and we are looking at a far more agile, flexible force structure as our economies are becoming more agile and flexible.

For all those reasons and more, that is why we are doing what I think is exactly the right thing to do. Doesn't mean, as I said in my opening statement, that we are abandoning anybody or any part of the world. We can't.

Senator HIRONO. Senator, as we live in times of budget constraints, will you commit to keeping me and this committee informed as you develop the strategies and contemplate force posture adjustments that go along with this kind of rebalancing?

Senator HAGEL. Yes. I look forward to it.

Senator HIRONO. I am very heartened by your perspective, turning to another question, that you always ask the question, is the policy working—worthy of the men and women that we send into battle and possibly to their deaths? I am very heartened by that kind of a perspective from someone who served our country.

What will be your top priorities as you look to care for the men and women in uniform and their families?

Senator HAGEL. As I said in my opening statement, the welfare, the safety, the success of our men and women in uniform is my top priority, has been and will continue to be, and their families.

Senator HIRONO. Do you have any specific programmatic ways that you will reflect that?

Senator HAGEL. First, to implement the law. We have a number of new laws, policies that are in the process of being implemented. We have spoken about some here today. I will assure, if confirmed, that we do that.

As I said in my opening statement, we will assure that every military man and woman and their families are given exactly the same opportunities and rights as each other and all members of the Armed Forces.

Senator HIRONO. I also take to heart your belief in the importance of the core nation and the work between DOD and the VA, and I understand that you have a strong relationship with Secretary Shinseki. With your experience as a veteran and having been a senior leader in the Veterans Administration, what will be your primary challenges and goals as you look to collaborate with Secretary Shinseki and the VA?

Senator HAGEL. It will be the same that Secretary Panetta and, before him, Secretary Gates initiated in closer collaboration between the two agencies, and that means the integration of our systems. As our men and women transition out from Active Duty into civilian life or retired life and are going to require the assistance of some veterans assistance programs, a closer integration.

We know that the backlogs now are still far, far too long to get evaluations of whether it is post-traumatic stress disorder (PTSD) or whatever the health issue is. I think continuing to work with

Secretary Shinseki, as Secretaries Panetta and Gates did, but strengthening that integration of those systems, of leadership, of our people understanding each other better, and maximizing the resources that each agency has and making those resources more value-added and count more.

Senator HIRONO. I had an opportunity to meet with Secretary Shinseki recently, and those kinds of collaborative efforts are not happening as expeditiously as we would like. I certainly hope that you will have a renewed sense of urgency about the outcomes of these collaborative efforts because, of course, the bottom line is it is to help our men and women who are transitioning out of uniform into civilian life.

I hope that we have that kind of commitment, strong commitment from you for outcomes.

Senator HAGEL. You have my strong commitment.

Senator HIRONO. DOD is the United States' largest consumer of energy, and we talked about that briefly when you came to see me. It is clear that the military will benefit greatly from cheaper, more stable fuel costs over the long term. Promising work is being done in this area to commercialize alternative fuels that can be produced abundantly in the United States.

Of course, this kind of collaboration is very important for Hawaii as being the most oil-dependent State in the entire country. If confirmed, will you continue to emphasize and prioritize research, development, and, where possible, deployment of renewable fuels as well as enhanced energy efficiency efforts to reduce DOD's energy costs over the long term?

Senator HAGEL. Senator, as you have noted, DOD is the largest user of certainly liquid fuels. But I think our energy budget, I don't know the exact number, but it's probably around $18 billion a year.

Anything we can do to make any aspect of securing our country more cost effective fuel, we need to look at, and I would make that a high priority, if I am confirmed and go over to the Defense Department, to see if we could—how we do that, how we can continue to do that, because in the end, for all the reasons you know, it is just clearly in the interest of our country, our resources, and our people.

Senator HIRONO. Certainly, continuing to fund research and development efforts in these areas will accrue to us in the long term in terms of huge, huge cost savings for DOD.

Senator HAGEL. Thank you.

Senator HIRONO. Thank you. My time is up.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Hirono.

Now here is the situation we have. This first vote is a 10-minute vote apparently, and all the subsequent votes are 10 minutes.

Senator Lee, I am happy to call upon you now, but you would have to kind of keep track of this yourself and have your staff keep track of it. If you want to take the risk, there may be some risk if you took your full 8 minutes.

I would be happy to recess now instead of after your questions. We are going to recess for the five votes. It will be about an hour.

Would you like to start now and then take a chance that you might not finish? Or would you rather start at the beginning after an hour recess?

Senator LEE. Thank you for that offer, Mr. Chairman.

I better not risk the possibility of missing a vote. I would prefer that you recess now.

Chairman LEVIN. We are now going to recess for about an hour. But I want you all to follow this.

At the last vote—and it may not be the fifth vote. There may be four votes. We don't know. It is up to five votes. The final vote, though, we know will be called final passage of the debt limit bill. We will start, we will begin about 5 minutes after the beginning of that vote.

We will stand in recess. [Recessed.]

Chairman LEVIN. The committee will come back to order.

Senator Lee.

Senator LEE. Thank you, Mr. Chairman.

Thank you, Senator Hagel, for joining us today and for answering the questions that have been asked to you so far. I'd like to talk to you for a few minutes about Israel. Israel is, I believe, America's most important ally, certainly in the Middle East and in many respects in the entire world. A lot of people in this body are concerned, quite appropriately, about making sure that alliance remains strong, about making sure that our interests as Americans are protected abroad. A lot of us feel like one of the best ways of protecting American national security is through that alliance in the Middle East.

On April 12, 2002, there was a Palestinian terrorist who detonated a bomb in downtown Jerusalem, killing 6 Israelis and wounding I believe about 100 others. On that day, while you were still serving in the U.S. Senate, you gave a speech on the Senate floor. You made a couple of comments that I'd like to discuss with you and ask you a little bit about.

In one segment of the speech you said: "We understand Israel's right to defend itself. We're committed to that. We've helped Israel defend that right. We will continue to do so. But it should not be at the expense of the Palestinian people, innocent Palestinian people, and innocent Israelis who are paying a high price."

Some who have read that have reacted with concern that this may be indicative of a feeling on your part that there might be some moral equivalency between on the one hand Israel's exercise of its right to defend itself and on the other hand Palestinian terrorism. Do you believe that there is a moral equivalency between these two things?

Senator HAGEL. Oh, absolutely not, Senator.

Senator LEE. Do you understand how others might read this statement in such a way that could leave them with that impression?

Senator HAGEL. I do.

Senator LEE. How do you respond to it? In other words, do Palestinians, let's say those Palestinians who have engaged in acts of terrorism, perhaps in retaliation against Israel for Israel defending itself, do they have a legitimate gripe?

Senator HAGEL. Terrorism can never be justified under any circumstances.

Senator LEE. Is their grievance legitimate?

Senator HAGEL. The Palestinians?

Senator LEE. Yes, the Palestinians who decide to strap a bomb onto themselves and detonate it or otherwise engage in acts of terror; do they have a legitimate grievance that they're expressing?

Senator HAGEL. They have grievances. A lot of people have grievances——

Senator LEE. Are those grievances legitimate?

Senator HAGEL.—but not a justification for terrorism and killing innocent people, never.

Senator LEE. Are they on par with the grievances that innocent Israelis have when they become the victims of violent acts?

Senator HAGEL. I don't think you can judge whether it's Israelis or Palestinians or anybody in the world in separating innocent victims of terrorism.

Senator LEE. I think you can in some circumstances, can't you? I mean——

Senator HAGEL. Not victims.

Senator LEE. For heaven's sakes, though—oh, okay, maybe not victims. Can you, and indeed must you not, judge when it comes to one group of people who may at least be willing to recognize the other group of people's right to exist?

Senator HAGEL. Absolutely. In fact, I'm clearly on the record on that point. In fact, in 2006 there was the Anti-Palestinian Terrorist Act that I voted for, and there are a number of other resolutions, acts, votes, speeches I've made. In my book I have said unequivocally Hezbollah, Hamas specifically, they must renounce terrorism, and first they must accept Israel's right to exist as a Jewish homeland, respect the borders, protect the borders. Absolutely, I've made that very clear.

Senator LEE. Okay. Now, later on in the same speech you asked a question. You referred to the fact, that we really need to develop peace in the Middle East, and you asked the question: "Who guarantees this peace?" You then continue by asking another question: "If in fact we expect Israel to pull back to their pre-1967 borders, who guarantees that peace?"

Does this, Senator Hagel, reflect sentiment on your part that that is a legitimate way of solving the peace process, of bringing about peace in Israel, in the Middle East, is by asking Israel to withdraw to its pre-1967 borders?

Senator HAGEL. No, not at all. What I said was, as you just quoted me, who guarantees the security of Israel's borders? Israel's borders must be secure. That's part of the fundamentals of the Quartet Principles of 2006, in fact, the U.N. Resolutions 242 and 337 and other resolutions. That's paramount, the guarantee of the security of Israel and its borders.

Senator LEE. I understand that part of the question related to how we bring about that peace, and I want to get back to that in a minute. But another part of the question started from the premise that Israel would be withdrawing to its pre-1967 borders. Do you view that as a tenable solution? Do you believe such borders are militarily defensible?

Senator HAGEL. I think that's all negotiable. The Quartet Principles of 2006, which President Bush laid down, and a two-state solution, all those issues have to be resolved. Land for peace, trading land, all those issues are final status issues that are absolutely key to the future of Israel or before Israel can agree to anything.

Senator LEE. So you're saying that you might describe a resolution of this crisis involving withdrawal to the pre-1967 borders as perhaps one among several tenable solutions?

Senator HAGEL. It's part of what's been talked about and defined in, as I said, the 2006 Quartet Principles and U.N. resolutions that that is part of a final status set of issues that have to be resolved. The United States and no other country can impose that on Israel. That is a negotiable issue, but it's been out there, and that remains to be dealt with in negotiations.

Senator LEE. Is it one that you think the United States should encourage?

Senator HAGEL. I would encourage peace and a secure, safe Israel. That's what I think most of us would want to see.

Senator LEE. Okay. Now, in 2009 you made a statement suggesting that U.S. ground troops should be sent to that part of the world and installed as U.N. peacekeepers in a "non-militarized Palestinian state". Is this something you stand behind today? Is this an approach that you think is appropriate?

Senator HAGEL. Senator, I don't have the facts behind me, in front of me, but I don't think that was a recommendation I was making. If I recall, my comments—and you may be able to give me exactly the comments—were in the context of how do you secure Israel's border, who secures Israel's border? For example, General Brent Scowcroft has suggested at times maybe this is a peacekeeping role for NATO. That was what that was all about.

Senator LEE. Senator, my time has expired. I need to ask you one more question. I understand that you have made a statement indicating that there is no justification for Palestinian suicide bombers, but that there is also no justification for Israel to "keep Palestinians caged up like animals". Did you say that, and if so do you stand by that statement today?

Senator HAGEL. I said it, and I don't remember the context or when I said it. But——

Senator LEE. Do you believe today that Israel keeps Palestinians caged up like animals?

Senator HAGEL. No. If I had an opportunity to edit that, like many things I've said, I would like to go back and change the words and the meaning. No, it was I think in a larger context. I've said many, many things over many years. It was a larger context of the frustration and what's happening, which is not in Israel's interest, to find ways that we can help bring peace and security to Israel.

If I had a chance to go back and edit it, I would. I regret that I used those words.

Senator LEE. Thank you.

Senator HAGEL. Thank you.

Chairman LEVIN. Thank you very much, Senator Lee.

Senator Kaine.

Senator KAINE. Thank you, Mr. Chairman, Mr. Ranking Member.

Welcome, Senator Hagel. It was good to see you with my dear friend Senator Warner, decorated Navy and Marine Corps veteran from World War II and the Korean War, Secretary of the Navy, long-time member of this committee. You couldn't have a better ally than Senator Warner and it was good to see him here.

He exemplifies—and forgive my Virginia-centrism for a minute. He exemplifies something that's very important about our Commonwealth. Our map is a map of the military history of this country: Yorktown, Appomattox, the Pentagon, where Setptember 11 occurred. There's a ceremony in Arlington tonight for the commissioning of a new amphib, the USS *Arlington*, that will be commissioned in Norfolk in April.

We care very deeply about these events. One in nine Virginians is a veteran. Not one in nine voters, not one in nine adults, but birth to death, one in nine is a veteran. When you add in Active Duty, Guard, Reserve, DOD civilian, DOD contractor, and their families, now you're talking about probably one in three of us. We care very, very deeply about all that's within DOD.

Virginians talk all the time about national security concerns and threats. Let me be plain, the threat and the concern that Virginians are now talking about more than any other is the inability of Congress to find a way forward on reasonable budget compromise. That's what's in the newspapers, that's what's in the headlines.

At the direction of Deputy Secretary Ash Carter, DOD is now cutting expenditures and planning for future cuts. We have a looming sequester on March 1 and then a CR expiration on March 27. I'm very worried at the macro level about DOD's ability to pursue and execute appropriate national security objectives in this time of congressional inability to find budget compromise.

The current CR limits flexibility, for example, of the military to appropriately tailor resources to the appropriate ends under a CR. The Navy has no flexibility to meet a $3.7 billion operations and maintenance shortfall.

I'm new here. To me it seems like funding the military through CR is poor business, poor budgeting, poor governance. I'm worried about its effect upon the morale of all of our men and women in service.

My first question is a really simple one: Do you agree that we, Congress, must finish an fiscal year 2013 appropriations process as soon as possible to allow DOD to move forward with this year's funding decisions, rather than continuing to be bound by an fiscal year 2012 CR?

Senator HAGEL. Yes, I do. I think I've been very clear on that point all day today. You have described it accurately.

Senator KAINE. My second question is related, is about sequestration. To me, again the new guy, allowing budget sequestration—the cavalier discussions I've seen in some newspapers recently by Members of Congress about the fact that it's reality and we probably can't change it makes absolutely no sense.

I'm kind of curious and interested to see whether it might be more sensible to sort of even realign the deadlines, the sequester deadline. We are now, based on the vote we just had on the floor of the Senate, in a budgetary process where there's a strong likeli-

hood that we'll be able to produce budgets together with the House. Why would we be making short-term one-off decisions that are holdovers from a previous Congress that couldn't get it right when we are embarking upon a budget process? To my way of thinking, that's the way you ought to make revenue and spending decisions, in accord with a budget, rather than through gimmicks like sequester.

I think we're going to get out of this budget uncertainty, but when we do you will have the task, if confirmed, of being the Secretary of Defense in a resource-constrained environment and you're going to have to deal, hopefully in a more thoughtful budgetary process with Congress, on how to make priorities about spending. I'd like to have you talk a little bit about how you would approach that administrative task in a resource-constrained world, how you're going to approach that task of dealing with these fiscal realities.

Senator HAGEL. First, as I noted this morning in my opening statement, if I am confirmed I would intend to make this relationship between the Secretary of Defense and Congress a partnership, much as Secretary Panetta has done. I think it's critically important for many reasons. Let's start with the budget. You authorize, you appropriate. The Federal Government is captive to that authorization and appropriation, and each Department must work within the budgetary framework of those resources.

I have said that, like all of these big issues, it is a matter of, first of all, clearly defining the mission in its entirety as to what is the mission of DOD, then what are our priorities as they fit into our strategic interests around the world, and the how do you do it? How do you manage it? How do you lead?

That includes working closely with the Chiefs. That includes working with all the leadership within DOD. It's about teams, it's about people, and it's about building consensus in Congress as well as within the military.

Each Military Chief has a responsibility for his or her areas and Service, and that's as it should be. Obviously, Goldwater-Nichols integrated our Services, which was the right thing. I think most people agree with that. But also, the Commandant of the Marine Corps and each Chief has a responsibility to look out for the interests of their Service. The coordination of those efforts and the understanding the bigger picture are critically important. Those are all different elements, not unlike you as a governor at one time, would bring to the job.

Senator KAINE. Senator, switching gears for a minute, it is still kind of hard to contemplate that if confirmed you would be the first enlisted person to hold the position of Secretary of Defense, and I want to ask a question about especially our enlisteds. Senator Manchin touched upon it earlier, the unacceptably high rate of unemployment of folks exiting military service. I think officers have a little bit easier time, but when we see an unemployment rate among enlisteds that is higher than the national average, when they've sacrificed, when they've given, and when they have leadership and technical skills that could benefit a civilian workforce, we know something is wrong.

There have been some pilot projects through the NDAAs in 2012 and 2013 to focus on an issue that matters a lot to me, and we talked about it, how to credential Active Duty military while they are in their military occupational specialties, while they are gaining technical skills, with credentials that mean something in the civilian workforce, so that when they leave they're not just an E–5 or a gunny sergeant, which people in the civilian workforce may not understand, but they actually have the credentials that the civilian-hiring workforce does understand.

Are you committed to pushing forward on those pilot programs and expanding them so that we can get at this unemployment issue?

Senator HAGEL. Absolutely. Again, I noted that in my opening statement, Senator. I think I have some experience in that area over the years. I'm committed to that. As I said, nothing is more important than our men and women and their families. That doesn't mean just throughout their time in our service to our country, but afterward. What this country commits to them, we must fulfill that commitment.

Senator KAINE. One last comment, Senator Hagel, not a question. As the topics have come up today, when we talked about Iran and the threat of a nuclear Iran, we've often talked about it as linked with Israel's security, which it is. They're Holocaust deniers and they've threatened the security of the State of Israel. But I want to make sure that everybody in this chamber understands it's not just about the security of Israel.

The Iranian nuclear threat is a much bigger one. It is very clear that if Iran gets nuclear weapons that other nations will start to do the same thing, and that would cut completely counter to I know principles that you hold, principles the President holds. It's not just on Israel's shoulders to be worried about a nuclear Iran. It is a threat that we all need to worry about.

Senator HAGEL. Thank you. I agree. I think, just to add one point on that, you all know, of course, and many have been involved in this over the years, the current P5 Plus 1 engagement to get all five members of the U.N. Security Council together on this one issue. Now, we have variations of exactly what should be done. But I think that gives the world some indication of how Russia, China, the United States, and essentially all nations of the world view the threat of a nuclear Iran.

Senator KAINE. Thank you, Senator.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Kaine.

Senator Vitter.

Senator VITTER. Thank you, Mr. Chairman.

Thank you, Senator, for being here, and thank you very much for your military service.

My single biggest concern, Senator, about the nomination is the dramatic flip-flops between your past statements and record and what you're saying as the nominee. They're about key core issues, and we've discussed some of those today. I wanted to focus on that, and I apologize if I go over some of the things that have come up before. I couldn't be here for most of the hearing.

In 2006, when Israel was responding to attacks by Hezbollah from Lebanon, you called that response a "sickening slaughter" and you accused Israel of "the systematic destruction of an American friend, the country and people of Lebanon". What do you say about those quotes today?

Senator HAGEL. Well, first, I said them. I've been asked about them. I have said I regret saying that. It was in the larger context of a speech I made about what was going on, the 30-some days of war going on. I also included in that speech the responsibility of Hezbollah, who started the war. So it wasn't exactly the way you just noted it. The language is exact, what you just said, but it was a larger context.

Yes, I regret that language. But I think the bigger point is, Senator—and I have noted this all morning—my unequivocal support of Israel over the years. There's been no flip-flop on that. How I've voted, I've never voted against anything but Israel's interests in every vote I've cast in the U.S. Senate. I've said it in my book. They're a special, historic ally. We will always support them and defend them. I've said it in my speeches.

There's no flip-flop on my support for Israel.

Senator VITTER. Is there a flip-flop on your calling their response to Hezbollah "the systematic destruction of an American friend, the country and people of Lebanon"? Do you stand by that today?

Senator HAGEL. I just said I said that, and I said that I regretted saying that. But that's not——

Senator VITTER. Do you stand by those words, or is that a flip-flop?

Senator HAGEL. No. If I had a chance to edit those words out, I would.

Senator VITTER. That's what I'm talking about in terms of flip-flop.

Senator HAGEL. I suppose if I had a chance to edit a lot of things in my life, Senator, I'd probably be fairly busy.

Senator VITTER. Let me move on because I have a number of these concerns. In 1998, in a Senate hearing, you said that Secretary of State Madeleine Albright had "tilted way too far toward Israel in the Middle East peace process". Do you still think that of that peace process in 1998?

Senator HAGEL. I don't recall the event. I don't recall the words. I don't know where it comes from. I don't know the context. Again, Senator, I go back for years and years and years on different things I've said, but I don't recall that or what the context was, so I don't know.

Secretary Albright has endorsed me, by the way, to be the next Secretary of Defense. I worked very closely with Secretary Albright, as I did with President Clinton and his administration, in support of Israel.

Senator VITTER. In general, at that time under the Clinton administration, do you think that they were going "way too far toward Israel in the Middle East peace process"?

Senator HAGEL. No, I don't, because I was very supportive of what the President did at the end of his term in December-January, December 2000, January 2001. As a matter of fact, I recount that episode in my book, when I was in Israel.

Senator VITTER. Just to clarify, that's the sort of flip-flop I'm talking about, because that's what you said then and you're changing your mind now.

Senator HAGEL. Senator, that's not a flip-flop. I don't recall everything I've said in the last 20 years or 25 years. If I could go back and change some of it, I would. But that still doesn't discount the support that I've always given Israel and continue to give Israel.

Senator VITTER. Let me go to a third thing, is actually what you said today, talking about Iran as a "legitimate elected government". Do you think the election that had to do with this Iranian Government coming to power was free and fair and legitimate?

Senator HAGEL. I noted that the term "legitimate" was not the term I should have used. I should have used "recognized". That's the more appropriate term. I was referring to the fact that it's a nation that is a member of the United Nations, it has embassies from all our allies.

Senator VITTER. What about the——

Senator HAGEL. It's a recognized nation.

Senator VITTER. What about the word "elected," because you said "legitimate elected government"?

Senator HAGEL. There was an election in Iran.

Senator VITTER. So my question specifically was, you apparently think that was a free and fair and legitimate election?

Senator HAGEL. That's not what I said.

Senator VITTER. That's why I'm asking what you meant, because you said "legitimate elected government".

Senator HAGEL. I just explained I should have said "recognized" instead of "legitimate," which I did earlier today. There was an election. There will be another presidential election in June of this year for President of Iran. Whether it's free and fair, I don't know.

Senator VITTER. Do you expect it to be free and fair and legitimate?

Senator HAGEL. I don't know.

Senator VITTER. Okay. You have no expectations one way or the other about that?

Senator HAGEL. I do know that Iran is not exactly a model democracy and it has not been. I don't have any expectations for a free, fair election.

Senator VITTER. Okay. In 2008, you wrote that a nuclear Iran might be tolerable because "sovereign nation states possessing nuclear weapons capability, as opposed to stateless terrorist groups, will often respond with some degree of responsible, or at least sane, behavior". Is that still your hope or expectation about this Government of Iran?

Senator HAGEL. Again, I'm not sure where the reference came from or the context. But what I obviously was referring to were different options that people will look at in regard to Iran getting nuclear weapons. I've always said that Iran must not get weapons of mass destruction. I've always said it's a sponsor of terrorists, of terrorism, and I've always said the military option should remain on the table to assure that Iran does not get nuclear weapons.

Senator VITTER. Again, this quote, you suggest that Iran would maybe or hopefully respond in a "responsible, or at least sane," way. Those were the words. Is that still your expectation or hope?

Senator HAGEL. I always have hope that people respond in a sane way. But that doesn't at all change the facts that it is a dangerous, dangerous country that's a threat to the United States, Israel, and the entire world.

Senator VITTER. Okay. After your nomination, the Iranian Government press noted with satisfaction that the "anti-Israel" Hagel—obviously, that's not your quote; that's theirs—is known for "his criticism of Washington's anti-Iran policies," and that he "has consistently opposed any plan to launch a military strike against Iran". Why do you think they have that impression?

Senator HAGEL. First of all, it's not an accurate quote. I've never opposed military action against Iran.

Senator VITTER. Let me just clarify. It's an accurate quote of the Iranian Government press. Why do you think they have that impression?

Senator HAGEL. It's not an accurate statement about my position.

Senator VITTER. Right. But why do you think they have that impression?

Senator HAGEL. As I said in answer to that question earlier, I have enough difficulty understanding American politics, Senator. I surely don't understand Iranian politics.

Senator VITTER. Thank you.

Senator HAGEL. But if I might add, I also said that there have been some rather significant Israeli Government leaders recently that have said some pretty nice things about me, current Israeli leaders.

Senator VITTER. Thank you.

Senator HAGEL. Thank you.

Chairman LEVIN. Thank you, Senator Vitter.

Senator King.

Senator KING. Like all the other inquisitors today, Senator, I want to thank you for your service, and particularly for your willingness to put yourself through this process to serve your country once again. It's one of my life principles never to take a job where I would have to be confirmed by a legislative body, and you're doing it.

I also want to comment, I read one commentator that said the fact that this guy was an enlisted man in Vietnam is nice, but not really significant. I think it's very significant. I'm a bit of a student of the Cuban missile crisis, the most dangerous moment this country has ever experienced, and anybody that studies that period, it's hard to escape the conclusion that President Kennedy's service on the front lines of World War II and Chairman Khrushchev's service in his army during World War II was a significant influence on their willingness to back away from the nuclear precipice. I think it's very important to have people with your experience in this position.

Most of the questions, probably 90 percent, today have been about policy. But the reality is, as I think you would concede, that the policy comes from the President of the United States. You're certainly going to advise, but that's where the policy comes from.

I'd like to ask your thoughts about management, because you're about to take on the world's most cumbersome bureaucracy, with a lot of problems and headaches and budgetary challenges.

Just share with me some thoughts about how you're going to approach the management of DOD?

Senator HAGEL. Senator, thank you. I note you were sitting there during the exchange I had with Senator Kaine about some of this, and I would, in answering your question, pick up on a couple of those observations.

First—and you too, I know, you were a Governor. So you both understand a lot of the pieces of this. No matter how big an organization is, there are still some fundamentals to leadership and management. Now, as you have noted, DOD is the largest institution certainly in this country, maybe the world. How then do you try to manage it? Well, it's not about me. The Secretary of Defense, he leads, he advises the President. But it's really about the people who have the accountability and the responsibility to manage every aspect of our defense apparatus. That includes all the officers. I think there are over 50 presidential appointees in DOD. You have obviously the military, uniformed military, 1.3 million there. So all of these people are required to manage the Department.

I think a fundamental to me in answering your question is accountability. We've had some discussions today about audits. All institutions must be accountable. Elected officials are accountable. We're all accountable. The emphasis on accountability I don't think can ever be overstated. You give managers flexibility, you give them resources, but you give them direction and expectations, and they have to be very clear, very direct, and very defined, but not to the point where you don't want their input and their ability to be flexible with their management. I think that's, in my opinion, Senator, is the key to anything, but surely it is the key to something as large as DOD.

A number of questions were asked of me today about specific programs, submarine programs, different areas of technology and acquisitions, and our superior technology. I've said I don't know enough about it. I don't. There are a lot of things I don't know about. I, if confirmed, intend to know a lot more than I do. I will have to.

But at the same time, I would never think that this, as I said earlier, is about me or I will be running anything. I will be the leader, I'll be responsible, I'll be accountable. But I have to rely on the right teams, the right people, bring those people together. Again, it's accountability and responsibility.

I would stop there, if that gives you some sense of how I would intend to do this business.

Senator KING. My theory of leadership is hire good people and take credit for what they do. That's my best advice.

You're a guy from Nebraska. You were in the Army. I'm imaging that every morning you don't get up and think about the Navy. I hope to correct that over the next few years. Particularly of concern to us right now in Maine and in other parts of the country is the multi-year procurement program which is in jeopardy because of the budget situation.

Your feelings about multi-year procurement and maintaining the industrial base, which we just have to do if we're going to be able to maintain our force?

Senator HAGEL. Governor, you probably know, and Governor Kaine does as well, that there is such a thing as a Nebraska navy. Our governors make these distinguished appointments throughout their career. Our fleet is small but mighty. But that has been my initial, early on experience with the Navy.

Industrial base, I referenced that in a couple of comments I made earlier today in responding to questions. Absolutely essential to our future that we maintain a strong, growing, credible military industrial base, for all the reasons you understand. Certainly Senator Kaine does, being from Virginia, and other Senators here who have in their States these facilities and, more importantly, private companies that represent our industrial base.

How we then prioritize our needs, how we account for and audit contracts, forward procurements, cost overruns, waste, fraud, and abuse, all part of it. This is going to be more and more essential as we are dealing with, as you have noted, a restricted budget. It may be a very restricted budget, depending on how things happen on sequestration.

The Navy is an indispensable part of our security apparatus. First, it is the one visible projection of power that we have in the world. Obviously, our rebalancing of resources in the Asia-Pacific region are some indication of that. The Persian Gulf; we have been talking all day about Iran, about Israel, but specifically Iran in the Persian Gulf. You know we have our Fifth Fleet there in Bahrain. We have two carrier battle groups in and out of that small little area. The flexibility, agility, missile defense, nuclear, all those capabilities are within the Navy.

I am a strong supporter of advancing our Navy technology and our efforts, and I will continue to do that if confirmed.

Senator KING. Thank you, Senator. I'll have some more questions at a later time. I appreciate it.

Senator HAGEL. Thank you.

Chairman LEVIN. Thank you, Senator King.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Senator Hagel, thank you very much for the tremendous service that you've already provided to this country and for your willingness to consider taking on this challenge as Secretary of Defense and for your stamina at this hearing all day. You will certainly need it as Secretary of Defense.

I want to follow up on Senator King's question about the Navy, because the Navy is obviously very important to us in New Hampshire as well. Our four public shipyards are the backbone of our naval power, but according to the Navy there's a huge backlog of the restoration and modernization projects at our shipyards. According to last year's numbers, that backlog was around $3 billion.

At Portsmouth Naval Shipyard, which Senator King, Senator Ayotte, and I are all very concerned about, that number was $513 million. This backlog not only potentially affects our readiness, but it's also not cost effective. For example, a 2010 Government Accountability Office report pointed out that a pier project at Norfolk,

which I'm sure Senator Kaine is familiar with, if it had been addressed early it would have cost $15 million. Because that didn't happen, the pier now is going to cost about $85 million.

In fiscal year 2012, Senators Collins, Ayotte, and I included an amendment in the NDAA bill that requires the Pentagon to produce a shipyard modernization plan to address these shortfalls. That report's late, but it was promised in the upcoming budget submission for fiscal year 2014. Will you commit to ensuring that this modernization plan is produced and will you commit to pressing the Navy, within the fiscal constraints that I appreciate, but to fully fund the investments that are needed to save money in the long term and ensure that we continue to be very effective and efficient at our shipyards?

Senator HAGEL. Yes, I will make that commitment to do everything I can to first understand the specifics, which I don't know all the details. But your request is preliminary to effective, efficient use of our resources and planning and our national security. So I will make that commitment. If I am confirmed, I will get the details. I will assure that the Navy responds.

Senator SHAHEEN. Thank you. I'm sure Senators King and Ayotte join me in inviting you to come and visit the Portsmouth Naval Shipyard. We hope that you will do that as soon as you're confirmed.

Senator HAGEL. Thank you.

Senator SHAHEEN. I know there's been a fair amount of discussion earlier today about your involvement with the organization Global Zero and what your position is on nuclear weapons. I think it's worth requoting what Senator Reed said about Ronald Reagan, who said that: "We seek the total elimination one day of nuclear weapons from the face of the Earth." I think every President since Ronald Reagan has supported that aspirational goal, recognizing that at this point in time it is a goal.

Certainly that's what President Obama has said he supports, is that some day, probably not in this lifetime, but some day, we should hope for a world that would be free of nuclear weapons.

I know I've heard you say that you agree with those two statements, but do you also agree that as long as nuclear weapons exist that we have to maintain a safe, secure, and effective nuclear arsenal to deter any adversaries?

Senator HAGEL. Yes, completely, absolutely. I have never had any other position but that, as I have indicated this morning and this afternoon, and will continue to take that position. As I said in my opening statement and in answer to other questions, our nuclear deterrent has probably been the core of keeping world peace and avoiding a World War III, that nuclear deterrent.

As long as there is the threat of nuclear weapons—and like you noted and President Obama noted in his Prague speech in 2009—it probably will not happen in our lifetime. But, just as you noted and Senator Reed's comments about what President Reagan laid on the table in 1986, we need to keep working on it. We need to keep moving forward, attempting to do it.

Quite frankly, if you look at the START agreements and you look at the different treaties we've had, we have brought those warheads down, under both Republican and Democratic administra-

tions, bipartisan. What Sam Nunn said this morning, he and his former colleagues Secretary Kissinger, Secretary Shultz, Secretary Perry, hundreds of national leaders in Republican and Democratic administrations over the years have supported the reduction of weapons of nuclear destruction—not unilateral, but bilateral, negotiated and verifiable.

As I said this morning, as Ronald Reagan said, "Trust but verify". Nothing unilateral.

Senator SHAHEEN. Thank you very much.

Again, I know there's been a lot of discussion about your comments relative to sanctions on Iran and various options that we might pursue with respect to Iran and nuclear weapons. But I wonder again if you would confirm what your position is on the President's current strategy of strong diplomacy, tough international sanctions, and keeping all the options on the table?

Senator HAGEL. You have just defined President Obama's strategy on Iran, which I firmly support, strongly support. It is the wise way to do it. I don't know if I mentioned this to you in our meeting, but I wrote a book in 2008 and I have a chapter on Iran, and I lay all that out in the chapter. As I've said, I don't think President Obama went to my chapter and developed his strategy based on my chapter, but there's nothing in that chapter that I wrote in that book in 2008 or anything I've ever said that deviates from where the President is.

The military option is always on the table, must be on the table, always should be the last option, always the last option. But aren't we wiser and smarter if we can figure this out, accomplish our objectives, without having to go to war, for everybody?

Senator SHAHEEN. I hope so.

You referenced the meeting that we had last week and I very much appreciated your taking time to come in and sit down and talk about some of the statements that have been represented that you have addressed today. One of those had to do with Israel's security. Again, I know this has been discussed at length during the day today, but I wonder if again you could reconfirm what your commitment is on Israel and the security of Israel in the Middle East?

Senator HAGEL. My support of Israel's security is and always has been very clear. I strongly support Israel. The security of Israel is a commitment that we made to Israel in 1948 when Israel was born under American leadership, President Harry Truman. That commitment is a bond that is more than just an ally to ally. It is special, it's historical, it's values-driven.

I've never equivocated from that line. My votes in the Senate have shown that. What I've said publicly has shown that. I've said this in my book. Absolutely, and we'll continue to do that.

Senator SHAHEEN. Thank you very much.

Chairman LEVIN. Thank you very much, Senator Shaheen.

Okay, we're going to have a 5-minute second round, and if we need a third round we will have a third round. I'm going to try to take less than 5 minutes so I can yield a couple minutes, if I still have them, to Senator Inhofe.

Senator INHOFE. Thank you.

Chairman LEVIN. Earlier today, Senator Hagel, one of my colleagues made a statement that you had not responded to requests for copies of all your speeches and to requests about contributions to certain organizations I believe that you either served or had spoken to, and that you didn't have the opportunity at that time to respond to that statement. I want to give you the opportunity now, if you wish to, or if you prefer to respond for the record.

Senator HAGEL. Thank you, Mr. Chairman. I will respond for the record. But I will take this opportunity to respond. First, as far as I know—and I asked again at the break of our counsel, Ethics Office lawyers, have we responded to all requests or are we in the process of responding to every single request? The answer is yes. Some of these requests didn't come in until yesterday, specifically the financial documentation request. Copies of my speeches came in late.

We have given the committee every copy of every speech that I have that's out there, every video that I have that's out there. On paid speeches, most every one of those paid speeches, in the contract it says that they are private and not videotaped. That wasn't my decision; that was the contract of the group I spoke to. I believe every paid speech I gave I didn't have a prepared text. I gave it extemporaneously, which is something I've been doing for long before I left the Senate.

We are fulfilling every legal commitment I said and I am obligated to, and I've complied with every ethical request. I always have. I did when I was in the Senate. I'll continue to do it now. We are doing it now.

Chairman LEVIN. There was one or two other times when you did not have the opportunity to reply to a question and, in order not to use up all my time, you should feel free to do that for the record. We're going to keep this record open until close of business tomorrow for questions and for your answers until close of business Monday, which means 5 p.m. tomorrow for questions for the record, 5 p.m. on Monday for your responses to questions for the record.

At that time, would you give us the update on any additional documents, speeches, or information that you have been requested to provide which you have not yet been able to, but is in the works, so you can give us an update?

Senator HAGEL. I will. Again, I have committed and will continue to commit to complying with every legal document, legal requirement.

Chairman LEVIN. Thank you.

I hope I have a minute or 2 that I can then yield to Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman. I appreciate that courtesy very, very much. I'm going to have to hurry this up a little bit because it's less time than I thought we had, I say to my good friend.

It was mentioned that one of the members up here thought I was being disrespectful during the time that I was questioning you. It was at a time when I made the statement that you have been endorsed by the ministry of Iran for your nomination to be Secretary of Defense. Do you consider that to be a disrespectful notion on my part?

Senator HAGEL. No, it's a legitimate question.

Senator INHOFE. Thank you very much.

I have kind of been the leader on postponing any further Abrams tanks or F–16s to Egypt until such time as that government is under control. This is my own statement, only representing my own thoughts. I think Morsi's an enemy. I think their military is a friend.

There was a vote just a little while ago to do away permanently with the sending of any of this equipment to Egypt. I don't think that's a good idea. What I think is a good idea is to continue to use that as leverage. If you do that, you lose the leverage. I believe that right now, Morsi has already distanced himself from the military. To me that's a first good step, and I would like to think that we could reinstate a friend in that area.

I would only ask you, would you agree with my statement that I came out with a long time ago or my bill that I introduced, I should say, and I re-introduced in a stronger way today, saying that we would withhold sending this equipment to Egypt until such time as these conditions are met? I mentioned the conditions of keeping the accords from Camp David and that type of thing. Would you consider that?

Senator HAGEL. First, that's a policy decision that the President of the United States would make. If he asks for my advice I would certainly give it to him. But to the bigger question, I think it is important that our assistance to Egypt be conditional. They play an absolutely critical role in fulfilling the commitments of Camp David for the security of Israel and elsewhere.

Senator INHOFE. I'm sorry to interrupt you, but we're almost out of time right now. I appreciate that answer.

You made one statement that I strongly disagreed with. You said that President Obama has been the strongest Israeli supporter since 1948. I have a hard time with that. I know that he's not up for confirmation; you are. But when you see statements coming out of the administration like, "The United States believes that negotiations should result in two states with permanent Palestinian borders with Israel and Jordan and Egypt," and they come out with the statements like, "We believe the borders of Israel and Palestine should be based on the 1967 borderlines," these are statements I think are very damaging, and I can assure you that the leadership over in Israel feel that those statements are damaging.

Do you still feel that President Obama has been the strongest supporter of Israel since 1948?

Senator HAGEL. I do, and I will tell you very quickly why. First of all, the 2006 Quartet Principles that President Bush laid down I think cover most of the points that you've made, and I supported President Bush then and still do, what he did in developing those principles.

But when you look at the assistance this administration has given to Israel, the most significant and largest military-to-military exercise, Austere Challenge, Israeli-U.S. forces last fall, the additional moneys that we put into Iron Dome, the President's position, we have your back——

Senator INHOFE. I've answered the question. That's fine. I appreciate it.

Senator HAGEL. I think it's hard to——

Senator INHOFE. But one other subject before we run out of time here, and it's one that I know you're very interested in. You actually were a co-sponsor of the Missile Defense Act of 1999 and I was, too. So we agreed. Times have changed since that time. At that time people thought having the capabilities was confined to the Soviet Union at that time, or Russia, and the United States. A lot has happened since then.

I often say that one of the things I disagreed with most in the first budget that this President had was when he did away with the ground-based interceptor site in Poland. I think most people are aware that was built for protection of Western Europe and the Eastern United States. I'm satisfied that we have, even with the reduction of ground-based interceptors on the west coast, which I disagreed with, but I still think we have adequate protection on the west coast. It's from the east coast, and right now our intelligence still says today that Iran will have the weapon capability and the delivery capability by 2015. That's why it was supposed to be there.

Now there's a discussion saying to cover that void we need to have a third site. Do you support a third site of ground-based interceptor? It would be on the east coast somewhere.

Senator HAGEL. I'm aware of the NDAA authorization and instruction for a third site and an environmental impact statement. I don't know enough of the details. If I am confirmed and go over there, I will get into it. But to respond to that, which I will for the record, I just don't know enough about it.

Senator INHOFE. Okay, if you'd respond for the record. I think it's very significant and I think that most people are looking at this with this void. You have a period of time between 2015—nobody disputes the capability that Iran will have at that time. It's not even classified. But there is still a void of about 6 years between that and when we would have the capability to knock down what has to be knocked down unless we have a third site in place. I am hoping that maybe for the record you'll come back and say that you support the third site.

[The information referred to follows:]

If confirmed, I will work to ensure that the analysis Congress requested in section 221 of the National Defense Authorization Act for Fiscal Year 2013 to evaluate additional missile defense locations in the United States, including on the east coast, will be delivered on a timely basis, and that Congress remains informed about the Department's analysis about how to best protect the U.S. Homeland.

Senator INHOFE. The last thing I'll mention, if you'll forgive me, Mr. Chairman, when Senator Hirono talked to you she talked about your efforts and her expectations on your being involved in using DOD for all these environmental things. I would suggest to you that's why we have a Department of Energy. When I asked you the question, will you refrain from doing some of the things that have been done in the past in this administration, such as forcing the Navy to pay $26 a gallon for 450,000 gallons of fuel that you could buy for $3 and other things, it's billions of dollars that we're paying which we could be using for warfighting. I see an inconsistency in your answer to me and your answer to the Senator from Hawaii.

Senator HAGEL. My answer to the Senator from Hawaii was, I believe—they can read it back—that I am committed to all efficiencies that we can find in DOD which are in the interest of our country. I didn't commit to any one program.

Senator INHOFE. Or any program that would be a costly program on experimentation, such as the programs that I've just mentioned, clearly are in the jurisdiction of the Department of Energy and they're the ones supposed to be doing it. Don't you agree that we should be confining ourselves to enhancing our warfighter capabilities?

Senator HAGEL. Well, of course. But I think within that realm certainly the kind of money that we spend, as you've noted, on fuel, that should include some not only sense of that, but are there things that we can be doing with our research and technology in DOD, why wouldn't we? It just seems to make sense.

Senator INHOFE. Yes, we should as a government, but that's what the Department of Energy is supposed to be doing. When you said, as you suggest, the high cost of fuel, yes, it's a high cost because we're paying 10 times as much as we would have to pay, money that we could be putting toward our warfighting efforts. That's my point.

Senator HAGEL. Yes, I agree, but why wouldn't we be looking at all options if we have the kind of sophisticated research and technology that DOD does and has possession of? Why wouldn't we be enlarging that? I don't know anything more specific to or central to our security than energy.

Senator INHOFE. I know my time has expired. We're spending literally millions, actually some billions of dollars, on some of these experimentations that again are not in the purview of this. Right now we're stalling 179 F–35s that we just recently are putting off. I always say that if they put them off indefinitely, that's just a cut; it's not a put-off. Those are things that we should be doing right now.

We're looking at the *Ohio*-class sub. We should be doing that right now, but we've postponed it. If we were to spend the money that we're spending on the environmental causes on warfighting, I think it would do us better good. Apparently you don't agree with that.

Senator HAGEL. I've said what I said, but I will commit this to you, Senator, that, as I said to the Senator from Hawaii, I will, if I'm confirmed, will obviously look at all these programs. I'll have to.

Chairman LEVIN. Thank you very much, Senator Inhofe.

Senator Manchin.

Senator MANCHIN. Thank you.

Sir, I feel like I want to apologize for some of the tone and demeanor today.

With that being said, if I could ask you this, since we're so again talking about things you have done, things you have said over the years. How did you get to Vietnam? I want to go back there. Were you ordered to go to Vietnam? Were you sent there? Or how was your orders?

Senator HAGEL. Actually I got to Vietnam through kind of an interesting route. I volunteered for the draft, as my brother did a

month after me. During that time in 1967 the draft was coming down with pretty heavy levies. You recall.

Senator MANCHIN. I was there.

Senator HAGEL. I know your story. They wouldn't take you, not because you weren't smart enough, of course, but they wouldn't take you because of your knees. I know you tried to bribe your way in, but they still wouldn't let you. I admire you for that effort and I know your story.

I went to basic training, advanced infantry training. My brother followed me everywhere a month after me. After advanced infantry training, I was selected to be one of nine first class then-Top Secret shoulder-fired heat-seeking missile called the Redeye gun. At the time it was classified, and it was built to bring down low-flying Soviet MiGs coming over Germany, eastern Germany, down the Fulda Gap.

We went to White Sands Missile Range and spent 2 months training. It was all classified, couldn't get calls in or out. We were then quietly, all nine of us, ordered to go to Germany and be integrated into NATO units without any fanfare or anybody knowing about it.

I got my orders to go to Germany. I went to Fort Dix, NJ, in November 1967. My eight fellow soldiers and I were getting packed up to get the bus to go out to the airport to take a flight to Germany, and I just decided if I was going to be in the military it didn't make much sense to go to Germany. I'd never been to Germany. My great-grandparents were from Germany. Probably a pretty good place, I thought, but I had to go where there was a war.

So I took my orders down to the orderly, told him I was Private Hagel, I had orders to go to Germany, here are my orders, and I wanted to volunteer to go to Vietnam. The office was a bit quiet. They put me in a holding room. They brought priests, rabbis, ministers, psychiatrists. All came in to examine me, thinking that something was wrong, I was running away from something or I had killed somebody.

After 2 days of testing me to see if it was okay, they held me, which—I scrubbed barracks for 5 days before they could cut new orders. So they gave me new orders to go to Vietnam, sent me home for 5 days, and then on to Travis Air Force Base in San Francisco, and I got to Vietnam December 1967, got back to the United States December——

Senator MANCHIN. There is no reason any one of us should ever be concerned about your willing to do anything that you possibly can to defend this country and making sure that we defend against all foreign enemies, wherever they may be?

Senator HAGEL. I hope not, Senator. I mean, we can disagree on policies, but I think my life and my commitment to this country is pretty clear, and I'm proud of it.

Senator MANCHIN. On that, sir, I would say that Israel, the spokespeople for Israel, support you. They've come to me and they tell me they support you. Have you gotten that?

Senator HAGEL. There are a lot of pro-Israeli groups that have formally come out and endorsed me, support me, which I'm grateful for.

Senator MANCHIN. From what I've heard today, it sounds like Iran has wishful thinking.

Senator HAGEL. Evidently Iran supports me.

Senator MANCHIN. The President has asked you to serve at this level, so he has confidence in you.

Senator HAGEL. The President did ask me to serve. I said in my opening statement I am grateful and honored by that trust and confidence, and I will do everything in my power never to do anything that would disabuse that confidence and trust for this country.

Senator MANCHIN. One final question very quickly, if I may. As you see the role of Secretary of Defense—and I know we've talked about and you've been questioned on policy, and I know you're not going to be in a policy position. You're going to be basically following policy, not making policy. But if you could just wrap it up, what we should expect from your position as Secretary of Defense?

Senator HAGEL. Thank you, Senator. If I am confirmed, as I noted in my opening comments, I would see this relationship, Senator, as a partnership. I'm going to need your help. I'm going to need your advice. I'm going to need your collaboration.

Many people on this authorization committee have a great deal of experience in this business, many far more than I do, as is the case in Congress, both the Senate and the House. I will need that. I will call upon that.

I won't be in a policymaking position, as you note. I also committed to all of you—and those of you who served with me know this—I'll always be honest with you. You'll never have to worry about that. I'll listen to you. I'm sure we won't always agree, but I'll say it straight, and I'll give you and the President my honest, most informed advice always.

Senator MANCHIN. Thank you. I'll say one more thing. Where I come from there's an old saying: If you can't change your mind, you can't change anything.

Senator HAGEL. Thank you.

Chairman LEVIN. Thank you, Senator Manchin.

Senator Sessions.

Senator SESSIONS. Thank you, Mr. Chairman.

Thank you, Senator Hagel. You're holding up well. But it's an important office and you're asked to lead our Defense Department. I know you know the seriousness of that and it's exceedingly important.

You have to know, and particularly in recent years, there has been tension in Congress between the executive branch and Congress over a number of issues. One of them is national missile defense, and that's a subcommittee I'm a member of and we've wrestled with that over the years, and had pretty consistently a bipartisan congressional vote on those issues. We voted again this year a unanimous Armed Services Defense Authorization Bill, unanimous out of committee, under Chairman Levin's leadership and Senator McCain.

But I'm looking today, I believe in the National Journal, the Obama administration is moving to begin new U.S.-Russian talks on further drawdowns of the Nation's nuclear arsenal. That's also

been an issue of concern, but I believe we've been staying fairly bipartisan and unified on that.

But your report is what causes a great deal of concern, this study of the Global Zero group. But I just note that Vice President Biden is set to meet with Russian Foreign Minister Sergei Lavrov this weekend during the Munich security conference. National Security Advisor Tom Donilon will then head to Moscow in February. President Obama and then-President Medvedev signed the bilateral New START Treaty in 2010 calling for deployment of strategic nuclear arsenals involving 700 delivery systems.

Now, as I read the Global Zero report that you co-authored just last year, less than a year ago, you call for the elimination of all ICBMs, all tactical nuclear weapons, most of the bombers, I think 76 B–52s eliminated, leaving only 18 bombers and 10 submarines. So instead of 700 delivery systems that was part of the New START, it looks like you're down to about 28 delivery systems. So this introduced dramatic concern.

There are worries on Capitol Hill, the National Journal reports, that the administration could revise its missile shield strategy or go ahead with cutbacks to the U.S. stockpile as a means of drawing Russia into new negotiations. Foreign Policy Magazine reported ahead of your unannounced discussions with Lavrov, House committee chairman, subcommittee chairman, Mike Rogers asked that they have assurance as to what's going on there, essentially.

I would note that the last year's defense authorization bill calls for briefings on these discussions to Congress, to the Armed Services Committee and the Foreign Relations Committee. It says "Not later than 60 days after the date of the enactment of this act and not less than twice each year thereafter, the President or the President's designee shall brief the Committee on Foreign Relations and the Committee on Armed Services of the Senate on the dialogue between the United States and the Russian Federation on issues related to limits or controls on nuclear arms, missile defense systems, and long-range conventional strike systems." The deadline I believe for that briefing would be March 2 this year.

So a first question to you: If you're confirmed in this position, will you honor that request as part of the NDAA?

Senator HAGEL. The request for the briefing?

Senator SESSIONS. Briefings, yes, the requirements for the briefings. Will you keep Congress advised on any discussions dealing with national missile defense and dialogue with Russia on national missile defense and nuclear arms and long-range conventional strike systems?

Senator HAGEL. Yes, I commit to do that.

Senator SESSIONS. Also, there's a Sense of Congress on certain agreements: "It is the Sense of Congress that any agreement between the United States and the Russian Federation related to nuclear arms or missile defense systems or long-range conventional strike systems, obligating the United States to reduce or limit Armed Forces or armaments of the United States in any militarily significant manner may be made only pursuant to the treat-making power of the President as set forth in Article II, Section 2, Clause 2, of the Constitution of the United States."

That is a Sense of our Congress that any significant alteration of those deeply important relation between our two nations, the two most powerful nuclear nations in the world, would be done by treaty. Will you support that concept and before making significant changes present those changes to Congress pursuant to a treaty, and not as a either secret or open bilateral agreement?

Senator HAGEL. Your question is will I commit to a briefing on all this?

Senator SESSIONS. No. Whether or not that any significant changes that would occur in our relationship on those issues, significant—"in any militarily significant manner may be made only pursuant to the treaty-making power of the President". We would ask that that be presented to this Congress because we have treaties already that impact so much of this and Congress believes that any changes should also be made by treaty.

Senator HAGEL. Without getting into specifics of it, let me just commit to obviously consultation with Congress, with the authorizing committee, yes.

Senator SESSIONS. It seems like we've not been consulted on the Biden trip and the Donilon trip. We expect that to be done. What's been going on is disturbing to us. The President said to Mr. Medvedev that we'll have more flexibility after the election, and he was clearly responding to these issues, missile defense I think in particular and maybe nuclear issues also. He wasn't consulting with the American people, wasn't telling us or Congress what he planned to do, but he was apparently willing to discuss it with the Russian leaders.

I guess I'm asking you, will you comply with the treaty-making matters? If these agreements are significant militarily, I believe they should be done by treaty and not by personal agreements between our two leaders.

Senator HAGEL. I would commit to fulfilling any treaty obligations and any commitments to Congress and any consultations that Congress needs to be part of, absolutely.

Senator SESSIONS. I'm not sure that answered the question, because Congress is concerned about these kind of negotiations that are going on. We do not have—the President also has made it clear he believes in zero nuclear weapons. That is his policy for America. I think it's utterly unrealistic. It's just amazing to me, and that could lead us into unwise decisionmaking.

Congress has a responsibility to the American people to ensure the national defense. We need to know and have you share those negotiations with us, and changes that impact our security relationships between us and Russia should be done by treaty, as they've been done in the past.

Senator HAGEL. I've never discussed any of the specifics of this with the President. I know he knows and believes and is committed to treaties. That's the purview of the U.S. Senate, as the Senate passed the New START treaty. All that goes into that negotiation with, in this particular case, Russia certainly Congress has to be involved in that.

Senator SESSIONS. That's very important, Senator Hagel, I just have to tell you, because there's unease here that may not be in the works. There's been some discussion for some time about pri-

vate unilateral or bilateral negotiations in which Congress is not involved, that impacts the national security of our country. That's why this was passed, just passed. So we expect you to comply with that, and I take your testimony that you would comply with that.

Senator HAGEL. I will comply with all requirements and laws, absolutely.

Senator SESSIONS. Thank you, Mr. Chairman.

Senator HAGEL. Thank you.

Chairman LEVIN. Thank you, Senator Sessions.

Senator King.

Senator KING. Senator Hagel, one of the first meetings I had after I began running for this office last summer was with a group of veterans, going all the way from World War II right up through Iraq and Afghanistan. I want to share with you one of the ideas that came out of that meeting because it's been touched upon today, and that is the issue of employability and employment of particularly recent veterans. The suggestion was made that the Army and the military has recruiters, people who help to bring people in, and perhaps it might make some sense for them to have the reciprocal of recruiters, outplacement people to deal with soldiers who are, men and women, who are about to leave, because there's an information gap, is what the veterans told me, between leaving the military Active Duty and then going into the Veterans Administration jurisdiction. There's a gap there.

You don't really need to respond, but that's a suggestion I might make, where it would be tremendously helpful to provide that kind of information—what the programs are, what's available, what the scholarships are, how the GI Bill works, all those things, to people. I'm sure it's done to some extent now, but to really regularize that and increase it, to be comparable to the effort that's put into recruiting.

Senator HAGEL. Thank you, Senator. I will think about that. I had not thought exactly about that potential, but I would say that as we think through how do we accommodate and fulfill commitments and assist our veterans, I think we have to open up all vistas of new thinking and that is one that would deserve some exploration and if I'm confirmed I look forward to pursuing the idea with you.

Senator KING. Thank you.

I'm also serving on the Intelligence Committee and one of the issues—and you talked about this in your statement and it's been touched upon some today—is the whole issue of counterterrorism. Counterterrorism involves the actions of a number of agencies and bodies of the U.S. Government. I would commend to you that I think it deserves some real thought as to where DOD ends, stops, and the CIA begins in terms of action and counterterrorism action.

I think it would be worthwhile for you, if you are confirmed, to meet with Mr. Brennan, if he's confirmed, to talk about the coordination between the two agencies, so we don't end up with similar, if not identical, functions in different regions of the world with whole different command structures, rules of engagement, and all of those kinds of things.

I think counterterrorism sort of spans, covers the gap or the relationship between traditional defense and the Intelligence Community.

Senator HAGEL. That is an area that is becoming more and more relevant, complicated, title 10 versus title 50 and all those dynamics. If confirmed, yes, if Mr. Brennan is confirmed, we'll be spending some time together.

Senator KING. A final thought, and I know you've touched upon this. I don't think we can adequately emphasize the importance of the cyber threat. That may well be the war of the future. My sense is that we're all talking about it, but I'm not sure we have the sense of urgency. I know Secretary Panetta has increased or proposed the increase of that capacity. But people can die and our society could be brought to a standstill without a rocket ever taking off or an airplane penetrating our air space, and I hope that will be a point of emphasis because, as I say, I think that may be the next war.

Senator HAGEL. I agree. I noted it in my opening statement. I agree with everything you've said. This is a huge issue that continues to loom large over our future and our security, and it will have, if confirmed, a lot of my attention.

Senator KING. Thank you.

Senator HAGEL. Thank you.

Senator KING [presiding]. In the absence of the chairman, Senator Ayotte, I believe it's your opportunity.

Senator AYOTTE. Thank you, Mr. Chairman.

Senator KING. Wow, that was fast.

Senator AYOTTE. You've been promoted very quickly.

Senator KING. Really, that's astounding. [Laughter.]

Senator AYOTTE. First of all, we've all expressed our deep respect for your service to our country, but also let me thank you for your endurance. We appreciate it.

I wanted to ask you about a speech that you made in 2007. It was at the Center for Strategic and International Studies and it was a speech titled "The United States and Iran at Dangerous Crossroads". In that speech you, in referring to Iran, you said that "the strategy of containment remains relevant today".

I wanted to ask you about that statement that you made in 2007 about "the strategy of containment remains relevant" with regard to Iran today. Now, that was in 2007, but why would you say that, first of all? Then, isn't that inconsistent with what you've been saying today with regard to containment?

Senator HAGEL. I don't have the speech in front of me and I think there was more to it than just that few words that you quoted. If I recall, the entire speech was about how do we deal with Iran. If I recall, what I was inventorying in specific reference to containment was within that inventory what are the options. I don't think that speech says that I support it.

Senator AYOTTE. No, but you said that it was relevant to the discussion with Iran, and I guess I would ask you to say why do you think that that was a strategy that we should have considered? It was obviously one of the things you mentioned.

Senator HAGEL. I didn't say it was a strategy, I don't think. As I said, in the context of how do we deal with——

Senator AYOTTE. I don't want to be unfair, but I think, just to be clear, the quote that you said was "The strategy of containment remains relevant." So why is it relevant with regard to Iran?

Senator HAGEL. The bigger point is what I was saying, I think—I haven't looked at that speech since I gave it, probably, but I do recall some of it. The point was, what is the range of options that we would have to look at, the world would look at. Again, I didn't advocate it, I didn't recommend it, I didn't support it.

Senator AYOTTE. Was it that containment was one of the options?

Senator HAGEL. Yes. I mean, of course. When you look at the whole range of what your options are, that certainly would be one of them.

Senator AYOTTE. Do you think containment's one of the options now?

Senator HAGEL. No, I don't know. But it doesn't make any difference what I think. It's when you look at range, it's like the Global Zero report. That was not a recommendation report. That was a range of goals, aspirations, possibilities. That report never said we recommend the following. If I recall that speech, I think that was the same kind of what's the range of options.

Senator AYOTTE. Senator, I want to be clear: It does matter what you think, and obviously your understanding and thought process on these issues is very important to us. So as a follow-up, I know that Senator Vitter had asked you about a portion of the book that you wrote, "America, Our Next Chapter," and it was in that book you had said that "The genie of nuclear armaments is already out of the bottle no matter what Iran does." Obviously, North Korea, other powers. "In this imperfect world, sovereign nation states possession nuclear weapons capability, as opposed to stateless terrorist groups, will often respond with some degree of responsible, or at least sane, behavior."

Do you believe that Iran responds or will respond with some degree of responsible or sane behavior?

Senator HAGEL. First of all, it's not what I suggested in that quote.

Senator AYOTTE. Well, it's in the context of Iran, but I'm asking you just straightforwardly: Do you think that the Iranian regime responds—you talked about the difference between nation states versus, for example, stateless terrorist organizations. Do you believe, in the context of Iran, do you believe that the Iranian regime responds with some degree of responsible, or at least sane, behavior, or will respond like that?

Senator HAGEL. So far they have not, and I have said and I've said in that same book that you're quoting from, that Iran is a state sponsor of terrorism. I've said that many times. So no is the answer to your question.

Senator AYOTTE. If they haven't been responding with a level of, with a degree of responsible or sane behavior and, as you say in your book, that it's a state sponsor of terrorism, I'm also struggling with the question of why you would have thought that it was appropriate for us to have direct, unconditional talks with Iran, because here we have a regime that doesn't respond in a responsible or sane behavior, is a state sponsor of terrorism, and what we

thought we could—why that would be an appropriate manner for us to address them?

Senator HAGEL. Well, first, I said "engagement". I think we should talk. We actually are indirectly in the P5 Plus 1. We have been. I think that's responsible. I think it's always responsible to try to talk first.

North Korea, I don't consider North Korea a responsible, sane administration, but we are talking to North Korea. We've been talking bilaterally to North Korea. We're talking with the Party of 6 to North Korea. I think that's wise. I think it's always wise to try to talk to people before you get into war.

Senator AYOTTE. But I think that you were beyond the P5. You refer to direct discussions with our two countries, and also for establishing diplomatic ties with our country.

Senator HAGEL. Again, when I talked about the possibility of diplomatic ties or even I said, I think, in 2002 encouraging Iran to join the World Trade Organization, I've always thought that that's smarter more wiser, if you can push, help push, institutions like China into world bodies, because when they go into world bodies they have to comply with some semblance of international behavior. It doesn't mean they always will. They won't. They cheat. But I think we're smarter to do that.

Senator, I've never thought engagement is weakness. I never thought it was surrender. I never thought it was appeasement. I think it's clearly in our interest. If that doesn't work, then I think the President's position and his strategy has been exactly right: Get the United Nations behind you, get the international sanctions behind you, keep military options on the table. If the military option is the only option, it's the only option.

Senator AYOTTE. Just to be clear, I don't think that all engagement is weakness, either. But I think there's a huge distinction when we're dealing with a regime that is the largest state sponsor of terrorism, and given the fact that they have a long history, including in Iraq, with assisting the militias to murder our troops, including what they've done with Hezbollah and Hamas, what they're doing now in Syria. I think there's always a distinction in how we deal with different players around the world, is my point.

I know that my time has expired and I will submit for the record questions that I think are very important about the *Virginia*-class submarine. I share the important work done at the Portsmouth Naval Shipyard with my colleagues Senator Jeanne Shaheen and also I know Senator King is very focused on that, and maintaining our submarine fleet. I know that Senator Blumenthal asked you about that as well.

I do have concerns that part of the Global Zero report does recommend that the *Ohio*-class submarine would actually be diminished down to 10. I'll follow up with those questions and the record. I have to go now. Thank you.

Senator HAGEL. I'd be glad to respond. Thank you.

Chairman LEVIN [presiding]. Thank you, Senator Ayotte.

Senator Donnelly?

Senator DONNELLY. No.

Chairman LEVIN. Okay. Senator Fischer.

Senator FISCHER. Thank you, Mr. Chairman.

Thank you, Senator Hagel. It's been a long day and I do appreciate your answers to these important questions.

When we spoke last week, we talked somewhat about the sequester, also budget concerns, the modernization of our nuclear forces. Especially being from Nebraska, you understand the importance of STRATCOM and its mission as it deals with deterrence that we use in this country and that we've used for many, many years and I believe has been very, very successful and it's a good point for us.

Today you also in your opening discussed the need to modernize our defensive forces. You spoke to Senator Blunt, also Senator Blumenthal, about the need to modernize our Navy.

I guess I would like to hear your thought process about how we're going to do this. Where's the money coming from? How are you going to advise the President in making these decisions? Because we're looking at sequester, we're looking at budget constraints. How is this all going to tie together, and what would be your advice to the President on how the Pentagon is going to address all of those budget constraints?

Senator HAGEL. Let's start with where we are. The Pentagon is adjusting, and I think responsibly, to our future based on the Budget Control Act of 2011. You know the details of that. The Chiefs have submitted plans. I think as we rebalance and refit and unwind the second war and all the other dynamics that are changing since the last decade, it gives us some new opportunities: audits, all the acquisition focus, accountability. We are being forced, DOD, to take a hard look at its priorities.

But as I've said before, it begins with mission and then the resources to fulfill that mission, and then what are the priorities within that mission.

To your specific question, how do you finance it all, well, if sequestration would take effect then all of this is going to be affected. That's exactly right. We've deferred some decisions. We've set back some of the schedules on some of our ships, planes, decisions on a number of things.

It isn't just the dollars that affect this, but it's the planning, it's the flexibility. It's the ability to bring all this together and then project and plan.

So in no way—I hope I did not give any indication that we were going to be able to continue to do everything for everybody everywhere. That's just not a reality.

Senator FISCHER. We can't.

Senator HAGEL. We can't.

Senator FISCHER. How do you decide, though? You've made commitments to members here today on philosophy, on working with this committee. Do we have a commitment to build up the Navy? Do we have a commitment to STRATCOM so that they can continue their mission of deterrence? Do we have those commitments?

How do you decide what's going to be the priority? What will your advice be? Is STRATCOM important? Should that be a priority? Would it be a priority in your advice to the President?

Senator HAGEL. The Pentagon is working off the Defense Authorization Act of 2013, which this committee passed. That is the directive that frames the budgetary restraints, except if sequestration takes effect. That prioritizes, to your point, being what's important,

what do you budget for, what do you finance. We have to manage that.

If I am confirmed, then I'll be working closely with our Chiefs and all of our managers and decisionmakers on how we do this. On STRATCOM, I think STRATCOM is vitally important to the future of this country. It's been my position when I was in the Senate. It was my position long before I was in the Senate. Of the nine combatant commands—STRATCOM is one of them—that's a key command.

We have to continue to fund our commands and find ways to do that. But that's going to require some tough choices and hard decisions.

Senator FISCHER. Right. Also, I believe we need to make sure we don't have hollow forces out there as well.

My time's up. Once again, I thank you. I thank you for your service. I thank you for being here today. I thank you for your willingness to continue to serve the people of this country.

Senator HAGEL. Senator, thank you.

Senator FISCHER. Thank you.

Senator HAGEL. Thank you very much.

Chairman LEVIN. Thank you very much, Senator Fischer.

Senator Blunt.

Senator BLUNT. Thank you, Mr. Chairman.

Again, I join everybody else, Senator Hagel, in thanking you for staying today and the answers you've given.

One of the things we were frustrated about was the difficulty of getting information on the groups you've spoken to in the last year, and of course the hundreds of groups you've spoken to in the course of your career would be too much to ask. I do have three comments from groups that I'm going to enter into the record, two comments you made before groups, one the American-Arab Anti-Discrimination Committee conference in 2002; another Arab-American audience in 2007; and then in 2006, the one I'll put in the record right now and just enter the others, the Council on American-Islamic Relations Forum. "University of Chicago Professor John Mearsheimer praised Hagel for not being pro-Israel. He said 'Potential presidential candidates for 2008, like Hillary Clinton, John McCain, Joe Biden, and Newt Gingrich, were falling all over themselves to express their support for Israel. The only exception to that rule was Senator Chuck Hagel.'" Unfortunately, I don't have anything to go with that of what you might have said.

But some of the concerns of being—I used to say when I was the Whip in the House that you could count on the House and the Senate to be, among other things, always pro-Israel, and I think that's been the mainstream of our views. I've seen a number of times, in fairness to you, where you've said you're pro-Israel, but that doesn't mean you have to be reflexively for everything that Israel is for.

These statements are what they are. They're the things that were reported from comments you made that are out of the context of the other comments. But I'm going to put those all in the record.

[The information referred to follows:]

Washington Report on Middle East Affairs, July 2007, pages 44-45

Arab-American Activism

AAI's Gibran Awards Gala an Event To Remember

HUNDREDS OF ARAB Americans, elected officials, community activists and leaders gathered to celebrate the humanitarian achievements of Global Impact, Search for Common Ground, and Cardinal Theodore McCarrick at the ninth annual Kahlil Gibran "Spirit of Humanity" Awards gala on April 25 at the J.W. Marriott Hotel in Washington, DC. Teresa Isaac received the fourth annual Najeeb Halaby Award for Public Service in recognition of her dedicated service as a community leader and then as mayor of Lexington, KY at the Arab American Institute's annual dinner.



Sen. Chuck Hagel (R-NE) (Photo D. Hanley).

Sen. Dianne Feinstein (D-CA) received applause when she pledged to continue to push for a ban on cluster bombs, and when she called for the withdrawal of U.S. troops from Iraq.

Sen. Chuck Hagel (R-NE), who is considering a run for the presidency, said he believes Israel and the United States have a "special relationship." He recounted a conversation with an activist who said the senator wasn't a friend of Israel because he couldn't be relied on as an "automatic vote." Hagel resented being told that if he wants backing from the pro-Israel community, his support for Israel should be automatic. "First, I am an American senator," Hagel said to wild applause.

Hagel also said he would not sacrifice his friendships in the Arab and Muslim world to please pro-Israel groups. "No relationship should be founded on holding hostage other relationships," he insisted. "Why must it be a choice? It is not a choice."

Governor of New Mexico Bill Richardson, a Democrat, told Arab Americans that, as president, he would close the Guantanamo Bay prison. The prisons at Guantanamo Bay and Abu Ghraib, he said, had made Americans "very, very ashamed."

Richardson, who served as U.S. ambassador to the U.N. in 1997 and '98, promised that in his first week in the White House he would name a Middle East peace envoy to try to get the peace process between Israel and Palestine moving again. "You have to be pushing very strongly for a two-



Gov. Bill Richardson (D-NM) (Photo D. Hanley).

state solution," he maintained. "The cornerstone of American foreign policy is diplomacy and dialogue."

Richardson also said he would remove U.S. troops from Iraq and talk to Syria and Iran about Iraq's security.

Dr. James J. Zogby, founder and president of AAI, presented an award to Cardinal Theodore E. McCarrick, the recently retired Catholic archbishop of Washington, DC who has spent his life serving the powerless. McCarrick's support for interfaith understanding and human rights kept the issue of Mideast peace on the agenda of the U.S. Conference of Bishops.

Assistant Secretary of State for Educational and Cultural Affairs Dina Powell, the highest-ranking Arab American in the Bush administration, described emigrating from Egypt with her parents as a 5-year-old who couldn't speak English. When she grew up her parents told her to do whatever she wanted—as long as she became an engineer, lawyer or doctor. She bewildered them but made them proud, she said, when she ended up serving the president of their adopted country. (Powell subsequently resigned to join the Goldman Sachs Group.) "In America everything is possible," she concluded.

Another beloved Arab American, Pulitzer Prize winner and *Washington Post* Middle East correspondent Anthony Shadid, gave a stirring speech about the need to build a bridge for peace between the U.S. and Arab world. Once an Arab-American gets that hyphen he or she can never go back, Shadid said, but "you can serve as a bridge. And in this age of walls and borders that divide, a few more bridges might actually help."

—Delinda C. Hanley

JTA

The Global News Service of the Jewish People

Hagel: Support for Israel not 'automatic

By · April 26, 2007

U.S. Sen. Chuck Hagel told an Arab-American audience that his support for Israel was not "automatic." Hagel (R-Neb.), who is considering a run for the presidency, told the Arab American Institute's annual dinner that he believes Israel and the United States have a "special relationship," but resented being told by a pro-Israel activist that if he wants backing from the pro-Israel community, his support for Israel should be "automatic." "First, I am an American senator," Hagel told the AAI audience in Washington on Wednesday, to applause. He also said he would not sacrifice his friendships in the Arab world to please pro-Israel groups. "No relationship should be founded on holding hostage other relationships," Hagel said. "Why can't I have that relationship" with Israel and its allies "not at the expense of my friends in the Arab world, in the Muslim world? Why must it be a choice? It is not a choice."

Senator BLUNT. Also, earlier today I asked you about the comment about the bloated Pentagon. I want to get this straight. You said that that, those comments, were before the sequestration bill passed, and they were after. Sequestration passed on August 2. The Financial Times interview was on August 29. What you said on August 29 in that Financial Times interview was you said "I think"—August 29, 2011. The quote out of the article was:

"The Defense Department I think"—this was your quote. "The Defense Department I think in many ways has been bloated. Let's look at the reality here. The Defense Department's gotten everything it wanted the last 10 years and more. We've taken priorities, we've taken dollars, we've taken programs, we've taken policies out of the State Department, out of a number of other Departments, and put them over in Defense."

So that "bloated" comment was after sequestration. Of course, this is the Department you now, 18 months later, if this nomination is approved, would be running. Again, where do we find that, those bloated things in the Defense Department, and what are you prioritizing? Another way to ask what Ms. Fischer was asking maybe is, are we going to let money drive strategy here or strategy drive the money? As Secretary of Defense, which of those positions are you going to take and how are you going to advocate, here's the money we need for the strategy we must have until we get to the reality of here's the money you have, now do the best you can with it? I hope you're an advocate for strategic-driven spending in the Pentagon, rather than just the caretaker of the money that winds up there.

Senator HAGEL. Senator, thank you. There are a lot of pieces and I know we have time issues, but let me start this way. First, on the comments I made in the Financial Times interview, again as I addressed that today, that was an extensive interview about a lot of things. So I was 3 weeks off.

Senator BLUNT. Well, you were after the sequestration bill had passed, though. So you were talking——

Senator HAGEL. Not sequestration; the Budget Control Act.

Senator BLUNT. But that's what included—they were talking here about what would happen if you took these cuts.

Senator HAGEL. That's what I was talking about. But the Budget Control Act that was passed was implemented a few months later, which I agreed with, and obviously the majority of Congress did as well, to try to find $1 trillion overall in our Government in savings and $490 billion is coming out of DOD for the next 10 years.

But to your bigger point, you start there with the reality of what Congress has passed, what Congress has decided to appropriate for each Federal agency. In this current fiscal year that we're living in, it's a $525 billion operating budget and $88 billion for overseas contingencies. DOD works within the framework of those numbers.

I've said a number of times here that I agree with you that budget alone should not drive our national security, of course not. What is the mission, as I've said? What are the priorities, which you just brought up about different projects that Senator Fischer and others have asked me about? How are going to fund everything? Should you fund everything?

Do times change? Are there different threats? Ten years ago, we put a lot of money in the Defense Department budget; there was no such thing as a cyber warfare threat. Do we need to do more there?

Do we need to change our force presence in Asia? We've decided we're going to do that. That changes things. We're moving marines around in the Pacific. That wasn't the case 10 years ago.

So things change. You manage and you direct your efforts and you lead based on the security interests of your country first. If I am confirmed, Senator, I will be a strong, have to be a strong advocate for the Defense Department. That will be part of my job. But that doesn't mean that I don't have some responsibilities for efficient use of the taxpayers' dollars and effective use of the taxpayers' dollars.

Senator BLUNT. Just the opposite, you do have that responsibility.

Senator HAGEL. I do, that's right.

Senator BLUNT. But I think the point is we want to be sure that you're advocating for the money you think you need to strategically accomplish what we can. Then obviously at the end of the day you have to deal with the will of the process to provide the money you have. But we ought to let the money as much as possible be defined by the strategy rather than the other way around, Senator.

Senator HAGEL. I agree with that.

Senator BLUNT. I'm once again out of time.

Senator HAGEL. I agree with that, Senator. Thank you.

Chairman LEVIN. Thank you, Senator Blunt.

Senator Reed.

Senator REED. Thank you very much, Mr. Chairman.

Senator Hagel, we have listened all afternoon to a series of questions about what you said in 2002, in 2006, in 2007. I expect, though, if you're confirmed as the Secretary of Defense the President of the United States will not turn to you and ask you about your floor speeches, as elegant as they were. He will ask you if you're prepared to advise him on matters of literally life and death, that you have prepared DOD to address every contingency in a thoughtful way, knowing the costs and the benefits; that he assumes, as I do and as you've stated repeatedly, your staunch commitment to our allies, in particular in the context today of the State of Israel; and that you are fundamentally committed to the welfare of our troops and families because you have seen as a soldier that ultimately they are the difference in our military.

Looking not backwards to a series of individual quotes and footnotes, but looking ahead, if you are there and the President turns to you, can you give us—and I think you can; I'm convinced of that—the confidence that you will be prepared to give him the advice he needs to make life and death decisions which he as Commander in Chief must make?

Senator HAGEL. Senator, when the President asked me to consider this job I didn't want another job. I was not looking for another job. Lilibet and I had a pretty good life since I left the Senate, nothing personal. But the friendships that we've maintained here and valued here and the experiences we had here we will treasure for always. Highest privilege of my life, serving in this body.

I say that because I wasn't looking for another job. The President asked me to come see him and we had a long conversation one night, just the two of us, over an hour. We talked about the job, the world, security, the future. Within the context of that conversation, we got down into what about this job.

I didn't try to sell him on the job, that I could do it. In fact, when he asked me about why am I qualified or why would I be uniquely qualified, I said I'm not. There are a lot of very qualified Americans who could do this job. I don't think a lot of them in the sense that they're out there everywhere. I think there are some qualifications for this job. But I'm not the only one.

I said: "Mr. President, I'm not going to sit here and try to convince you that I'm the right person. You know me, you know my record, you know what I believe." I've had the opportunity to work with him pretty closely over the last 4 years as I served as co-chairman with you and Senator Levin's former colleague, Senator Dave Boren from Oklahoma, on the President's Intelligence Advisory Board. That's allowed me to stay pretty current with intelligence and make a contribution maybe a little bit there. In the last 4 years I've served on Secretary Gates', Secretary Panetta's Policy Advisory Boards.

I do have some understanding, as I told him, of this. But why I think when Lilibet and I talked about it I agreed to go forward with this is because of the tremendous opportunities and the important time that we are living in and the opportunities we now have to help make a better world. I think the next few years are going to be as defining and as important in this country truly as any few years post-World War II.

I told the President he was here at a very defining time, and if I can help him do that, if I can help this country, I want to do it. The experiences I'll bring to the job, Senator, I think I have a pretty varied background on a lot of things. I think always in the end, like any job, judgment is the ultimate determinant of everything. I think experience is a factor, varied experience, responsible experience. But that all adds up to judgment. I hope, if I'm confirmed, I can do those things to give the President and this country wise, informed, honest advice, and I will do everything within my power to do that.

Senator REED. Thank you very much.

Chairman LEVIN. Thank you, Senator Reed.

Senator Cruz.

Senator CRUZ. Thank you, Mr. Chairman.

Senator Hagel, thank you for remaining through what has been a very long hearing.

I'd like to ask some additional questions to further explore your positions and your record, and begin with asking: Are you familiar with an individual named Chas Freeman?

Senator HAGEL. Yes, yes.

Senator CRUZ. He was, if I understand correctly, a vice chairman at the Atlantic Council; is that correct?

Senator HAGEL. When I became Chairman of the Atlantic Council after I left the Senate to replace General Jim Jones, he was one of many board members and I think was a vice chairman. But I never really worked with him in the Atlantic Council, but I know him, yes.

Senator CRUZ. You and he were part of a group that traveled last year to China together; is that correct as well?

Senator HAGEL. No, that's not correct.

Senator CRUZ. Okay. There have been press reports to that effect.

Senator HAGEL. Those press reports are incorrect. I have never been on any trip with Chas Freeman.

Senator CRUZ. There have also been press reports that has described Mr. Freeman as helping coordinate efforts to defend your nomination. Is that an accurate characterization?

Senator HAGEL. I haven't spoken with Chas Freeman in years. I don't know of any activity that he's involved in to endorse me. There are a lot of people I appreciate are endorsing me and supporting me, but I haven't talked to Chas Freeman in years.

Senator CRUZ. Is he someone whose judgment you respect?

Senator HAGEL. I think Chas Freeman has been an important public servant for this country. There are a lot of different opinions that people have on different issues. I don't agree with everybody and it's pretty clear everybody doesn't agree with me. So that's okay.

Senator CRUZ. Do you consider his views well within the mainstream?

Senator HAGEL. What views are you speaking about, Senator?

Senator CRUZ. His views on the Middle East and on the Nation of Israel?

Senator HAGEL. I'm not actually that familiar with all of his views. I can't speak for Chas Freeman.

Senator CRUZ. All right. Let's move on to your record then. You stated in your prepared remarks: "My overall world view has never changed." I have to admit I find that difficult to reconcile with statements and positions you've taken for over a decade and what seems to me a fairly significant shift since you've been nominated for Secretary of Defense.

What I'd like to do is go through some past statements, past positions of yours and just clarify if you agree with them or not, beginning with number one. In 2001, you voted against legislation sanctioning Iran. Now, am I correct you no longer agree with that position; you think sanctions against Iran are a good policy today?

[The information referred to follows:]

In 2001, Senator Hagel voted against legislation sanctioning Iran for its pursuit of weapons of mass destruction and support for international terrorism.

Senator HAGEL. I have said on the record multilateral international sanctions——

Senator CRUZ. Do you agree with sanctions against Iran?

Senator HAGEL. I'm sorry?

Senator CRUZ. Do you think sanctions against Iran are a good idea today?

Senator HAGEL. Yes, yes. Yes, I always have.

Senator CRUZ. So it's fair—I'm trying to characterize your—I'm trying to understand your views and characterize them fairly. It's fair to say you no longer agree with the position in 2001 that we should not be sanctioning Iran?

Senator HAGEL. That was a unilateral sanction and the Bush administration—

Senator CRUZ. Today do you think unilateral sanctions are a bad idea?

Senator HAGEL. It's a different time now because we now have international sanctions on. I've supported the President's position——

Senator CRUZ. Senator Hagel, please answer the question I asked. Today do you think unilateral sanctions would be a bad idea?

Senator HAGEL. Not today, 12 years later.

Senator CRUZ. So that is not a view you'd agree with today?

Senator HAGEL. Because times have changed. We now have international sanctions on them.

Senator CRUZ. The second slide: In 2007, you voted against legislation designating the Iranian Revolutionary Guard as a terrorist group.

Senator HAGEL. That's correct.

[The information referred to follows:]

In 2007, Senator Hagel voted against legislation designating the Iranian Revolutionary Guard as a terrorist group.

Senator CRUZ. You no longer agree with that policy. Today your position is the Iranian Revolutionary Guard is a terrorist group; is that correct?

Senator HAGEL. The Revolutionary Guard is part of the Iranian Government. The reason I voted against——

Senator CRUZ. Sir, I'm not asking the reason. I'm asking for your views today. Do you believe the Iranian Revolutionary Guard is a terrorist group, yes or no?

Senator HAGEL. It is part of a state sponsor of terrorism, so it's part of Iran, which I've said is a sponsor of state terrorism.

Senator CRUZ. Is that a yes?

Senator HAGEL. That vote wasn't that question. That vote gave——

Senator CRUZ. I'm asking your views today. Do you believe the Iranian Revolutionary National Guard is a terrorist group?

Senator HAGEL. It is part of a terrorist—it is part of a government that supports terrorism.

Senator CRUZ. Is that a yes or a no?

Senator HAGEL. It's the answer I just gave you.

Senator CRUZ. All right, we'll move on to the next one. In 2008, you also voted against comprehensive Iran sanctions. We've already discussed that today you agree with sanctions, so that is another position——

[The information referred to follows:]

In 2008, Senator Hagel voted against the Comprehensive Iran Sanctions, Accountability and Divestment Act in the Senate Banking Committee.

Senator HAGEL. That again was a unilateral sanction that the Bush administration was opposed to, and the Secretary of State of this country, Secretary of State Condoleezza Rice, wrote that.

Senator CRUZ. Sir, my time is limited. I understand that you want to give reasons for the past positions. We've discussed the reasons. I'm simply trying to clarify your positions today.

If you look at number four, in 2010 you stated you're not sure it's necessary to keep all options on the table with regard to Iran's nuclear program. Do you agree with that position today or is that no longer your position?

[The information referred to follows:]

In 2010, Senator Hagel told the Atlantic Council he was "not so sure it is necessary to continue to say all options are on the table" regarding Iran's nuclear program.

Senator HAGEL. I don't recall that. I have always said that all options remain on the table. I don't recall that speech.

Senator CRUZ. So this is not your position today? I'm just trying to understand.

Senator HAGEL. No, it's not. I have said that all options must remain on the table, including—in fact, in an op-ed I wrote with two former CENTCOM commanders last year——

Senator CRUZ. The final one I'm going to ask you: In a 1998 Senate hearing, you stated that the United States has "tilted too far towards Israel in the Middle East peace process". Do you continue to agree with this position or is that no longer your position today?

[The information referred to follows:]

In a 1998 Senate hearing, Senator Hagel said that the United States has "tilted too far toward Israel in the Middle East peace process."

Senator HAGEL. I don't remember that, the context of the hearing or the speech or all the things I said in it. No, I don't think the United States has tilted too far to Israel. I support the President's position on Israel. I've said in my book and other speeches that I strongly support Israel.

Senator CRUZ. So you do not agree with this policy? I will point out that I have a list of 10 other statements in the past which I'm pretty confident if I asked you you would say you do not agree with, and they're all statements and quotes from you.

In my judgment, your record as a U.S. Senator—and you and I don't know each other. We do not have a personal relationship. But I think your record and your past statements as a U.S. Senator demonstrate greater antagonism for the Nation of Israel than any member of this body, and also demonstrate a greater willingness to stand against sanctions, stand against military action, stand against any strong position against Iran, Hamas, Hezbollah, terrorists.

That ultimately is why the Washington Post described your foreign policy views as "near the fringe of the Senate". That raises, I think, very serious questions about your suitability to serve as the Secretary of Defense. In my view, having a Secretary of Defense who is not viewed as supporting credible, strong military action makes it more likely the United States will be drawn into military conflict, and I think that would be a very unfortunate outcome.

Thank you.

Chairman LEVIN. Thank you, Senator Cruz.

That ends the second round. If you want an opportunity to comment on that. If not, I will ask you some other questions.

By the way, Senator Ayotte, in reaction to one of the things you said about it doesn't matter what I believe, I think what you were—first of all, I think it does matter. We all would agree it very much matters what you believe. But I think what you were pointing out is that ultimately what matters is what the President believes. I think that's what you were aiming at.

Senator HAGEL. That's exactly what I was aiming at, and that's what I meant to say, that's right. Thank you.

Chairman LEVIN. I'm now going to ask you the standard questions that I've delayed, and these are just the questions we ask of every nominee.

Have you adhered to applicable laws and regulations governing conflicts of interest?

Senator HAGEL. Yes.

Chairman LEVIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

Senator HAGEL. I'm sorry? I didn't hear.

Chairman LEVIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

Senator HAGEL. No.

Chairman LEVIN. Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Senator HAGEL. Yes.

Chairman LEVIN. If you are confirmed, will you cooperate in providing witnesses and briefers in response to congressional requests?

Senator HAGEL. Yes.

Chairman LEVIN. Will those witnesses be protected from reprisal for their testimony or their briefings?

Senator HAGEL. Yes.

Chairman LEVIN. Do you agree, if confirmed, to appear and testify upon request before this committee?

Senator HAGEL. Yes.

Chairman LEVIN. Do you agree that you will provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Senator HAGEL. Yes.

Chairman LEVIN. Now, we've completed our second round and that means that if there's other questions remaining, we can take a few minutes for them. Is there anybody that wants to? Yes, Senator King.

Senator KING. One very brief question. In watching television over the last week or so, I've seen an ad questioning your nomination, a television ad. I just wondered if you or any of the people that have worked on preparing you for this has any idea who's sponsoring that ad, because it's not apparent from the ad itself? Have you gotten to the bottom of that?

Senator HAGEL. Senator, first, I have not seen any of those ads. I know they're there. I long ago figured out the better way to live life is not get drug down in the underbrush of these kinds of things. So I don't pay attention to it. My focus is on what's important about this assignment, this job, if I am confirmed, and in particular this committee and this body, and preparing myself hopefully for what matters with the possibility that the U.S. Senate confirms me for this job.

I have not asked anybody that question. I don't know, have never seen the ads.

Senator KING. Thank you very much, and thank you for your testimony today. You've been forthright and strong, and again I appreciate your commitment to this country.

Senator HAGEL. Thank you, Senator.

Chairman LEVIN. Another question?

Senator CRUZ. Very briefly, I wanted to thank you for your commitment to this committee, number one, to provide a complete accounting and copies of the speeches you've given; and number two, to respond to the letter that you received 2 days ago requesting specific financial information. I appreciate your commitment to do that.

I also would ask you—in our discussion about Chas Freeman you said you were not particularly close with him, but that your understanding was his views were within the mainstream, if that's a fair characterization.

Senator HAGEL. No, I didn't say in the mainstream. I said I don't know.

Senator CRUZ. Okay. What I would ask you to do also as a follow-up is to review in particular a speech that Mr. Freeman gave on March 4, 2011, at the Palestine Center in Washington, DC, and give me your judgment in terms of whether you agree with the views on the Middle East and the views of the Nation of Israel that are expressed in that speech. In particular, I would be interested in your views on the fifth paragraph of that speech.

In my view, the views expressed in that speech are not accurate and not within the mainstream, and I would be interested if you concur in that assessment or if you have a different assessment.

Chairman LEVIN. That's a question you're asking for the record?

Senator CRUZ. For the record, yes.

[The information referred to follows:]

(From transcript - Cruz) Israel

p. 270 line 23

Question: What I would ask you to do also as a follow up is to review in particular a speech that Mr. Freeman gave on March 4, 2011 at the Palestine Center in Washington, D.C. and give me your judgment in terms of whether you agree with the views on the Middle East and the views on the nation of Israel that are expressed in that speech, and in particular, I would be interested in your views on the fifth paragraph of that speech. In my view, the views expressed in that speech are not accurate and not within the mainstream. And I would be interested if you concur in the assessment or have a different assessment?

Chas Freeman, May 4, 2011 – Speech at the Palestine Center in Washington, DC. Paragraph 5: "Similarly, the cruelties of Israelis to their Arab captives and neighbors, especially in the ongoing siege of Gaza and repeated attacks on the people of Lebanon, have cost the Jewish state much of the global sympathy that the Holocaust previously conferred on it. The racist tyranny of Jewish settlers over West Bank Arabs and the progressive emergence of a version of apartheid in Israel itself are deeply troubling to a growing number of people abroad who have traditionally identified with Israel. Many – perhaps most of the most disaffected – are Jews. They are in the process of dissociating themselves from Israel. They know that, to the extent that Judaism comes to be conflated with racist arrogance (as terrorism is now conflated with Islam), Israeli behavior threatens a rebirth of anti-Semitism in the West. Ironically, Israel – conceived as a refuge and guarantee against European anti-Semitism – has become the sole conceivable stimulus to its revival and globalization. Demonstrably, Israel has been bad for the Palestinians. It is turning out also to be bad for the Jews."

Answer: As I told you at the hearing, I have not even spoken with Chas Freeman in several years and do not support his comments. The views expressed in the speech by Mr. Freeman that you reference are his own, and, in my opinion, wrong. As a supporter of Israel, I do not agree with these views and I find them to be both inaccurate and deeply concerning. As I have said consistently throughout my career, Israel has a right to defend itself. Israeli efforts to protect its citizens against the actions of terrorist organizations, including Hamas and Hezbollah, are part of Israel's right to self-defense. Palestinians will not achieve peace or prosperity if Hamas insists on a path of terror and rejection, and Palestinians will never realize their independence through unilateral actions. I continue to believe, as I did when I cosponsored and voted for the

Palestininian Anti-Terrorism Act of 2006, that any partner for peace must renounce violence, abide by previous agreements, and recognize Israel's right to exist. Negotiations between the parties are the only viable path to peace and the two-state solution, with two states living side by side in peace and security: the Jewish State of Israel and an independent Palestinian State.

I am pleased that Israeli and U.S. leaders agree that the U.S.-Israel Defense relationship is stronger than ever. I intend to work to continue to strengthen the relationship and I am looking forward, if confirmed, to working closely with my Israeli counterparts.

The Jerusalem Fund
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Hisham B. Sharabi Memorial Lecture

Wednesday, May 4, 2011

7 148
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Video and Edited Transcript
Amb. Chas Freeman
Transcript No. 352 (4 May 2011)

4 May 2011
The Palestine Center
Washington, DC

Amb Chas Freeman:

I am honored to have been asked to give the annual [Hisham B.] Sharabi [Memorial] Lecture here at the Palestine Center. As all of you know, Dr. Hisham Sharabi helped found this Center, as well as the Center for Contemporary Arab Studies at Georgetown University. He was a great figure in the study of Arab politics and society. He was also an indefatigable advocate of Palestinian rights. I never met him, but I feel privileged to speak to you today in his memory. My topic is the tragic consequences of the conflict between Israelis and Palestinians for them, for their region, for their backers and for the world as a whole.

The saga of the Holy Land, ancient and modern, reminds someone with no personal connection to it of nothing so much as the Book of Job in the Hebrew Bible. There seems to be something about Palestine that afflicts the innocent, tests the righteous and causes incomprehensible suffering to past and present inhabitants. Israeli Jews and Palestinians both claim descent from the ancient peoples of the lands they now contest. Their competing narratives are at the heart of the perverse drama there. In this drama, the spiritual descendants of Jews who left Palestine assert a religious duty to dispossess the biological descendants of those who chose to remain.

Over the course of centuries, the Jews of the diaspora were grievously persecuted by Christians. This experience helped to inspire Zionism. It culminated in the horrors of the Nazi Holocaust. Meanwhile, under Byzantium and the Caliphate, all but a few of the Jews of Palestine sought refuge in conversion to Judaism's successor faiths: Christianity and Islam. As an ironic result, the homegrown descendants of Palestine's original Jewish population – the Palestinians –now suffer because newcomers proclaim them to be interlopers in lands they have inhabited from time immemorial. And yet another Jewish-descended diaspora – this time, Christian and Muslim – has been ejected from Palestine to suffer in exile. Not even the most imaginative writer of fiction could have composed an account of traumatic suffering and human tragedy comparable to that which Zionists and Palestinians have undergone and continue to inflict on each other.

The moral harm that these distant cousins continue to do to each other is huge. So is the damage they are doing to their sympathizers and supporters abroad. The resort to terrorist acts by Palestinians, especially suicide bombings in crowded public places, has caused them to forfeit much of the international sympathy their cause would otherwise enjoy. The massacre of civilians in the West by Arabs enraged by western support for Israeli mistreatment of the Palestinians and other affronts has generated intense European and American suspicion of all Arabs. The diffusion of Arab rage to

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HISHAM SHARABI MEMORIAL





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non-Arab regions of the realm of Islam has aroused global antipathy to Islam even as it has inspired acts of terrorism among Muslims.

Similarly, the cruelties of Israelis to their Arab captives and neighbors, especially in the ongoing siege of Gaza and repeated attacks on the people of Lebanon, have cost the Jewish state much of the global sympathy that the Holocaust previously conferred on it. The racist tyranny of Jewish settlers over West Bank Arabs and the progressive emergence of a version of apartheid in Israel itself are deeply troubling to a growing number of people abroad who have traditionally identified with Israel. Many – perhaps most of the most disaffected – are Jews. They are in the process of dissociating themselves from Israel. They know that, to the extent that Judaism comes to be conflated with racist arrogance (as terrorism is now conflated with Islam), Israeli behavior threatens a rebirth of anti-Semitism in the West. Ironically, Israel – conceived as a refuge and guarantee against European anti-Semitism – has become the sole conceivable stimulus to its revival and globalization. Demonstrably, Israel has been bad for the Palestinians. It is turning out also to be bad for the Jews.

The early Zionists were mostly secular in orientation. So was the Palestine Liberation Organization (PLO). But, as the struggle between Jewish settlers and Palestinians proceeded, it became increasingly infused with religious fervor. On both sides, parties espousing sectarian extremism displaced secular nationalist movements. Religious dogmatism transformed what was at first a secular struggle between competing local nationalisms into a Jewish and Muslim holy war for land in Palestine. In holy wars, compromise is equated with heresy. This tragic mutation of the conflict is now reflected in increasing global animosity between Muslims, Jews and their Christian Zionist supporters. (Christian Zionists perversely support the Jewish state in order to hasten the arrival of Judgment Day, when they expect Israel to be devastated and the world to be purged of its Jews. Such people, however Rube Goldberg-like the theology by which they propose to annihilate the Jews, are strange allies for Zionists to embrace!)

The ongoing conflict between Israelis and Palestinians has killed and wounded many people. It has done even graver damage to the humane principles at the heart of both Judaism and Islam. Among Jews and Muslims in Israel and Palestine the golden rule has been largely forgotten. The principle that one should not do to others what one would not wish done to oneself had been integral to both faiths. In the Holy Land, God's love has been replaced with murderous indifference to the rights of others in a sickeningly bloody bilateral contest to terrorize civilian populations. Ethical voices on both sides exist but they are less and less audible. Amoral and unscrupulous zealots have the podium. Their right to speak in their religious community is seldom challenged. Their utterances blacken the reputations of both religions.

Obfuscatory euphemisms are, unfortunately, the norm in the Holy Land. But rhetorical tricks can no longer conceal the protracted moral zero-sum game that is in progress there. A people without rights confronts a settler movement without scruples. A predatory state with cutting-edge military technology battles kids with stones and resistance fighters with belts of nails and explosives. Israel's Cabinet openly directs the murder of Palestinian political leaders. There have been about 850 such extrajudicial executions over the past decade. Israel is vigorously engaged in the collective punishment and systematic ethnic cleansing of its captive Arab populations. It rails against terrorism while carrying out policies explicitly described as intended to terrorize the peoples of the territories it is attacking or into which it is illegally expanding. Meanwhile, the elected authorities in Palestine – indeed, most Palestinians – associate themselves suicide bombers and unguided missiles that indiscriminately murder Israeli civilians. Each side has suspended moral constraints in order to cause the other to suffer in the hope that it will capitulate to such coercion. To a distressing extent, moreover, each side has also been able to enlist unreasoning support for its cause and the indiscriminate condemnation of the other by powerful supporters abroad.

As always in such mayhem, truth and the law have been the first to go missing. Israel regularly attributes to others the very things it itself is doing. It has become notorious for its refusal to accept objective scrutiny or criticism. It routinely rebuffs international investigators' examination of allegations against it, even when mandated by the U.N. [United Nations] Security Council. Instead, it stages self-indulgent acts of self-investigation calculated to produce exculpatory propaganda. As a result, Israeli government spokesmen – who once were presumed to represent the intellectual integrity for which Jewish scholars have always been renowned – now have no credibility at all except among those committed to the Zionist cause. Meanwhile, regional and international respect for the rule of law, especially humanitarian law, has been greatly degraded. This is a special irony.

Humanitarian law and the law of war are arguably the supreme moral artifacts of Atlantic civilization. Jewish lawyers made a disproportionate contribution to the crafting of both. The resulting legal principles were intended to deter the kinds of injuries and injustices that European Jews and other minorities had long suffered and to protect occupied populations from persecution by their occupiers. Both objectives are very relevant to contemporary Palestine. It is, however, hard to find any principle of due process, the several Geneva Conventions, or the Nuremberg trials that has not been systematically violated in the Holy Land. Examples of criminal conduct include mass murder, extra-judicial killing, torture, detention without charge, the denial of medical care, the annexation and colonization of occupied territory, the illegal expropriation of land, ethnic cleansing and the collective punishment of civilians,

including the demolition of their homes, the systematic reduction of their infrastructure and the de-development and impoverishment of entire regions. These crimes have been linked to a concerted effort to rewrite international law to permit actions that it traditionally prohibited, in effect enshrining the principle that might makes right.

As the former head of the Israeli Defense Forces' (IDF) Legal Department has argued:

> "If you do something for long enough the world will accept it. The whole of international law is now based on the notion that an act that is forbidden today becomes permissible if executed by enough countries . . . . International law progresses through violations."

A colleague of his has extended this notion by pointing out that:

> "The more often Western states apply principles that originated in Israel to their own non-traditional conflicts in places like Afghanistan and Iraq, then the greater the chance these principles have of becoming a valuable part of international law."

These references to Iraq and Afghanistan underscore the extent to which the United States, once the principal champion of a rule-bound international order, has followed Israel in replacing legal principles with expediency as the central regulator of its interaction with foreign peoples. The expediently amoral doctrine of preemptive war is such an Israeli transplant in the American neo-conservative psyche. Neither it nor other deliberate assaults on the rule of law have been met with concerted resistance from Palestinians, Arabs, or anyone else, including the American Bar Association. The steady displacement of traditional American values – indeed, the core doctrines of western civilization – with ideas designed to free the state of inconvenient moral constraints has debased the honor and prestige of our country as well as Israel.

American determination to protect Israel from the political and legal consequences of any and all of its actions has also taken its toll, not just on the willingness of others to credit and follow the United States, but also on the authority of international organizations and the integrity of international law. The United Nations Security Council was conceived as the ultimate arbiter and enforcer of an international order in which law could protect the weak and vulnerable from the depredations of the strong. The world has occasionally allowed its sympathy for Palestinians, as underdogs, to override its legal judgment, but the U.S. has routinely exercised its veto to prevent the application of well-established principles of international law to Israel. The Security Council has been transformed from the champion of the global rule of law into the enemy of legality as the standard of global governance. Repeated American vetoes on behalf of Israel have reduced the United Nations and other international fora to impotence on fundamental questions of justice and human dignity. Confidence in these institutions has largely disappeared. Thus, the Israel-Palestine dispute has shaped a world in which both the rule of law and the means by which it might be realized have been deliberately degraded. We are all the worse off for this.

Israel's strength and prosperity depend on American government and private subsidies as well as Washington's political and legal protection. For Israelis, the moral hazard created by such irresponsible indulgence and unsparing American support has been a tragedy. It has enabled Israel to follow its most self-destructive inclinations by relieving it from the requirement to weigh their consequences. It has bred hubris that encourages the Jewish state to pursue short-term advantage without consideration of the resulting risks to its long-term viability. For the Palestinians, America's slavish support of Israel has meant an unending nightmare, trapping them in a limbo in which the protections of both law and human decency are at best capriciously applied. For the United States, deference to Israel's counterproductive policies and actions has become a debilitating drain on American power to shape events by measures short of war. The United States is now so closely identified with the Jewish state that Americans cannot escape perceived complicity with any and all of its actions, whether we agree or disagree with them. In the eyes of the world, Israel's behavior is a reproach to the American reputation as well as its own.

Perceived American double standards and hypocrisy on matters related to the Israel-Palestine conflict account for much of the recent decline in international admiration and deference to U.S. leadership in the Middle East and elsewhere. In 2006, when free and fair elections in Palestine produced a government that Israel detested and feared, the United States joined Israel in seeking to isolate and overthrow that government, thus setting aside and discrediting America's long-professed dedication to the spread of democracy in the Middle East and elsewhere. In 2006 and 2008, the United States encouraged Israeli military actions against Lebanese and Palestinian civilians that were both more brutal and sustained than those that Col. [Muammar] Gaddafi has recently carried out against his fellow Libyans. Far from calling for no-fly zones over Lebanon and Gaza, however, the U.S. government continued to supply Israel with gifts of ammunition, including cluster bombs and white phosphorus, as the IDF [Israel Defense Forces] expended its stocks of them on Lebanese and Palestinian civilian population centers, facilities and infrastructure.

U.S. sponsorship of the late, lamented "peace process" began as a demonstration of American diplomatic power, the indispensable role of the United States in Middle Eastern affairs, and the necessity of all interested in peace to defer to America. The "peace process" has ended by discrediting American power and diplomacy. It has failed to deliver either the self-determination for Palestinians or the acceptance of

Israel by its neighbors envisaged in the Camp David Accords. Instead, Israel's deepening commitment to "settler Zionism" has uprooted ever greater numbers of Palestinians while alarming and affronting other Arabs and Muslims. Four decades of American diplomacy is now seen in the region as having been an elaborate diplomatic deception, yielding nothing but the continual enlargement of the Jewish state at Palestinian expense.

This failure of the American-led "peace process" is all the more telling because it occurred despite the existence of a compelling, existential interest in the achievement of a formula for cohabitation on the part of both Israelis and Palestinians. This interest is clearly reflected in the eagerness of Palestinian officials to negotiate a basis for peaceful coexistence with Israel that is revealed in the official record of the Israel-Palestine negotiations recently leaked to and by Al-Jazeera. The abject pleading of Palestine's negotiators for peace, to which these documents attest, contrasts with the callous determination of their Israeli counterparts not to take yes for an answer. Yet the security and prosperity of Israelis and Palestinians alike is dependent on each accepting the other. Without Palestinian agreement, Israel cannot define its borders or enjoy acceptance by any of its neighbors. Without Israel's agreement, Palestinians cannot achieve self-determination within a defined territory. Without mutual respect and tolerance, neither Israel nor Palestine can hope to live in peace for long. Animosity breeds threats, and no military hegemony is forever.

The inability of the United States to build on the obvious shared interests of Palestinians and Israelis is, at best, damning testimony to the incompetence of those Americans who have made a career of processing peace without ever delivering it. At worst, it is compelling evidence of the extent to which they have functioned as "Israel's lawyers," rather than as mediators sincerely attempting to produce a mutually respectful and therefore durable *modus vivendi* between Israelis, Palestinians and other Arabs. As such, it is a reflection of the inordinate influence of right-wing Israelis on American policies and the people chosen to implement them. I have had personal experience of this on more than one occasion.

In late November 1988, shortly after the election of George H. W. Bush as [United States] president, I was invited to lunch by a senior Israeli official with whom, in pursuance of U.S. policy, I had worked closely to expand Israel's diplomatic and military presence in Africa. I had come to like and respect this official. He wished to thank me, he said, for what I had done for his country. I was pleased. Over lunch, however, he asked me what I planned to do in the new administration, adding, "Tell me what job you want. We can get it for you." The casual arrogance with which this representative of a foreign power claimed to be able to manipulate the staffing of national security positions in the U.S. government was a stunning belittlement of American patriotism. Twenty years later, I was to be reminded that agents of foreign influence who can make appointments to national security positions in the United States can also unmake them.

Under the circumstances, the consistent pro-Israel bias of American officials charged with the management of the Israel-Palestine conundrum and their lack of empathy for the Palestinians are in no way a surprise. A passionate attachment to one side is inconsistent with mediation of its disputes with another. The absence of empathy is fatal to the craft of diplomacy. Such disabilities account, at least in part, for the failure of the decades-long labors of American officials to produce anything but political cover for the ongoing displacement of Palestinians from their homes. The ultimate achievement of American peace processors has been to bring great discredit upon themselves and the United States. American diplomacy on the Israel-Palestine issue is becoming less and less relevant to events in the region and increasingly unacceptable to the world as a whole.

A new milestone in this journey to diplomatic ignominy was reached on February 18 this year, when the United States vetoed a resolution in the U.N. Security Council that had been cobbled together from earlier official American statements. The resolution condemned the expansion of Israeli settlements and called for it to end. In doing so, it echoed numerous previous Security Council resolutions as well as the "Road Map." All fourteen other members of the Council, including America's closest allies, spoke vigorously in favor of the resolution, which had been sponsored by 130 member states. The debate and the vote on that resolution were an unambiguous vote of no confidence in American as well as Israeli policy.

This repudiation of U.S. leadership and Israeli expansionism seems certain to be reiterated even more unmistakably when the [U.N.] General Assembly convenes in September. The international community will then take up the question of whether to underscore its near-unanimous rejection of Israel's claim to any territory beyond its pre-1967 borders by recognizing an independent Palestinian state there and admitting that state to the United Nations. The United States no longer has the political credibility necessary to control the diplomatic context in which Israel operates.

The displacement of the United States from its previously unchallenged primacy in Middle Eastern diplomacy comes amidst other momentous changes in the strategic landscape in the region. The U.S. government's failure to stand by its longtime protégé, [former Egyptian President] Hosni Mubarak, convinced leaders elsewhere who, like Mubarak, had linked their fate to America that Washington is a faithless friend and impotent protector. The decades-long inclination of conservative Arab rulers to curry favor with Washington by acquiescing in American policies has been gravely impaired, perhaps irreparably. But the deep disenchantment with America of the dissidents who overthrew Mubarak was not overcome by the Obama

administration's belated abandonment of him. A majority of Egyptians want to annul the Camp David Accords. Whether Egypt does so or not, a much larger majority of Egyptians want their country generally to decouple its foreign policy from that of the United States. As goes Egypt, so very likely goes Jordan. Arab deference to American – and hence to Israeli – interests and dictates will manifestly be much less in future than in the past.

There is a great deal of apprehension in Israel over these developments and not a little consternation in Washington's think tanks and belief tanks about them. The storm warnings are up, and for good reason. Had Israel and the United States planned it, we could hardly have contrived a *status quo* less likely to be accepted as legitimate by a democratized Middle East. If contemporary Israel represents the future, it is certainly problematic. But as is so often the case with clouded situations, there may be a bright side to the changes in progress.

Given the protracted failure of U.S. diplomacy in the Israel-Palestine arena, Palestinians and others may be forgiven for believing that it is time to entrust peacemaking to other parties who are more objective, less politically constrained and less emotionally biased. Others in Europe and elsewhere have taken alarmed note of the adverse effects of the unending conflict on Israel, on the Palestinians, on Arab politics, on regional stability, on inter-religious relations, on the moral standing of global Jewry and Islam, on Arab and Islamic relations with the West, on international law and organizations and on world order. Media outside the United States have taken progressively more balanced and nuanced note of the human suffering in the Holy Land. Europeans and others now evidence a considerably greater sense of urgency about these problems than Americans have done. The notion that only Americans have the capacity to manage conflict resolution in the Middle East will no longer withstand scrutiny. One recalls the role of Norway in crafting the Oslo Accords. Perhaps, now that the United States has struck out, it's someone else's turn at bat.

A new game is clearly beginning. A self-confident, religiously tolerant but secular Turkey has emerged as a major influence on regional affairs and as an inspiration to its democrats. Arab diplomacy is being invigorated by the aftereffects of the revolutions in Egypt and elsewhere. There is mounting pressure on all Arab governments to accord greater deference to popular opinion in both domestic and foreign policy. The Middle East will no longer allow itself to be the diplomatic playground of great powers outside it. There will, however, be new opportunities for interested outside parties to forge diplomatic partnerships with those in the region. Most are looking for new beginnings, new relationships and new ideas. All see an urgent need to end the racist oppression and humiliation of Arabs in the Holy Land. These injustices are at the root of regional instability. They empower extremist and terrorist movements in the Middle East and beyond. They threaten the future of the Jewish state.

Diplomatic partnerships between outside powers and Arab governments for the purpose of crafting a durable peace in Palestine – as opposed to stabilizing the iniquitous *status quo* – have long been conspicuous by their absence. In 2002, the Arab League announced a revolutionary peace proposal in Beirut. Israel and the United States shelved it with minimal acknowledgment. Its potential remains unexplored. It has a limited shelf life but there may still be an opportunity to make use of it.

The Arabs are thinking anew. It is time for Israel to engage in new thinking of its own. Israel has shown great skill at deflecting the peace proposals of others and subjecting them to campaigns of diplomatic attrition. It has never made its own specific proposal of peace to the Palestinians. It has demanded respect for the dignified autonomy of its Jewish identity but has offered no reciprocal recognition of Palestinian identity. Perhaps it is time for Israel to do these things. Its changed strategic environment, the diminished capacity of the United States to protect it from the political and legal consequences of its conduct and changing attitudes toward it in the Jewish diaspora foretell an end to the moral hazard from which the Jewish state has suffered. For the first time in decades, Israel will have to take into account the risks to its future as it contemplates actions in the present. In the interest of its own survival and prosperity, it may begin to make wiser and more farsighted decisions. We must hope so.

There can, of course, be no peace between Israelis and Palestinians unless there are governments that can commit both sides to terms. Part of the Israeli strategy of deferring peace so as to seize more land for settler Zionists has been a multifaceted effort to ensure that no one has the authority to speak for all Palestinians. The United States has effectively colluded in this strategy of divide and rule, especially since the 2006 elections brought Hamas to power. If Israel is to have peace, however, rather than perpetual rejection by both Palestinians and other Arab and Muslim neighbors, it needs a unified Palestinian leadership with which to strike a deal. Thanks to the skill of Egyptian diplomacy, such a Palestinian government of national unity is now a real prospect. In the interest of peace, the region and the world should welcome and encourage Palestinian unity rather than succumb to Pavlovian impulses to condemn it.

However distasteful they may find it to do so after all that they have suffered at Israeli hands, Palestinians, including Gazans, must collaborate with Israel to achieve peace. But it is equally true that there can and will be no peace for Israel until there is peace for the Palestinians, including those in diaspora. The United States has proven incapable of creating strategic circumstances conducive to serious, as opposed

to make-believe negotiations between the warring parties in the Holy Land. Perhaps, however, such circumstances are nonetheless finally emerging, allowing Palestinians and Israelis to attempt a fresh start at achieving peaceful coexistence. They must look to themselves, to others in the region, and to new, non-American mediators to accomplish this.

That Palestinians and Israelis find a mutually agreeable basis for peaceful coexistence is essential not only to their own well-being but to that of the wider world. Only they can make the decisions necessary to achieve this. But, in our own interest, the rest of us must help them as best we can. The adverse consequences of the Israel-Palestine conflict have penetrated and extended far beyond the two parties to the holy war now raging in Palestine. The benefits of peace there would be equally deep and wide.

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Chairman LEVIN. Okay. Any other questions for the record need to be submitted, as I said before, by tomorrow at 5 p.m.

I assume, Senator Cruz, that when you said that he's agreed to provide all of the speeches, it would be all the speeches that he has access to; is that fair?

Senator CRUZ. That he has or that he can get copies of. I would certainly hope and expect that he would engage in reasonable efforts to get copies of speeches if he doesn't have them in his immediate files.

Chairman LEVIN. We'll say that if you have easy access or reasonable access to speeches you've given, even though you don't have them, that we would expect that you could provide this as well, as well as the other information you indicated you're perfectly happy to submit, you just haven't had the time to get it ready.

Senator HAGEL. Mr. Chairman, I will commit to that and every request, as we have. As I said, some of this I didn't see until yesterday. But everything that is out there that we can find, we'll make every effort to get it and provide it.

Chairman LEVIN. We very much appreciate that, and your openness in your responses today.

Again, the record will be open until tomorrow, as I said, at 5 p.m. But your answers we would hope and expect would be in by Monday at 5 p.m., because we would very much like to move this nomination forward to a resolution, first on this committee, and that timetable would help us move in an expeditious way.

We thank you. We thank your family and your friends.

Unless there are other questions, we will now stand adjourned. Thank you.

[Whereupon, at 5:50 p.m., the committee adjourned.]

[Prepared questions submitted to the Hon. Chuck Hagel by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to re-

cruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

If so, what areas do you believe might be appropriate to address in these modifications?

Answer. I believe that the success of our Armed Forces since the enactment of the Goldwater-Nichols Act amply demonstrates that the act has enhanced the ability of our Armed Forces to defend our Nation and to operate successfully as joint forces under our combatant commanders. If confirmed, I will evaluate the implementation of the act, and will make recommendations for modifications if necessary. At present, I am aware of no need to make changes to the act.

DUTIES OF THE SECRETARY OF DEFENSE

Question. Section 113 of title 10, U.S.C., provides that the Secretary of Defense is the principal assistant to the President in all matters relating to the Department of Defense (DOD). Subject to the direction of the President, the Secretary of Defense, under section 113, has authority, direction, and control over DOD.

Do you believe there are actions you need to take to enhance your ability to perform the duties of the Secretary of Defense?

Answer. I believe title 10 provides the Secretary of Defense appropriate, sufficient, and clear authority to lead DOD and to serve as the principal assistant to the President on all matters relating to the Department. I do not foresee needing to take any actions to enhance the ability of the Secretary of Defense to execute assigned duties.

Question. What changes to section 113, if any, would you recommend?

Answer. At present, I believe that section 113 provides sufficient legal authority to the Secretary of Defense to allow him to perform his two primary functions. I do not foresee needing to recommend changes to section 113.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. I volunteered for the draft and then volunteered to go to Vietnam after I received orders to go to Germany. I served a 12-month tour which included the Tet Offensive in 1968. I rose to the rank of infantry sergeant. For 10 of those months, I served alongside my younger brother Tom. I understand what it is like to be a soldier in war. I also understand what happens when there is poor morale and discipline among the troops and a lack of clear objectives, intelligence, and command and control from Washington. I believe that experience will help me as Secretary of Defense to ensure we maintain the best fighting force in the world, protect our men and women in uniform, and ensure that we are cautious and certain when contemplating the use of force.

When I returned from Vietnam, I graduated from the University of Nebraska, using the G.I. Bill. Because of that benefit, I co-authored with fellow Vietnam veteran Senator Jim Webb, the new G.I. Bill which became law in 2008. I know the importance of providing our military personnel and their families with the benefits they need, not only while in the military, but once they return to civilian life, and I will not forget that if I am confirmed as Secretary of Defense.

I was wounded twice during my tour in Vietnam. In 1981, I was appointed by President Reagan and confirmed by the Senate to be Deputy Administrator of the Veterans Administration. I later resigned because of inadequate support for Vietnam veterans suffering from Agent Orange and other Vietnam veterans programs that were being eliminated. I have worked with, and on behalf of veterans' organizations my entire life. I know when the system is working, and when it is failing. The past decade of war has produced tens of thousands of wounded warriors. Many are still on Active Duty. Others have or are transitioning to civilian life. All need the best care we they can give them. Because of my own experiences, I will honor that commitment to veterans and their families if I become Secretary of Defense.

While I do not believe anyone can be fully prepared to manage an organization as large and complex as DOD, I believe that I have significant management experience that gives me a strong sense of what needs to be done. Most important is building and working with teams. This is always an essential foundational element of management and leadership. In the 1970s, I was the Chief of Staff to a U.S. Congressman and then later Manager of Government Affairs for Firestone Tire and Rubber Company. In the early 1980s, I co-founded Vanguard Cellular Systems, Inc., a publicly traded company, which became one of the largest independent cellular systems in the country. I also served as President and Chief Executive Officer of the World USO; the Chief Operating Officer of the 1990 Economic Summit of Indus-

trialized Nations (G–7 Summit) in Houston, TX; Deputy Commissioner General of the United States for the 1982 World's Fair; President of the Private Sector Council and president of an investment bank. I have also served on boards of some of the world's largest companies.

Finally as a U.S. Senator from Nebraska for 12 years, I have a legislative record of continuing and unwavering support for our military and our national security. I have voted to authorize the use of military force and I have questioned the military and foreign policy decisions of our leaders. I believe this experience has prepared me to make the tough decisionsand to know that I am accountable for those decisions.

PRIORITIES

Question. If confirmed, you will confront a range of critical issues relating to threats to national security and ensuring that the Armed Forces are prepared to deal with these threats.

In your view, what are the major challenges confronting the next Secretary of Defense?

Answer. The next Secretary of Defense will be confronted with a myriad of challenges stemming from an ever more complex global environment. Some of the challenges we know today, but many will continue to unfold as we conclude over 10 years at war and look to the future of our military posture. In an ever changing world with both state and non-state actors developing nontraditional tools of war, the United States will be challenged by technological advancements that bring the battlefield to both space and cyberspace. Terrorist organizations continue to proliferate throughout the world and have a significant presence in places such as Yemen, Somalia and North Africa, areas that pose great risk for regional stability. With the ever present threat of Iran, the next Secretary of Defense must be vigilant in pursuing the goal of preventing Iran from acquiring a nuclear weapon, and must maintain our unshakeable commitment to Israel's security. As the United States begins to rebalance to the Asia-Pacific region, the Department will be faced by new challenges in this vital part of the world. Piracy, maritime security, disaster relief efforts, and, of course, continued vigilance to terrorism and proliferation of nuclear weapons name just a few known challenges. All of these things come while the United States is fighting its own battles at home to take care of its service men and women returning from over ten decades of war with rising medical costs and advanced medical conditions. Keeping the faith with our military men and women must remain a high priority to ensure the military itself stays as strong and faithful as its parts. While these are some of the few challenges we know, there are far too many that are not yet apparent. We must be prepared for any contingency we may face in the coming years all while doing so in the confines of this austere budget environment.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I plan to work with the President, Congress, and with senior civilian and military leaders of DOD to come up with comprehensive plans to address each issue. No single issue will have a single simple answer. This will be an iterative process that will employ the full force of Government. It will necessitate strong relationships I plan to maintain and strengthen with our allies and partners throughout the globe. We will define our post-2014 presence in Afghanistan and create a new relationship and partnership with Afghanistan. To counter terrorism, we will look into how we use our special operations forces and the development of new technologies and surveillance techniques. As long as nuclear weapons exist, we must maintain a safe, secure, and effective nuclear arsenal to deter any adversary. I am committed to considering all options to counter Iran and its aggression, and to maintain U.S. support for missile defense systems in Israel. With the rebalance to the Asia Pacific, our training and specializations will change as the battlefield and necessary skills of our servicemembers change. As our troops transition out of over 10 years of war, I will look at the services available for our men and women, both those that continue to serve and those that transition to civilian life. If confirmed, I plan to continue the work of Secretary Panetta to address issues of the force, such as the unthinkable problem of sexual assault within our ranks. I will continue the implementation of the repeal of "Don't Ask, Don't Tell" and the opening of positions to women. I will give great attention to all issues that confront our country and our military to ensure the reputation and strength of the United States.

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the Secretary of Defense?

Answer. If confirmed, it would be a priority to ensure the stable transition out of Afghanistan in the next few years, to maintain U.S. military and technological superiority against enemies both known and unknown, and to keep the faith with our men and women in the military standing guard to protect this great and vibrant country.

CHAIN OF COMMAND

Question. Section 162(b) of title 10, U.S.C., provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Section 163(a) of title 10 further provides that the President may direct communications to combatant commanders be transmitted through the Chairman of the Joint Chiefs of Staff and may assign duties to the Chairman to assist the President and the Secretary of Defense in performing their command function.

Do you believe that these provisions facilitate a clear and effective chain of command?

Answer. I believe that having a clear and effective chain of command is essential to successful military operations, and that these provisions of law lay the foundation for such a chain of command.

Question. In your view, do these provisions enhance or degrade civilian control of the military?

Answer. In my view, these provisions significantly enhance civilian control by codifying the placement of the President, as Commander in Chief, and his principal assistant for military matters, the Secretary of Defense, where they can best exercise civilian control of the military: in the top two positions of the military chain of command.

Question. Are there circumstances in which you believe it is appropriate for U.S. military forces to be under the operational command or control of an authority outside the chain of command established under title 10, U.S.C.?

Answer. I believe that all military forces normally should operate under the chain of command established under section 162 of title 10, U.S.C. However, in certain sensitive operations a temporary exception to that chain of command may be appropriate. I understand that only the President may approve such an exception and the President retains overall command responsibility, as also recognized in section 162. Any military personnel supporting such sensitive operations remain accountable to the military chain of command, including the Uniform Code of Military Justice. If confirmed, I will provide the President with my best advice regarding any operation where an exception to the established chain of command may be appropriate.

ADVICE OF THE SERVICE CHIEFS AND THE COMBATANT COMMANDERS

Question. Section 151 of title 10, U.S.C., provides, in part, that the Chairman of the Joint Chiefs of Staff is the principal military adviser to the President, the National Security Council, and the Secretary of Defense and that if any member of the Joint Chiefs submits to the Chairman advice or an opinion, in disagreement with, or advice or an opinion in addition to, the advice presented by the Chairman, the Chairman shall present that advice or opinion at the same time he provides his own advice to the President, the National Security Council, and the Secretary of Defense. Section 163 of title 10, U.S.C., provides that the Chairman of the Joint Chiefs of Staff serves as the spokesman for the combatant commanders, especially on the operational requirements of their commands.

What changes in law, if any, do you think may be necessary to ensure that the views of the individual Service Chiefs and of the combatant commanders are presented and considered?

Answer. If confirmed, I will welcome and carefully consider the advice of the individual members of the Joint Chiefs of Staff and the combatant commanders. I believe that the current law provides ample authority for such a close, advisory process. If I find in the future that changes may enhance this process, I will work with the Department and Congress to implement those changes.

Question. What is your view on the appropriate role of the Chief of the National Guard Bureau as a member of the Joint Chiefs of Staff?

Answer. The Chief of the National Guard Bureau brings an important perspective to the Joint Chiefs and to the Department on matters affecting the National Guard. In my view, the Chief of the National Guard Bureau should fulfill his duty as a member of the Joint Chiefs of Staff in a manner consistent with the laws governing the role of the Chief of the National Guard Bureau and the role of the Joint Chiefs of Staff.

USE OF MILITARY FORCE

Question. The question as to whether and when U.S. forces should participate in potentially dangerous situations is one of the most important and difficult decisions that the national command authorities have to make. Prior Secretaries of Defense and Chairmen of the Joint Chiefs of Staff have proposed criteria to guide decision-making for such situations.

What factors would you consider in making recommendations to the President on the use of force?

Answer. Committing our troops to any military operation is a grave decision, and one I, if confirmed, would make carefully and cautiously. In making a recommendation to the President on the use of military force, I would consider all the factors previous Secretaries of Defense have identified. These would include: national interest and strategic objectives; domestic and international legal basis for action; our ability to achieve our objectives and achieve a successful outcome through use of force; the unique need for military force and alternative means, particularly non-military, for achieving our interests; the risks to our other interests and our force; and the sufficiency of sustained public support for use of force.

Question. What circumstances should pertain for you to recommend that the President employ preemptive force?

Answer. The United States must reserve the right, consistent with longstanding principles of self-defense, to use military force if intelligence or other information clearly demonstrates that force is necessary to prevent or blunt an imminent attack on the United States or an ally. If confirmed, in advising the President regarding the use of force to preempt an attack, I would consider such factors as: the nature and immediacy of the threat; the probability of an attack; whether a pattern of activity demonstrates the intent of an actor to carry out an attack; the likely scale of the attack and the injury, loss, or damage likely to result absent preemptive action; and the likelihood that there will be other opportunities to undertake effective action in self-defense. I would also ensure that, if force is determined to be necessary, we adhere to standards that govern the use of force and work to strengthen our legitimacy in taking action, including seeking broader international support.

Question. What degree of certainty do you believe is necessary before the United States would use preemptive force?

Answer. Any decision to use preemptive force must be informed by the best available intelligence regarding the threat that is to be countered. There should always be a sound factual basis for concluding that force is necessary to protect the United States or an ally from attack. If confirmed, I would examine the underlying intelligence critically as such a decision must not be taken lightly. I do not believe, however, that it is necessary that we know the precise timing, location, or nature of the hostile attack as a prerequisite to using force to counter or stop an attack on the United States or an ally.

NATIONAL SECURITY BUDGET REDUCTIONS

Question. Part 1 of the Budget Control Act (BCA) enacted on August 2, 2011 established budget caps designed to realize $917 billion in budget savings in Federal discretionary spending over the period from fiscal year 2012 to fiscal year 2021. As a result, the administration's DOD current budget plan for fiscal years 2012 to 2021 is $487 billion lower than the $6.14 trillion it had projected a year earlier for the same 10-year period. This reduction amounts to nearly 8 percent compared to the previous plan.

Do you believe that defense spending reductions of this magnitude (absent a sequester) can be accomplished without significant adverse impact on our national security?

Answer. Based on my review to date, my answer is yes. I believe the Department's strategy can be accomplished within the constraints of the BCA. But only if the Department has to retain the flexibility to adjust the size of its forces and infrastructure, and take steps to control its costs, in accordance with the administration's present strategy and budget.

Question. How would you assess the national military strategy to deal with the changed budget environment?

Answer. I believe the Department has taken a hard look at the new security environment and developed a strategy that appropriately allocates reduced defense resources to the highest priority needs and ensures our national security objectives are met. If confirmed, I will further assess the strategy according to changes in the security environment and continued fiscal pressure.

Question. What are the standards by which you will measure the adequacy of DOD funding, if confirmed?

Answer. If confirmed, I would measure the adequacy of DOD funding by its ability to ensure that the Department is able to meet the country's security challenges and preserve the strongest military in the world.

Question. If confirmed, in this era of budget austerity, how will you prioritize the objectives of completing the mission in Afghanistan, resetting of the force, investing in the future force, and meeting ongoing operational commitments around the world?

Answer. Right now, I believe the Department can implement the administration's present strategy, which carefully balances the above objectives. I understand that the immediate needs of completing the mission in Afghanistan and ongoing operational commitments cannot jeopardize resetting the force and investing in our future. If confirmed, I will work to ensure that budget decisions are made carefully so that we maintain a healthy balance among those near-term and longer-term objectives. I will continue to refine the Department's spending in line with the priorities of the President's strategic objectives. However, if multi-year reductions in funding take place (such as those required by sequestration), the Department would need to significantly revise the defense strategy and, in all probability, would need to make some hard choices about which of our current national defense capabilities we could afford to retain.

READINESS OF THE ARMED FORCES

Question. The Joint Chiefs recently stated that "the readiness of our Armed Forces is at a tipping point. We are on the brink of creating a hollow force due to an unprecedented convergence of budget conditions and legislation that could require the Department to retain more forces than requested while underfunding that force's readiness."

How do you currently assess the readiness of the Armed Forces?

Answer. I am deeply impressed by the caliber and capabilities of our military forces. It is vitally important that they be ready to respond to the Nation's needs, and I am concerned that further budget cuts will negatively affect readiness. If confirmed, I will closely monitor the readiness of the force.

Question. Do you agree with the Joint Chiefs that readiness is at tipping point?

Answer. Maintaining ready forces is a priority, and I am concerned by the Joint Chiefs' assessment. If confirmed, I will work with the Joint Chiefs to better understand the basis of their assessment and how we can most effectively address the readiness challenges our military faces.

Question. If confirmed, how would you assess the impact of budget conditions on the issue expressed by the Joint Chiefs of a hollow force?

Answer. My sense is that the concerns the Joint Chiefs have expressed about readiness come from a variety of factors, including the challenges of recovering from 10 years of operational stress, of transitioning to a broader range of operations, and of doing all of this in the face of fiscal austerity and budget uncertainty. If confirmed, I will carefully monitor how all of these factors are posing risks to readiness and will work closely with the military and civilian leadership of the Department to mitigate those risks to the greatest extent possible.

Question. How would you define a hollow force?

Answer. A hollow force is one that has been rendered incapable of performing the mission that we expect it to conduct. With a hollow force, units do not have the resources, personnel, equipment, and training necessary to make them capable or ready to execute the defense strategies that secure our country.

BUDGET UNCERTAINLY AND SEQUESTRATION

Question. DOD is currently facing budget uncertainty due to the fact that it is operating under a Continuing Resolution (CR) through at least March 27, 2013 and due to the possibility that, absent a budget deal, the BCA will require a sequester of security funding totaling more than $40 billion starting on March 1, 2013. DOD officials have noted that, if CR is extended through the end of the current fiscal year, in its current form, readiness would suffer. They have also noted that a sequester could seriously threaten our ability to implement our current defense strategy. Secretary Panetta has stated that a sequester would have a "devastating" impact on DOD.

What is your understanding of the impact a full-year Continuing Resolution would have on DOD?

Answer. A year-long CR reduces the Department's funding flexibility by putting it into a straightjacket, spending money on last year's priorities not this year's. Continuing Resolutions force the Department to operate inefficiently because it does not know what projects will be funded or at what level of funding. The money provided

in the Continuing Resolution does not provide sufficient funding in the right places, particularly critical operating accounts which could harm military readiness. In addition, Continuing Resolutions generally push the Department to use month-to-month contracts and prohibits doing "new starts" in military construction or acquisition programs, which leads to inefficiency and backlogs in contracting.

Question. What do you believe would be the impact on DOD of a full sequester in fiscal year 2013?

Answer. As Secretary Panetta has repeatedly stated, sequestration—both the size and the arbitrary manner of these cuts—would be devastating to the Department. It would harm military readiness and disrupt each and every investment program. Based on my assessment to date, I share his concerns. I urge Congress to eliminate the sequester threat permanently and pass a balanced deficit-reduction plan. Impacts of sequester could include the need to revise the defense strategy, fewer day-to-day global activities reducing our presence and partnerships, less training including cuts to flying and steaming hours which would reduce readiness, near universal disruption of investment including 2,500 procurement programs, research projects, and military construction; reduced and delayed weapons system buys with resulting price increases, furloughs and hiring freezes for civilian workers resulting in reduced maintenance of weapons systems, oversight of contracts and financial systems; negative effects on morale and welfare of the force including recruiting and retention problems.

Question. What is your understanding of the impact that the combination of a full-year Continuing Resolution and a sequester would have on the readiness of the Armed Forces?

Answer. It is my understanding that under this scenario, the Department would be forced to cut over $40 billion from our budget in a little over half a year, using a mechanistic formula to do it. It would result in 20 percent cuts in the Department's operating budgets. As the Joint Chiefs have warned, such cuts, if allowed to occur, would damage our readiness, our people, and our military families. It would result in the grounding of aircraft and returning ships to port, reducing the Department's global presence and ability to rapidly respond to contingencies. Vital training would be reduced by half of current plans and the Department would be unable to reset equipment from Afghanistan in a timely manner. The Department would reduce training and maintenance for nondeploying units and would be forced to reduce procurement of vital weapons systems and suffer the subsequent schedule delays and price increases. Civilian employees would be furloughed for up to 22 days. All of these effects also negatively impact long-term readiness. It would send a terrible signal to our military and civilian workforce, to those we hope to recruit, and to both our allies and adversaries around the world.

Question. If confirmed what role would you play toward enacting a fiscal year 2013 Defense Appropriations Bill and avoiding a sequester?

Answer. If confirmed, I would continue to urge Congress to pass a full-year appropriations bill for DOD and for other Federal agencies so that the Department and other Federal agencies may be run efficiently, with the ability to adapt to changing circumstances, as the taxpayers expect and deserve.

FINANCIAL MANAGEMENT AND BUSINESS TRANSFORMATION

Question. DOD spends billions of dollars every year to acquire, operate, and upgrade business systems needed to support the warfighter, including systems related to the management of contracts, finances, the supply chain, and support infrastructure. Despite these expenditures, the Department's business systems are stovepiped, duplicative and non-integrated. Also, the Department's ability to leverage these systems to transform how it conducts its business missions has been frustrated by its resistance to re-engineering its business processes effectively. As a result, the Department remains unable to produce timely, accurate and complete information to support management decisions. For this reason, the Government Accountability Office (GAO) has identified defense financial management and business transformation as exposing taxpayer dollars to a "high risk" of waste, fraud, and abuse.

If confirmed, how would you ensure that the financial management and business transformation problems of DOD receive priority attention at the senior management level and throughout the defense enterprise?

Answer. Improving financial management capability is very important, especially in light of the fiscal challenges facing the Department and the country. I understand plans exist to continue the improvement of the Department's business processes and, if confirmed, I will ensure that senior leadership—including the Chief Financial Officer, the Deputy Chief Management Officer, and the Chief Information Offi-

cer—focus appropriate attention on this effort by holding them accountable for progress against these plans.

Question. Do you support the objective of having the Department achieve an auditable financial statement by the end of fiscal year 2017?

Answer. Yes. I support the effort and will maintain the Department's commitment to producing audit-ready financial statements by the congressional deadline of September 2017, with an audit beginning by the end of calendar year 2017.

Question. What steps would you take if the Department fails to reach this goal?

Answer. I would want to evaluate the nature of the problem, the reasons the goal was not met, and the remediation options available to get the Department back on track before determining the actions to be taken.

Question. Do you support the objective of having the Department achieve an auditable statement of budgetary resources by the end of fiscal year 2014?

Answer. Yes, I agree with current priorities that focus first on the budgetary information most useful in managing the Department. I understand there is a plan to ensure the budgetary statement is ready to be audited by September 2014.

Question. What steps would you take if the Department fails to reach this goal?

Answer. I understand the plan to meet that deadline has received a very high priority at all levels of the Department, and if confirmed, I would sustain this as a high priority and hold senior leadership accountable for reaching this goal. If problems are encountered that would put this goal at risk, I would evaluate the nature of the problem, the reasons the goal was not met, and the remediation options available to get the Department back on track. I would also ensure that Congress is kept apprise of the Department's progress.

DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS COLLABORATION

Question. The Departments of Defense and Veterans Affairs (VA) have in recent years increased collaboration between the respective departments to support servicemembers as they transition to veteran status. This support includes access to health and mental health care, improved disability evaluation, and coordination of compensation and other benefits.

If confirmed, what role would you expect to play in ensuring that the Departments of Defense and Veterans Affairs achieve the administration's objectives in DOD and VA collaboration?

Answer. I have been working to improve the transition of our servicemembers to civilian life for most of my life. If confirmed, I am looking forward to taking a very active role in this area. The Department of Veterans Affairs Secretary Eric Shinseki is a longtime friend and if confirmed, I will continue the close partnership with him that has existed under Secretaries Gates and Panetta. I will continue the practice of holding regular Secretarial-level meetings and will closely monitor the progress of the many important joint initiatives between the two Departments.

SYSTEMS AND SUPPORT FOR WOUNDED WARRIORS

Question. Servicemembers who are wounded or injured in combat operations deserve the highest priority from their Service for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from active duty if required, and continuing support beyond retirement or discharge. Yet, as the revelations at Walter Reed Army Medical Center (WRAMC) in 2007 illustrated, the Services were not prepared to meet the needs of significant numbers of returning wounded servicemembers. Despite the enactment of legislation and renewed emphasis, many challenges remain, including a growing population of servicemembers awaiting disability evaluation.

What is your assessment of the progress made to date by DOD and the Services to improve the care, management, and transition of seriously ill and injured servicemembers and their families?

Answer. I believe that important progress in the care, management, and transition of seriously ill and injured servicemembers has been made in the years since the revelations at WRAMC, though there is more work to be done. It will be a top priority to ensure the best quality care for our seriously ill and injured servicemembers and their families. My understanding is Secretary Panetta directed a detailed review of the Integrated Disability Evaluation System (IDES). If confirmed, I look forward to the opportunity to reviewing the details of that effort. I will also work closely with the Secretary of Veterans Affairs to ensure that the Departments of Defense and Veterans Affairs programs are fully complementary and that wounded servicemembers experience a seamless system of care as they transition to veteran status.

Question. What are the strengths upon which continued progress should be based?

Answer. My understanding is that significant progress has been made in linking an individual with their medical record in a central data repository, and making this information available to any DOD medical treatment facility or Veterans Affairs facility. This appears to provide seamless health care to our members. If confirmed, I will continue to partner with the VA in this area. Although I believe there is more work to be done in improving the care of our seriously ill and injured servicemembers and their families, this issue is a top priority of the senior leadership of the Department and a strength that I will continue to build on. I will also look to build on the close collaboration between the Departments of Defense and Veterans Affairs in caring for our servicemembers, veterans, and their families.

Question. What are the weaknesses that need to be corrected?

Answer. One weakness is the lack of sufficient mental health care providers at both the Departments of Defense and Veterans Affairs. While this is mostly a function of the overall shortage of people with this specialty, I know DOD is working hard to address this problem, through increased funding and recruitment. Another weakness that I am aware of is that Veterans Affairs and DOD have multiple caregivers, overwhelming patients and their families. I understand Secretary Panetta and Secretary Shinseki signed an agreement to help wounded warriors navigate through our systems, by naming a lead care coordinator for each wounded warrior. If confirmed, I will closely monitor the implementation of this agreement and work to improve upon it. There is also duplication and overlap in the various services and care programs provided by the Department, the Military Services, and Veterans Affairs, and I would want to make sure that all such programs are fully coordinated, easily accessible, and comprehensible for our wounded, ill, and injured servicemembers and their families.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase support for wounded servicemembers and their families, and to monitor their progress in returning to duty or to civilian life?

Answer. If confirmed, I would look to build on innovative programs and partnerships—both with other Federal agencies, as well as with State and local governments and private and community organizations—that support our wounded, ill, and injured servicemembers and their families. For instance, the Intrepid Fallen Heroes Fund has added invaluably to the care and treatment of servicemembers and veterans with traumatic brain injury (TBI) and psychological health issues through the National Intrepid Center of Excellence, and they are in the process of building state-of-the-art satellite treatment centers at nine of DOD's largest installations. I am also heartened by cross-agency efforts like the $100 million investment announced last year by the Departments of Defense and Veterans Affairs to improve diagnosis and treatment of mild TBI and Post-Traumatic Stress Disorder.

Question. What is your assessment of the adequacy of access to care and care management for Federal civilian employees who are ill or injured in theater, including evaluation and response to traumatic brain injury and post-traumatic stress?

Answer. My understanding is that Federal civilian employees who are injured or ill in theater have been treated by theater military treatment facilities just as Active Duty members would be. Once medically evacuated out of theater, depending on their medical needs, they are transferred to an appropriate civilian institution. If confirmed, I would seek to ensure that Federal civilian employees in theater receive the quality care and care management befitting those who put themselves in harm's way on behalf of the Nation.

Question. Studies conducted as a result of the revelations at WRAMC pointed to the need to reform the disability evaluation system (DES). The IDES was established to integrate the DOD and Department of Veterans Affairs disability systems to improve and expedite processing of servicemembers through the DES.

What is your assessment of the need to further streamline and improve the IDES?

Answer. While the introduction of the joint IDES has on the whole been an improvement over the separate Departments of Defense and Veterans Affairs legacy systems, there is still much room for further improvement, particularly with regard to timeliness. If confirmed, I will ensure the Department continues to press forward, in close collaboration with Veterans Affairs, with further improvements to the IDES.

Question. If confirmed, how will you address any need for change, particularly the Army's problem with an increasing number of soldiers who are not medically fit for deployment, but who remain on Active Duty while they process through the lengthy IDES process?

Answer. I am aware that this is an issue, particularly for the Army. I do not have specific recommendations at this time, but if confirmed, I will work with the leadership of the military services on ways that we can better balance the need to provide servicemembers with a timely and fair disability evaluation with the need to maintain acceptable levels of deployable personnel.

HOMOSEXUAL CONDUCT POLICY

Question. The law commonly referred to as "Don't Ask, Don't Tell" was repealed effective September 20, 2011. As part of the implementation of this repeal, the Secretary of Defense appointed a benefits review group to conduct a review of all potential benefits that could be made available to same-sex spouses. The report of this review group is long overdue and has been repeatedly delayed.

What is your view of the repeal of "Don't Ask, Don't Tell?"

Answer. I fully support the repeal of "Don't Ask, Don't Tell" and value the service of all those who fight for our country. I fully support gay and lesbian men and women serving openly in the U.S. military and am committed to a full implementation of the repeal of "Don't Ask, Don't Tell".

Question. What is your assessment of the implementation of the repeal of this law?

Answer. I understand that the senior military leadership have engaged in a yearlong monitoring process and found that repeal of "Don't Ask, Don't Tell" has not had any impacts on readiness, effectiveness, unit cohesion, recruiting, and retention. At the same time, I realize that there is still some work to be done to achieve the full implementation of repeal, particularly with regard to the benefits available to the families of gay and lesbian servicemembers.

Question. What is the status of the report of the benefits review group? When is this group expected to issue its report?

Answer. I understand that this review is not taking the form of a report, per se, but has involved assembling detailed information on individual benefits (including whether each such benefit might be made available under current law, and options for how to do so) to support decision making by the senior civilian and military leadership of the Department, and also that those decisions are currently under active consideration. If confirmed, I will review the work that has been undertaken during the course of the benefits review and will work closely with the DOD civilian and military leadership to move forward expeditiously on this issue.

Question. What is your view on the issue of providing military benefits to same-sex partners?

Answer. As I have stated previously, I fully support the repeal of "Don't Ask, Don't Tell," and value the service of all those who fight for our country. If confirmed, I will do everything possible to the extent permissible under current law to provide equal benefits to the families of all our servicemembers.

Question. If confirmed, will you ensure that completion of the report of the Benefits Review Group is expedited and provided to Congress?

Answer. If confirmed, I will work closely with the DOD civilian and military leadership to move forward expeditiously on this issue and will inform the appropriate congressional committees of decisions as they are made.

RELIGIOUS GUIDELINES

Question. The Independent Review Related to the Tragedy at Fort Hood observed that "DOD policy regarding religious accommodation lacks the clarity necessary to help commanders distinguish appropriate religious practices from those that might indicate a potential for violence or self-radicalization." Recommendation 2.7 of the Final Recommendations urged the Department to update policy to clarify guidelines for religious accommodation and Recommendation 2.8 urged the Department to task the Defense Science Board to "undertake a multi-disciplinary study to identify behavioral indicators of violence and self-radicalization. . . ."

What is your view of these recommendations?

Answer. Ensuring appropriate accommodations for the free exercise of religions and protecting servicemembers from violence and harm are both of vital importance. It is my understanding that, pursuant to Recommendation 2.7, the Department updated its policy on religious accommodation to ensure religious freedoms and practices are accommodated to the fullest extent possible considering mission readiness, discipline, and unit cohesion. Regarding Recommendation 2.8, the Department did task the Defense Science Board (DSB) to undertake a study. The DSB recently completed their study and found that it could not determine a specific list of behaviors that would indicate risk of violent/extremist behavior. If I am confirmed, I will review the implementation of the recommendations of the Fort Hood Review.

Question. What is your understanding of current policies and programs of DOD regarding religious practices in the military?

Answer. It is my understanding that policies and programs of DOD regarding religious practices in the military seek to ensure servicemembers' rights to observe the tenets of their respective religions, as well as to hold no specific religious conviction or affiliation.

Question. In your view, do these policies appropriately accommodate the free exercise of religion and other beliefs without impinging on those who have different beliefs, including no religious belief?

Answer. Yes, in my view, current policies appropriately accommodate the free exercise of religion for all servicemembers in the pluralistic environment that is the U.S. military. If confirmed, I will continue to monitor and assess these policies.

Question. In your view, do existing policies and practices regarding public prayers offered by military chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious beliefs?

Answer. It is my understanding that existing policies provide the military chaplains with sufficient guidance that allows them to balance, in both formal and informal settings, their own faith practices with the rights of others who may hold different or no religious beliefs. I recognize that this at times can be a difficult balance to achieve, and if confirmed, I would work with the civilian and military leadership of the Department and with Congress to ensure DOD continues to do so.

Question. If confirmed, will you work to ensure that a scientific factbased approach to understanding radicalization will drive the Department's relevant policies on this topic?

Answer. Yes. If confirmed, I would review the Department's existing policies and its plans to address these challenges and determine what, if any, changes should be made. I agree that any changes to how the Department approaches this issue should be based on a solid scientific and factual foundation.

Question. Current policy in the Department gives discretion to military leaders to decide whether requests to waive uniform and appearance standards should be granted based on religious beliefs.

In your view, do DOD policies appropriately accommodate religious practices that require adherents to wear items of religious apparel?

Answer. It is my understanding that current policies allow for consideration of accommodations of religious apparel that do not interfere with the performance of military duties. If confirmed, I would work with the Military Services to ensure that they strike the right balance between military uniform and appearance standards and personal religious practices.

MUSLIMS IN THE U.S. MILITARY

Question. Are you concerned that the attack at Fort Hood could lead to harassment or even violence against Muslims in the military?

Answer. The attack at Fort Hood was a tragedy. It is essential that the circumstances surrounding the attack not compromise the military's core values regarding the free exercise of religion and treating every servicemember with dignity and respect. Each servicemember has the right to practice his or her religious faith without fear of persecution or retribution.

Question. If confirmed, what strategies would you advocate to address the potential for harassment or violence against Muslims in the U.S. military?

Answer. If confirmed, I will not tolerate harassment or mistreatment against Muslims in the military, or against any servicemember based on their religious faith. This sort of behavior or any form of cruelty and maltreatment is inconsistent with the military's core values, detracts from combat capability, and has no place in the Armed Forces. I will expect commanders and leaders at all levels to maintain an environment that promotes dignity and respect, and will hold them accountable for preventing harassment or mistreatment.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. Sexual assaults continue to be a significant issue in the military. Victims of sexual assault report that they are victimized twice: first by attackers in their own ranks and then by unresponsive or inadequate treatment for the victim and failure of the chain of command to hold assailants accountable. The Annual Report on Sexual Harassment and Violence at the Military Service Academies, released in December 2012, documents that while the military academies are in compliance with DOD policies, sexual assault and harassment remain a problem in each academy. Sexual assaults continue to be persistent problem in the Services, as evidenced by the ongoing prosecutions of military training instructors for sexual misconduct with trainees at Air Force basic training at Lackland Air Force Base. Secretary Panetta has recently announced several new initiatives to address the sexual assault problems in the military, including comprehensive assessments of initial training of enlisted personnel and officers, creation of special victim capabilities, and

limiting initial disposition authority to Special Court-Martial Convening Authorities in the grade of O–6 or higher.

What is your assessment of the Department's policies for prevention and response to sexual assaults in the military?

Answer. Sexual assault will absolutely not be tolerated in DOD. It is a direct affront to the military's core value to protect all members of the Armed Forces. Current levels of sexual assault are unacceptably high. I know that the Department has put considerable effort into the development and implementation of new policies and procedures to prevent the crime of sexual assault, support victims, and hold offenders appropriately accountable. But I also know that more needs to be done. Secretary Panetta and the Joint Chiefs of Staff have made this issue a top priority. If confirmed, will do the same, and ensure that the Department continues its commitment to address sexual assault in a comprehensive and persistent manner.

Question. What is your view of the steps the Services have taken to prevent and respond to sexual assaults in combat zones, including assaults against contractor personnel?

Answer. I do not have enough information to make a comprehensive assessment of sexual assault prevention and response in deployed environments at this time. It is my understanding that any deployed personnel who are victims, whether servicemembers, civilians, or contractors, receive appropriate emergency medical care and support. I also firmly believe that there must be strict accountability for those who perpetrate such assaults in deployed areas. If confirmed, I will ensure the Department continues to address sexual assault in a comprehensive manner—across all Services, in all locations, and for all personnel.

Question. What is your view of the adequacy of the training and resources the Services have in place to investigate and respond to allegations of sexual assault?

Answer. It is my understanding that all Services have established guidelines for a 24-hour, 7-day-a-week sexual assault response capability for victims in all locations, including deployed areas. With regard to investigations, I understand the Department has multiple efforts underway to enhance its ability to investigate and respond to sexual assault, child abuse, and domestic violence. If confirmed, I will make it a priority to sustain and build on these enhanced capabilities for the investigation of "special victim" crimes.

Question. What is your view of the willingness and ability of the Services to hold assailants accountable for their acts?

Answer. I strongly believe that anyone who commits a sexual assault in the military needs to be held accountable. The Department has a zero tolerance policy, but that is not enough. Accountability is key. To this end, I fully support Secretary Panetta's decision to elevate initial disposition of sexual assault cases to the level of Colonel or Navy Captain, or higher. This action helps ensures our more seasoned, senior commanders determine what actions are appropriate in response to allegations of sexual assault. It is my belief that military commanders are essential to making sexual assault prevention and response efforts successful. But in order to hold assailants accountable, we must have victims who are willing to come forward and report these crimes. To do that, victims need to have confidence in our system of military justice. That is why I also look forward to hearing more about the impact of the Air Force's pilot program assigning an attorney to each victim of sexual assault who requests one to represent them. I believe this could be a very good way to increase the number of victims who are willing to come forward.

Question. If confirmed, what actions will you take to ensure senior level direction and oversight of efforts to prevent and respond to sexual assaults?

Answer. If confirmed, I will make sexual assault prevention and response a personal priority and will work closely with the Secretaries of the Military Departments and the Chiefs of the Military Services to ensure that DOD maintains the current high level of senior leadership focus on this issue.

INCREASED USE OF NATIONAL GUARD AND RESERVES

Question. Over the last 2 decades, the National Guard and Reserves have experienced their largest and most sustained employment since World War II. Numerous problems have arisen over time in the planning and procedures for mobilization and demobilization, e.g., inadequate health screening and medical response to service-connected injuries or illnesses, antiquated pay systems, limited transition assistance programs upon demobilization, and inefficient policies regarding members of the Individual Ready Reserve. Reserve Force management policies and systems have been characterized in the past as "inefficient and rigid" and readiness levels have been adversely affected by equipment shortages, cross-leveling, and reset policies. The recently enacted section 12304b of title 10, U.S.C., authorizes Service Secretaries to

mobilize for up to 365 consecutive days Reserve component units and individuals in support of pre-planned combatant command missions. Current defense strategy provides for a reduction in conventional ground forces, an increase in special forces, and the establishment of a rotational presence in Europe, the Middle East, and anywhere U.S. interests are threatened. Some in the press have called this a "lily pad" approach, and it potentially dovetails with an operational view of the Reserve components.

What is your assessment of the Reserve and how it will fit into this new strategy of smaller, more lethal forces rotating into and out of many locations of strategic interest?

Answer. The Reserves and National Guard have clearly proven the ability to accomplish any assigned mission overseas or at home. They will continue to play a vital role as we move out of the past decade of war in Iraq and Afghanistan and the Department shapes the force to implement the new defense strategy and to respond to the challenges of a new era.

Question. What is your understanding of the appropriate size and makeup of the Reserve components in light of the current defense strategy?

Answer. I understand that questions about the size and makeup of the Active and Reserve components are currently under consideration as the Department continues to implement the new defense strategy and respond to the current fiscal environment. If confirmed, I will work closely with the Services and the Chief of the National Guard Bureau to determine the most effective mix and makeup of Active, Reserve, and Guard personnel to support the defense strategy.

Question. What is your assessment of advances made in improving Reserve and Guard component mobilization and demobilization procedures, and in what areas do problems still exist?

Answer. I understand that there have been many advances made in policies and procedures governing the utilization of the Guard and Reserves, as well as advancing the pre- and post-Active Duty benefits. These have given Reserve component personnel the ability to plan for periods of utilization followed by substantial time performing inactive duty at home. This provides a predictable cycle of Active Duty and increases readiness by utilizing the Reserve components on a more regular basis. If confirmed, I will ensure these procedures are continually assessed to ensure they are providing the Reserve components the support they need and deserve.

Question. What do you consider to be the most significant enduring changes to the enabling of an operational reserve aimed at ensuring Reserve component and Guard readiness for future mobilization requirements?

Answer. In my view, the most significant and enduring change in this area has been the use of the Reserve component as a full partner in the overall force at large. In particular, the experience and skills that members of the Reserve component have gained from preparing and deploying over the past decade have notably increased the overall readiness of the Reserve component, and the Department will continue to make use of these enhanced skills and readiness in the future.

Question. Do you see a need to modify current statutory authorities for the mobilization of members of the National Guard and Reserves or to further enhance their ability to perform various national security missions?

Answer. I appreciate Congress' willingness in the NDAA for Fiscal Year 2012 to increase authorities to fully use the Reserves as a rotational force. If confirmed, I will consider this question in light of the new strategy, but at the present time I believe that appropriate policies and procedures are in place and no laws need to be changed.

DWELL TIME

Question. While dwell time is improving as our forces draw down in Afghanistan, many Active Duty military members are still not experiencing the dwell time goal of 2 years at home for every year deployed.

In your view, when will the Active component dwell time goal be met?

Answer. I understand that all of the Services, on average, are meeting or exceeding the Department's dwell time goal of 2 years at home for every year deployed, or 1:2, for the Active component. If confirmed, I will continue to monitor this issue closely.

Question. When will dwell time objectives be met for the Reserve components?

Answer. I understand Reserve component dwell time is improving, but has not reached the Department's dwell time goal of 5 years at home for every 1 year of active duty, or 1:5. If confirmed, I will continue to work toward the goal of a 1:5 dwell time ratio for the Reserve component for all of the Services.

ACTIVE-DUTY AND RESERVE COMPONENT END STRENGTH

Question. The Department last year announced its 5-year plan to reduce Active Duty end strengths by over 100,000 servicemembers by 2017, and the Reserve components by another 21,000 over the same period. These cuts do not include any additional personnel reductions that could result from sequestration or any agreement to avoid sequestration.

Do you agree with this plan to reduce Active Duty and Reserve component end strengths?

Answer. If confirmed, I will review the plan, but I believe that we must be able to balance end-strength, readiness, and modernization. The end strength drawdown allows us to achieve the right size force and keep it modern. The plan is designed to maintain capable and ready military forces while managing reductions in a way that "keeps faith" with servicemembers who have been at war for the past 10 years. While the plan will reduce Active Duty end strength by 100,000, I believe the Department has scaled back the Reserve component cut to less than 21,000 (17,000). Preserving the Guard and Reserve reduces the risk of reductions and hedges against uncertainty by providing capacity and capability that can be called up if needed. As future national security conditions change, the Department's planned drawdown could change accordingly.

Question. What is your view of how these planned end-strength reductions will affect dwell time ratios?

Answer. The Army and Marine Corps end strength reductions are synchronized with plans for the drawdown in Afghanistan. The Department's dwell time goal is 1:2 Active, 1:5 for Reserves. With some exceptions, the current dwell is 1:1 Active, 1:5 Reserve. If the Afghanistan force drawdown stays on track, the duty/dwell ratio goal for components should be achieved. If confirmed, I will carefully monitor the dwell time of our servicemembers since it is critical that dwell times be sufficient to preserve the wellbeing of our force.

Question. What effect would inability to meet dwell time objectives have on your decision to implement the planned end strength reductions?

Answer. Preserving the All-Volunteer Force is a top priority, so it is important to avoid stressing the Active and Reserve components. If confirmed, I would assess our ability to achieve our strategic missions and dwell time objectives prior to and during implementation of the planned Army and Marine Corps strength reductions.

Question. What additional military personnel reductions do you envision if the Department were required to sequester funding as outlined in the BCA?

Answer. The President notified Congress of his intent to exempt all military personnel accounts from sequester for fiscal year 2013, if a sequester is necessary. However, if the Department were required to sequester funding, I believe that it would first require a revision of the Defense Strategic Guidance announced by the President last January. The current strategy could not be met with the significantly diminished resources that sequester would impose. The revised strategy could very well impact all components of our workforce—Government civilians and contractors in the near-term as well as Active Duty and Reserve component military if the sequester continues beyond fiscal year 2013.

Question. In your view, what tools do the Department and Services need to get down to authorized strengths in the future, and which of these require congressional authorization?

Answer. The workforce management tools that Congress provided in the NDAA for Fiscal Year 2013 will be useful for the drawdown. The Department continues to examine whether other workforce management authorities are needed and will submit those to Congress as necessary. In addition, in the event that the Department has to sequester funding, the Department would likely revisit the size of all components of the workforce—Active Duty military, Reserve component military, Government civilians, and contractors. After such a review, the Department might require, and would then request, additional authorization for tools to meet reduced end strength goals.

RECRUITING STANDARDS

Question. Recruiting highly qualified individuals for military service during wartime in a cost-constrained environment presents unique challenges.

What is your assessment of the adequacy of current standards regarding qualifications for enlistment in the Armed Forces?

Answer. Today's enlistment qualification standards are well-defined, supported by years of experience, and have stood the test of time. They are driven by the need to provide the Services with men and women who are prepared to adapt to the rigors of military life and meet performance requirements. The adequacy of these

standards is evidenced by over 11 years of continuous armed conflict manned by a high quality All-Volunteer Force.

Question. In your view, is there any way to increase the pool of eligible enlistees without sacrificing quality?

Answer. My understanding is the Services are always exploring ways to improve their ability to expand the recruiting market without sacrificing quality. As an example, this year the Department expanded its ability to enlist graduates with alternative diplomas while minimizing first term attrition. The Services also may be able to augment their screening procedures by incorporating other measures, such as temperament, to identify applicants who are likely to adapt well to the military. If confirmed, I will work with the Services to continually find new ways to expand the recruit market.

WOMEN IN THE MILITARY

Question. The issue of the appropriate role of women in the Armed Forces is a matter of continuing interest to Congress and the American public. Last year, DOD released a report to Congress, required by section 535 of the Ike Skelton National Defense Authorization Act (NDAA) for Fiscal Year 2011 (Public Law 111–383), reviewing the laws and policies restricting the service of female members of the Armed Forces, and provided notice to Congress that the Department would open positions in ground combat units at the battalion level to women in occupational specialties for which they are already qualified to serve, and would eliminate the so-called co-location policy. According to the report, the changes resulted in over 14,000 positions being opened to women that were previously denied. Since then, the Marine Corps opened training positions at its Infantry Officer course to female marines, and the Army recently announced opening some special operation aviation positions to female servicemembers.

What is your view of the appropriate role for women in the Armed Forces?

Answer. Women are indispensable to our military. They have served ably alongside their male counterparts in Iraq and Afghanistan in a variety of roles. I support the expansion of opportunities for women to serve. If confirmed, I will ensure that the process of opening previously closed positions takes place expeditiously and at the same time that our readiness and ability to defend the Nation are not compromised by these changes.

Question. Do you believe additional specialties should be opened up for service by women? If so, which specialties?

Answer. On January 24, 2013, Secretary Panetta rescinded the 1994 Direct Ground Combat Definition and Assignment Rule and directed the integration of women into previously closed positions by January 1, 2016. If confirmed, I will continue implementation of that new policy, including its emphasis on the effectiveness of the fighting force and the development of gender-neutral standards.

Question. Do you believe any changes in the current policy or legislation regarding women in combat are needed or warranted?

Answer. I am not aware of further necessary changes at this time. If confirmed, I will closely monitor the implementation of the January 24, 2013 policy and if I see that additional policies or legislation are needed, I will make recommendations.

RISING COSTS OF MEDICAL CARE

Question. In testimony presented to Congress in February, 2009, the Assistant Director of the Congressional Budget Office asserted that "medical funding accounts for more than one-third of the growth projected for operations and support funding between 2009 and 2026." In April 2009, Secretary Gates told an audience at Maxwell Air Force Base that "health care is eating the Department alive." In recent years, the Department has attempted to address the growth in overall health care costs through various fee increases on military retirees.

What reforms in infrastructure, benefits, or benefit management, if any, do you think should be examined in order to control the costs of military health care?

Answer. It is essential that the Department take steps to control the costs of military healthcare while ensuring it continues to provide for our military personnel, their families, and retirees. I understand the Department included proposals in the fiscal year 2012 and 2013 President's budgets that would slow the growth of healthcare costs while preserving the quality and range of health care. These proposals include increasing enrollment fees and deductibles for retirees and increasing pharmacy co-pays. Not many of these proposals were accepted by Congress. If confirmed, I will review initiatives in this area and look for further opportunities as we must continue to look for savings in this area.

Question. What is your assessment of the long-term impact of rising medical costs on future DOD plans?

Answer. As I understand the situation, health care consumes nearly 10 percent of the Department's budget and could grow considerably over the next decade, taking an ever larger bite out of our ability to invest in enhanced warfighting capability. However, I realize that the healthcare benefit is a key component of retention for our men and women in uniform so I will work closely with the military and civilian leadership in the Department to find reasonable and responsible ways to stem this growth without breaking faith with our servicemembers, their families, and retirees.

Question. If confirmed, what actions would you initiate or recommend to mitigate the effect of such costs on the DOD top-line?

Answer. I cannot make specific recommendations at this time. If confirmed, I am committed to continuing to review military health care. Any changes must keep the faith with our troops, be transparent, preserve the quality and range of health care, and protect wounded warriors, medically-retired, and the families of those who died on Active Duty. Given today's budget environment, we must continue to look for savings opportunities, and this should include military health care.

PERSONNEL AND ENTITLEMENT COSTS

Question. In addition to health care costs, personnel and related entitlement spending continues to grow and is becoming an ever increasing portion of the DOD budget.

What actions do you believe can and should be taken, if any, to control the rise in personnel costs and entitlement spending?

Answer. I understand personnel and entitlement costs make up a significant portion of the Department's budget and have risen sharply over the past 10 years. The Department has proposed several initiatives in an attempt to slow the rate of growth while continuing to attract and retain the right number and quality of personnel. If confirmed, I am committed to exploring options to find savings and more efficient alternatives to help control the rise in personnel and entitlement costs while still fully supporting the All-Volunteer Force.

Question. In your view, can the Department and the Services efficiently manage the use of bonuses and special pays to place high quality recruits in the right jobs without paying more than the Department needs to pay, or can afford to pay, for other elements of the force?

Answer. I understand that targeted bonuses and special pays are very effective tools for achieving the Department's personnel strength and quality objectives and are generally much more cost-effective than across-the-board pay increases. Like any compensation program, these tools must be continually monitored to ensure they are used both efficiently and effectively and that the Department is receiving best value for its dollars.

MILITARY COMPENSATION AND RETIREMENT COMMISSION

Question. The NDAA for Fiscal Year 2013 establishes a commission to review all elements of the military compensation and retirement systems and to make recommendations to modernize those systems to ensure the long-term viability of the All-Volunteer Force, enable a high quality of life for military families, and to achieve fiscal sustainability for the compensation and retirement systems.

Do you agree with the need for a comprehensive study of the military compensation and retirement systems?

Answer. I believe it is appropriate to perform a comprehensive review of the military compensation and retirement systems to ensure we have the right mix of pay and benefits to support our members.

Question. Do you support the goals of the Commission?

Answer. Yes. I am committed to ensuring any proposed changes to the mix of pay and benefits keep faith with those who are serving today and with those who have served in the past.

DEPENDENT CARE AND FLEXIBLE SPENDING ACCOUNTS

Question. The 10th Quadrennial Review of Military Compensation recommended providing dependent care and flexible spending benefits to Active Duty servicemembers. Providing these benefits would seem consistent with the initiatives of First Lady Michelle Obama and Dr. Jill Biden on behalf of military families. It would appear that no new legislative authority is needed for the Department to provide these benefits to servicemembers and their families.

If confirmed, would you extend these benefits to the Active Duty servicemembers and their families?

Answer. Taking care of our servicemembers and their families is a top priority of DOD. If confirmed, I will examine the option of flexible spending accounts for military families to determine if they are an appropriate part of our extensive benefits package for servicemembers and their families in this time of fiscal austerity.

SUICIDE PREVENTION AND MENTAL HEALTH RESOURCES

Question. The numbers of suicides in each of the Services continues to concern the committee. The Army released a report in July 2010 that analyzed the causes of its growing suicide rate and examined disturbing trends in drug use, disciplinary offenses, and high risk behaviors. In addition studies conducted by the Army, of soldiers and marines in theater, showed declines in individual morale and increases in mental health strain, especially among those who have experienced multiple deployments.

In your view, what role should DOD play in shaping policies to help prevent suicides both in garrison and in theater and to increase the resiliency of all servicemembers and their families, including members of the Reserve components?

Answer. Suicides by military members are tragic—every suicide is one too many. It is a a complex problem that plagues our entire society—there are no easy answers or quick solutions. I think Secretary Panetta put it best when he said that suicide is perhaps the most frustrating challenge he has come across as Secretary of Defense. I believe that DOD must take a multi-faceted approach to preventing suicides that involves leadership responsibility, access to quality behavioral health care, efforts to improve mental fitness and resiliency, and increased research on causes and means of preventing suicide. If confirmed, I will push for enhancements to DOD's policies and programs in each of these areas.

Question. What is your understanding of the action that the Office of the Secretary of Defense and the Army are taking in response to the July 2010 Army report, and the data in Chapter 3 in particular?

Answer. My understanding is that the Department has taken multiple actions to address the rise of suicides since the release of the Army's July 2010 report as well as the report of the DOD Suicide Prevention Task Force in September 2010. In particular, in November 2011, the DOD established the Defense Suicide Prevention Office to serve as the oversight authority for the implementation, standardization, and evaluation of suicide and risk reduction programs and policies.

Question. If confirmed, what actions will you take to ensure that sufficient mental health resources are available to servicemembers in theater, and to the servicemembers and their families upon return to home station?

Answer. I am firmly committed to implementing the President's Executive Order on "Improving Access to Mental Health Services for Veterans, Servicemembers, and Military Families." I look forward to reviewing the 12-month national suicide prevention campaign that DOD and VA are developing as part of the implementation of this Executive Order and will ensure that DOD does all it can to ensure that it is providing sufficient, high-quality behavioral health care to servicemembers and their families.

MILITARY QUALITY OF LIFE

Question. The committee is concerned about the sustainment of key quality of life programs for military families, such as family support, child care, education, employment support, health care, and morale, welfare and recreation services, especially as DOD faces budget challenges.

How do you perceive the relationship between military recruitment and retention and quality-of-life improvements and your own top priorities for the Armed Forces?

Answer. Quality-of-life programs that address family readiness needs must be available to families of our military members wherever they may be located. Changes in our basing, deployment patterns, and force structure, as we implement our new strategy and respond to the current fiscal environment, will pose some additional challenges in delivering these programs. If confirmed, I will closely monitor the impacts of such changes to ensure the needs of our military families continue to be met.

Question. If confirmed, what further enhancements to military qualify of life would you consider a priority, and how do you envision working with the Services, combatant commanders, family advocacy groups, and Congress to achieve them?

Answer. I recognize that the well-being of the force, as well as recruiting and retention efforts, are significantly impacted by quality of life programs. I look forward to working with Congress, family advocacy groups, the Services, and combatant

commanders to ensure we have a comprehensive, accessible, and affordable suite of programs.

FAMILY READINESS AND SUPPORT

Question. Military members and their families in both the Active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of growing concerns among military families as a result of the stress of frequent deployments and the long separations that go with them.

What do you consider to be the most important family readiness issues for servicemembers and their families?

Answer. It is the Department's responsibility to help prepare military families to cope with the challenges inherent with military service. In order to build and sustain resilient military families, the Department must continuing to focus on programs that enhance their social, financial, educational, and psychological well-being.

Question. If confirmed, how would you ensure that family readiness needs are addressed and adequately resourced?

Answer. Sustaining family programs in the current fiscally constrained environment will be challenging, but it is of vital importance. If confirmed, I will seek to protect funding for family readiness programs to the greatest extent possible and will examine all such programs to ensure that they are operating efficiently so that available resources are going to their best and most effective uses.

Question. How would you address these family readiness needs in light of global rebasing, deployments, and future reductions in end strength?

Answer. Changes in our basing, deployment patterns, and force structure, as we implement our new strategy and respond to the current fiscal environment, will pose some additional challenges to maintaining family readiness. If confirmed, I will closely monitor the impacts of such changes to ensure the needs of our military families continue to be met.

Question. If confirmed, how would you ensure support is provided to Reserve component families related to mobilization, deployment and family readiness, as well as to Active Duty families who do not reside near a military installation?

Answer. I believe that DOD has a responsibility to ensure access to quality programs, information and resources to families, regardless of their location. Military OneSource is an excellent example of a resource that is not tied to location, but allows families to access information and referral by the internet or by phone with live consultants available 24-hours-a-day, 7-days-a-week. Maintaining a strong network of community-based providers, and partnerships with State and local governments are also key in ensuring local resources are readily available to servicemembers and their families, particularly Reserve component families and Active component families who do not live near a military installation. If confirmed, I will evaluate these programs to ensure we are meeting the needs of these military families.

Question. If confirmed, what additional steps will you take to enhance family support?

Answer. I believe there are opportunities to improve the efficiency and accessibility of the resources and programs that DOD, other Federal agencies, State and local governments, and community organizations provide to support servicemembers and their families. If confirmed, I will explore these opportunities and how we can better coordinate efforts among the various entities providing family support.

DETAINEE TREATMENT POLICY

Question. Do you support the policy set forth in the July 7, 2006, memorandum issued by the Deputy Secretary of Defense stating that all relevant DOD directives, regulations, policies, practices, and procedures must fully comply with Common Article 3 of the Geneva Conventions?

Answer. Yes.

Question. Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the Department of Defense Detainee Program, dated September 5, 2006?

Answer. Yes.

Question. If confirmed, will you ensure that all DOD policies promulgated and plans implemented related to intelligence interrogations, detainee debriefings, and tactical questioning comply with the Common Article 3 of the Geneva Conventions and the Army Field Manual on Interrogations?

Answer. Yes.

Question. Do you share the view that standards for detainee treatment must be based on the principle of reciprocity, that is, that we must always keep in mind the risk that the manner in which we treat our own detainees may have a direct impact on the manner in which U.S. soldiers, sailors, airmen, or marines are treated, should they be captured in future conflicts?

Answer. Yes. reciprocity is a critical component and underlying value of our detainee treatment policies. As a Vietnam veteran, I also view this principle of reciprocity as a way to protect our U.S. soldiers, sailors, airmen, or marines, should they be captured in future conflicts.

COORDINATION WITH THE DEPARTMENT OF HOMELAND SECURITY

Question. After the terrorist attacks on September 11, 2001, Congress established the Department of Homeland Security (DHS), and DOD established the U.S. Northern Command and an Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs.

What is your assessment of the current situation regarding cooperation and coordination between DOD and DHS on homeland security and civil support matters, and what will be your goals in this regard if you are confirmed?

Answer. Recent disaster responses, including the Department's efforts in response to Hurricane Sandy, show that DOD and DHS have a strong relationship. This success is a result of active engagement the Department has at all levels with DHS and many other of the Department's domestic interagency partners. Elements of the Department work very closely on a daily basis with the Federal Emergency Management Agency (FEMA), the U.S. Secret Service, the U.S. Coast Guard, and U.S. Customs and Border Protection. The Department and DHS have successfully exchanged liaison and coordination staff officers to cement this collaborative approach at the working level. While a Member of Congress I voted to establish the DHS and have been pleased to see its success. If confirmed, my goal would be to continue to bolster the strong relationship between the Departments of Defense and Homeland Security.

Question. Do you believe the current mechanism for DOD to respond to the needs of domestic government agencies for DOD support in the event of a natural or man-made disaster is appropriate, or do you believe it needs to be modified?

Answer. The mechanisms for the Department to respond to the needs of domestic agencies appear to be working effectively. It is my understanding that the Department acted on 60 requests for assistance from FEMA during the Hurricane Sandy response last year, including helping to restore power, providing millions of gallons of fuel for first responders and residents, and removing water from the Brooklyn Battery tunnel, the longest underwater tunnel in North America. I understand that the Department also responded to some 21 other requests for assistance from FEMA for a variety of other disasters in 2012, as well as providing assistance to other Federal agencies, including the U.S. Forest Service for wildland firefighting and the U.S. Secret Service for protection of the President during special events such as the recent Inauguration. If confirmed, I will work with the Department's partner agencies to ensure that the current mechanisms remain effective and, where opportunities arise, pursue improvements.

IRAQ LESSONS LEARNED

Question. Did you agree with the President's decision on the withdrawal of U.S. military forces from Iraq? If so, why? If not, why not?

Answer. Yes. I supported the withdrawal of all U.S. forces from Iraq by December 2011 in accordance with the November 2008 U.S.-Iraq Security Agreement. It was the right decision. Our military men and women in uniform had completed their mission. We now have a strong relationship with a sovereign Iraq. Our drawdown has allowed us to advance our strategic partnership based on mutual interests and mutual respect.

Question. In your view, what aspects, if any, of the departure/drawdown of U.S. forces would you have modified?

Answer. I would not have modified the withdrawal of all U.S. combat forces by December 2011. I believe that the deadline helped the Iraqi Security Forces step up and take responsibility for the security of their people. This has allowed us to deepen our partnership with a sovereign Iraq, based on mutual interests and mutual respect.

Question. What do you believe are the major lessons learned from the Iraq invasion and the follow-on efforts to stabilize the country through 2011?

Answer. I believe we must think very carefully before we commit our Armed Forces to battlefields abroad. Our forces deserve policies and planning worthy of the

sacrifices they make in combat. Our Nation learned a number of lessons in Iraq—from the invasion, to the stabilization, to the withdrawal of our forces. These lessons include ensuring appropriate planning and preparation for a range of outcomes and events, setting clear and realistic strategic objectives, appreciating the limitations of military force and the necessity of engaging all levels of national power (political, economic, cultural, intelligence), recognizing the value and difficulty of building partnership capacity, enhancing interagency coordination, and improving our oversight of wartime spending and contracting. One of the most important lessons is that the U.S. Government must prepare for combat, post-combat, and securing the peace. The U.S. military must plan and train with civilian counterparts, be prepared to operate effectively in all phases of conflict, and improve cultural, linguistic, and partnering and advising skills within our force.

Question. What is your understanding and assessment, if any, of the Department's adaptations or changes in policy, programs, force structure, or operational concepts based upon these lessons learned?

Answer. I understand the Department has taken a number of steps to institutionalize the lessons from Iraq across policy, doctrine, organization, and training. The Department is committed to maintaining a focus on cultural and linguistic capabilities as well as the new operational approaches in counterterrorism, counterinsurgency, and security force assistance. If confirmed, I will work to ensure that the Department continues to evaluate and implement lessons learned.

Question. If confirmed, what additional changes, if any, would you propose making to policy, programs, force structure, or operating concepts based on the lessons of combat and stability operations in Iraq?

Answer. I do not feel I know enough at this time to provide not have additional recommendations. If confirmed, I will study and evaluate the Department's efforts to retain and refine the lessons learned, expertise, and specialized capabilities that have been developed over the past 10 years of counterinsurgency and stability operations in Iraq and Afghanistan.

Question. You called for an international mediator under the auspices of the U.N. Security Council to engage Iraq's political, religious, ethnic, and tribal leaders. Would you advocate that same course of action for Afghanistan?

Answer. If confirmed, I will closely monitor the Afghan-led reconciliation process and make recommendations on any changes I think would be helpful. However, within the administration, the Afghanistan reconciliation process is led by the Department of State. They are in a better position to advise on the need for a U.N. Security Council role.

Question. Based on the lessons learned during the departure of military forces from Iraq, if confirmed, how would you shape U.S. enduring presence in Afghanistan in the post-2014 environment?

Answer. The U.S. presence post-2014 is an issue being discussed between the President and the Government of Afghanistan. If confirmed, I would work to ensure that the United States retains criminal and civil jurisdiction over U.S. forces in the Bilateral Security Agreement now under negotiation; if it does not, I will not support a continued U.S. military presence.

STABILITY AND COUNTERINSURGENCY OPERATIONS

Question. The January 2012 DOD Strategic Guidance called for U.S. forces to be ready to conduct limited counterinsurgency and other stability operations if required, and to retain and continue to refine the lessons learned, expertise, and specialized capabilities that have been gained over the past 10 years of operations in Iraq and Afghanistan. At the same time, the Strategic Guidance states that, "U.S. forces will no longer be sized to conduct large-scale, prolonged stability operations."

In your view, how should strategic guidance for DOD manage risk and articulate the types of missions or operations U.S. forces will or will not be expected to execute or accomplish?

Answer. The Department's strategic guidance documents should set clear priorities that enable senior Departmental leadership to determine appropriate trade-offs in military missions and force structure. Senior leadership deliberation on these trade-offs should be informed by a comprehensive, strategic understanding of risk to our defense and national security objectives. As strategy is implemented, the Department should continue to test it to determine areas of risk and develop mitigation options. If confirmed, I will aim to have any risk the Department bears be both manageable and acceptable; although budget uncertainty will make this a difficult task.

Question. In your view, what are the appropriate roles and responsibilities, if any, between DOD and other departments and agencies of the Federal Government in the planning and conduct of stability operations?

Answer. Coordinated and integrated interagency efforts are essential to the conduct of successful stability operations. The United States should emphasize nonmilitary means and military-to-military cooperation to address instability and reduce the demand for significant U.S. force commitments to stability operations. In general, the Department should be in a support role to other U.S. Government departments and agencies in the planning and execution of most stability operations. However, if directed, the Department will lead stability operations activities to establish security, to restore essential services, to repair and protect critical infrastructure, and to deliver humanitarian assistance. Once acceptable levels of security and public order have been established, the Department should seek to transition lead responsibility to other U.S. Government agencies, foreign governments and security forces, or international governmental organizations.

Question. In developing the capabilities necessary for stability operations, what adjustments, if any, should be made to prepare U.S. Armed Forces to conduct stability operations without detracting from its ability to perform combat missions?

Answer. As our campaigns over the last 12 years have demonstrated, it is no longer an either/or choice between stability operations and combat. After almost 2 decades of hard-earned lessons in Afghanistan, Iraq, the Balkans, and elsewhere, I understand the Services have made great strides in their combined abilities to conduct stability operations. If confirmed, I will seek to maintain the stability operations expertise the Department has gained, and to ensure that the Services have the mechanisms necessary to expand their capacities, should our military forces be called upon to conduct comprehensive and sustained stability operations.

Question. Do you believe that the U.S. Government needs to establish new procedures to manage stability operations? If so, why?

Answer. Collaborative and coordinated planning with interagency and international partners is fundamental to the successful management and the effectiveness of U.S. Government stabilization and reconstruction activities. We must have a strong combined ability to conduct effective interagency planning. If confirmed, I will review the Department's procedures to identify potential improvements in the current processes and procedures used to manage stability operations across the U.S. Government and, as necessary and possible, expand the Department's support to other departments and agencies in their stability operations planning and execution.

Question. With the drawdown of operations in Iraq and Afghanistan, what is your view on the future disposition of foreign and security force funding authorities including 1206 (Global Train and Equip), the Global Security Contingency Fund (GSCF), and other security force assistance authorities?

Answer. Today's security challenges cannot and should not be addressed by the United States alone. We need partnerships that combine our unique capabilities with the unique strengths of our allies and partners. Future challenges will likely emphasize the importance of our collaboration with capable partners. I understand that in order to meet our counterterrorism challenges, the Department shares these two authorities with the State Department to train and equip foreign security forces in a more rapid fashion than traditional Foreign Military Financing. Section 1206 is an important part of the Department's "toolbox" for responding to urgent and emerging counterterrorism challenges and stability operations, and that the GSCF is in its initial pilot phase. If confirmed, I will ensure that the Department effectively and efficiently leverages authorities that enable our security force assistance efforts. These efforts are important to the Department's ability to build the capacity of foreign partners to help them develop effective and legitimate security institutions that can provide for their countries' internal security, and contribute to regional and multilateral responses to threats and instability.

Question. In your view, is there a roll for DOD in improving the operational capabilities of the African Standby Brigades?

Answer. The Department can help improve the capabilities of the individual countries contributing forces to the African Standby Brigades. Direct training can make a qualitative difference in the capabilities of partner countries and increase the effectiveness of the regional organizations that mandate such operations. In terms of helping the Standby Brigades once they are established, I understand that there are Presidential Determinations authorizing work with some regional organizations. In the cases where the Department is able to engage, I understand that habitual training and exercises can help strengthen the Brigades' operational capabilities.

SECURITY SITUATION IN IRAQ

Question. What is your assessment of the current security situation in Iraq?

Answer. The overall security situation is stable, yet challenges remain. It is critical for Iraq to resolve its internal boundary disputes and political differences without the use or threat of force. I am concerned about the intent of al Qaeda in Iraq to exploit political and sectarian differences to breed instability. The Iraqi Security Forces have proven themselves capable of countering this threat to date and I believe that our continuing partnership with Iraq should aim to help Iraq against this terrorist threat.

Question. What are the main challenges to stability and security in Iraq over the coming months?

Answer. The main challenges to internal stability and security in Iraq are al Qaeda in Iraq, slow political progress, and sectarian-motivated groups who would use violence to advance their cause. Moreover, the unresolved status of territories claimed by the Kurdistan Regional Government has the potential to create fissures that can be exploited by extremist groups, and could lead to an escalation of tension between Kurdish and central government forces. While plenty of stumbling blocks exist, it is important that the Iraqi political parties continue to look to the political process to resolve their differences. Continuing to encourage dialogue and respect for the constitutional process will be crucial to ensuring long-term stability. The United States must also closely watch the impact that events external to Iraq, such as the deteriorating situation in Syria, have on Iraqi stability and security.

U.S.-IRAQ STRATEGIC RELATIONSHIP

Question. The withdrawal of U.S. forces from Iraq at the end of 2011 has been described as the beginning of a new chapter in the strategic relationship between the United States and Iraq. The U.S.-Iraq Strategic Framework Agreement sets out a foundation for a normalized U.S.-Iraqi relationship in areas of mutual economic, diplomatic, cultural and security interests. Secretary of Defense Panetta and the Iraqi Minister of Defense recently signed a Memorandum of Understanding (MOU) for Defense Cooperation between the Ministry of Defense of the Republic of Iraq and the DOD of the United States.

How do you envision the U.S.-Iraq strategic relationship developing in the coming years and what are your priorities for that relationship?

Answer. The United States should seek a normal, productive relationship and a strategic partnership with a sovereign Iraq—analogous to the partnerships we have with other countries in the region and around the world. If confirmed, I will continue to strengthen our military-to-military relationship with Iraq, and further its reintegration into the region.

Question. What do you see as the greatest challenges for that relationship over the coming years?

Answer. Iraq faces several tough challenges as the Nation's new government matures and works through internal differences, and it will be important to continue to engage Iraq during a time of change. We have moved from occupiers to partners, and that can be a hard transition. But recent turmoil in the broader Middle East highlights the importance of active U.S. engagement and maintaining strategic partnerships with regional partners based on mutual interests and mutual respect. We must maintain focus on Iraq in order to advance broader U.S. objectives of peace and security in the region.

Question. What is your understanding and assessment of the recently concluded MOU? In your view, does this agreement on defense cooperation promote U.S. interests with respect to Iraq and the region?

Answer. My understanding of the MOU is that it represents mutual understandings regarding future expansion of defense cooperation. In a time of great uncertainty in the region, Iraq will play an increasingly important role in ensuring stability and it is critical that we continue to work together to ensure stability and peace in the region.

OFFICE OF SECURITY COOPERATION IN IRAQ

Question. In the NDAAs for Fiscal Years 2012 and 2013, Congress authorized the Secretary of Defense to support the transition in Iraq by providing funds for the activities and operations of the Office of Security Cooperation in Iraq (OSC–I). In the report accompanying the NDAA for Fiscal Year 2013, the conferees expressed their expectation that the administration will accelerate the transition of the OSC–I to a normalized status comparable to Offices of Security Cooperation in other countries in the region, and that funding for OSC–I activities and operations will be

transitioned out of DOD to other sources, as is the case for offices of security cooperation in other countries.

Do you support the transition of the OSC–I to a normalized office of security cooperation comparable to those in other countries in the region?

Answer. Yes. The OSC–I, under Chief of Mission authority, is the foundation for our long-term security partnership with Iraq. If confirmed, I will continue Secretary Panetta's work to normalize the OSC–I, in coordination with the Department of State, which has lead for the U.S. Mission in Iraq.

Question. If confirmed, will you ensure that the transition of the OSC–I to a normalized status, including funding from sources other than the DOD, is completed in a deliberate manner?

Answer. Yes. If confirmed, I will work with the Department of State, which has lead for the U.S. Mission in Iraq, to normalize the OSC–I and transition to traditional security assistance and security cooperation funding sources.

Question. What timeframe would you use as a target to transition OSC–1 to a normalized status?

Answer. I am unable to comment on the specific timing as I have not reviewed the detailed plans and it is a decision to be made with the Department of State, which has lead for the U.S. Mission in Iraq. If confirmed, I will review the planning for OSC–I normalization and work closely with the Department of State.

AFGHANISTAN STRATEGY

Question. Do you support the current strategy for Afghanistan? In your view, is that the right strategy?

Answer. Yes. I support the strategy that the President has set forth and that we are now implementing, and I believe it is the right strategy. I believe that any strategy should be reviewed and adapted over time, and, if confirmed, will give my best advice to the President and consult with Congress on this critical issue.

Question. If confirmed, are there changes you would recommend to the U.S. strategy in Afghanistan?

Answer. I believe that the U.S. strategy in Afghanistan is sound. I also believe that, over time, the administration should continue to assess the strategy. If confirmed, I will consult with Congress, and with our allies and partners in this regard.

Question. What is your assessment of the progress of the campaign in Afghanistan?

Answer. I believe that our campaign in Afghanistan has made significant progress. Our Coalition and Afghan partners blunted the insurgents' summer offensive for the second consecutive year. The Afghan National Security Forces (ANSF) are moving into security lead throughout the country. They are pushing violence out of most populated areas, and the United States and our coalition partners agreed in Chicago to support the long-term stability and security of Afghanistan. Exceeding initial expectations, Afghan forces began leading the majority of operations in July 2012 and now lead approximately 80 percent of operations. In February, in conjunction with the fourth tranche of transition, the ANSF is expected to have the lead in securing 87 percent of the Afghan population. Overall violence was down 7 percent in 2012. At the same time, I understand that significant challenges remain, including insider threats and completing the transition to Afghanistan taking on full responsibility for its security at the end of 2014.

SECURITY TRANSITION IN AFGHANISTAN

Question. President Obama and Afghan President Karzai recently announced that the transition to an Afghan lead for security throughout Afghanistan will occur this spring, several months ahead of schedule. As part of the ongoing transition, coalition forces are shifting increasingly to an advise-and-assist mission but will continue to support Afghan security forces until the International Security Assistance Force (ISAF) mission concludes by no later than the end of 2014.

Do you support the announced transition of the security lead to Afghan security forces throughout Afghanistan by this spring?

Answer. Yes. As this transition occurs, I understand that the ISAF will shift into an advisor support role.

Question. Do you support the shift in the mission of coalition forces to an increasingly advise-and-assist role in support of Afghan security forces?

Answer. Yes. This mission shift to an increasingly support role is consistent with what Afghans want and what was agreed at the 2010 Lisbon Summit—an Afghanistan able to provide for its own security, with the assistance of the U.S. and other nations. The U.S. and our coalition and Afghan partners reaffirmed this goal at the 2012 Chicago North Atlantic Treaty Organization (NATO) Summit. For transition

to be successful, it makes good sense for the ANSF to assume lead security responsibility this year, enabled by continued support and mentoring from ISAF to prepare them for full security responsibility by the end of 2014.

Question. Do you agree that it is important for the success of the mission in Afghanistan to have Afghan security forces, rather than coalition forces, taking the lead for security and conducting unilateral operations to the maximum extent?

Answer. Yes. Training and developing the ANSF into a force that can sustainably assume full security responsibility by the end of 2014 is critical to meeting this objective.

Question. What is your assessment of the capacity and performance of the Afghan security forces in assuming the lead for security in areas designated for transition, including in contested areas?

Answer. I understand that the ANSF have exceeded initial expectations. Afghan forces began leading the majority of operations in July 2012 and now lead approximately 80 percent of operations, including increasingly complex, multi-day operations. Violence in transition Tranches 1, 2, and 3, where the ANSF are now in the lead, was down 9 percent, 6 percent, and 14 percent respectively in 2012 compared to 2011. Some of these initial areas of transition include contested areas, such as Lashkar Gah and Helmand, where the ANSF have done well. However, the last two transition Tranches contain many contested areas, so significant challenges remain and ISAF support will be critical throughout 2013–2014.

Question. In your opinion, are there any conditions on the ground in Afghanistan at the end of 2014 that would preclude a responsible transition of mission from combat to support for U.S. forces? Under what conditions, if any, would you recommend against making such a transition at the end of 2014?

Answer. Currently, I believe that transition is on track for the Afghans to assume full security responsibility by the end of 2014. At this time, I do not foresee any realistic conditions that would preclude this transition from being completed responsibly by the end of 2014. If confirmed, I will monitor the conditions closely and will continue to assess progress, in consultation with commanders on the ground and the Joint Chiefs; and, if necessary and warranted by changing conditions, I will adjust the Department's recommendations.

DRAW DOWN OF U.S. FORCES IN AFGHANISTAN

Question. In June 2011, President Obama announced his decision to draw down the 33,000 U.S. surge force in Afghanistan so that by the summer of 2012 U.S. forces will be at a level of 68,000. The President recently reaffirmed his pledge to continue to bring U.S. forces home from Afghanistan at a steady pace. He also stated he would announce the next phase of the U.S. drawdown based on the recommendations of the ISAF Commander and other commanders on the ground in Afghanistan.

How would you assess the decision to draw down the 33,000 U.S. surge force from Afghanistan by the end of summer 2012?

Answer. In my view, the decision to draw down the U.S. surge by the end of the summer has been proven by conditions on the ground. Although challenges remain and progress in Afghanistan has been uneven in many areas, overall security has improved and Afghans are increasingly in the lead.

Question. What in your view should be the pace of reductions in U.S. forces during each of 2013 and 2014?

Answer. I do not have access to the relevant analysis to make a detailed assessment, but understand that President Obama will consider options provided by our senior military and civilian leaders. I support the President's direction, articulated in the West Point speech, for "steady" reductions. If confirmed, ensuring an effective transition in Afghanistan will be one of my top priorities.

Question. What in your view should be the size and missions of any residual U.S. force that may remain in Afghanistan after the end of 2014?

Answer. The key missions of any post-2014 military presence would focus: training, advising, and assisting ANSF; and targeted counterterrorism missions against al Qaeda and its affiliates, while also protecting U.S. forces and citizens. The size of the force will flow from missions assigned.

Question. In your view, is there a minimum number of troops that will be required to both accomplish the assigned mission and provide security for those executing that mission?

Answer. I have not yet reviewed the detailed mission planning and analysis to form a view regarding the appropriate number of U.S., coalition, and Afghan troops necessary to fulfill key missions including force protection. I do believe that suffi-

cient forces should be provided to do the job assigned to them, while protecting themselves.

STATUS-OF-FORCES AGREEMENT FOR AFGHANISTAN

Question. As called for in the Enduring Strategic Partnership Agreement signed in May, the United States and Afghanistan are holding talks on a Bilateral Security Agreement, which will provide essential protections for any limited U.S. military presence in Afghanistan after 2014.

Do you agree that it is essential that any status of forces agreement for U.S. military forces in Afghanistan after 2014 provide immunity for U.S. troops from prosecution in Afghan courts?

Answer. Yes. I agree with the position made clear by the President during his joint press conference with President Karzai on January 11, 2013, that "it would not be possible for us to have any kind of U.S. troop presence [in Afghanistan] post-2014 without assurances that our men and women who are operating there are [not] in some way subject to the jurisdiction of another country."

AFGHANISTAN NATIONAL SECURITY FORCES

Question. What is your assessment of the progress in developing a professional and effective Afghanistan National Security Forces (ANSF)?

Answer. Based on the information available to me, I believe that the ANSF has and continues to make significant progress over the past few years. I understand that today the ANSF field three out of every four people in uniform defending Afghanistan, and that Afghans conduct the majority of operations backed up by the ISAF.

Question. What do you see as the main challenges to building the capacity of the ANSF and, if confirmed, what recommendations, if any, would you make for addressing those challenges?

Answer. A first challenge is to continue to improve the quality, readiness and performance of the 352,000 personnel in the ANSF. I understand that problems remain in leadership, retention, corruption, and the long personnel training needed to operate certain enablers such as logistics and intelligence, surveillance, and reconnaissance (ISR). A second challenge is for the ANSF to develop a greater capacity for maintaining equipment and integrating it into operations needed for logistics support, mobility, ISR, and operational planning. I am aware that the Department has an aggressive effort to close these enabler gaps. Third, and most broadly, the ANSF must continue building its self-confidence through operational success in taking the lead responsibility for securing transitioning areas and protecting the Afghan people. If confirmed, I will make it a priority to continue, and where necessary, adjust efforts to build ANSF capacity and capability.

Question. Do you support plans for building and sustaining the ANSF at 352,000 personnel?

Answer. Yes. I understand that our commanders consider the current ANSF force of 352,000 personnel necessary to complete the transition to Afghan lead security responsibility by the end of 2014, and to secure the country during the transition of power following the Afghan Presidential election in 2014. If confirmed, I will continue to review the numbers and capabilities of the ANSF to ensure that we are supporting a force structure that is sufficient to meet our goals, and is fiscally sustainable over the long term.

Question. Do you agree that any reductions in the ANSF from this 352,000 level should be based on security conditions in Afghanistan at the time those reductions would be expected to occur?

Answer. I agree that changes in ANSF force levels should take account of expected security conditions. At the same time, for planning and budgeting purposes, it is necessary to make projections about the future security environment and plans about future force levels. If confirmed, I will review these issues and propose adjustments over time, as appropriate.

INSIDER THREAT

Question. In 2012 there was a significant increase in the number of so-called "green-on-blue" incidents in which individuals in Afghan uniform attacked U.S. or coalition soldiers. The rising number of insider attacks has led U.S. and Afghan military leaders to order a number of precautions against such insider threats, including expanding Afghan counterintelligence efforts to identify possible Taliban infiltrators, increasing cultural sensitivity training, and expanding the "Guardian Angel" program to protect against the insider threat in meetings between coalition and Afghan forces.

What is your assessment of the insider threat and its impact on the military campaign in Afghanistan?

Answer. Insider attacks have the potential to damage the strategic trust necessary for our campaign to succeed. It is vital that we work with our Afghan and international partners to take every step possible to stop these attacks. I understand that U.S. and Afghan efforts have reduced attacks and are helping to reduce risks to coalition personnel. If confirmed, I will continue to pay close attention to countering this threat.

Question. What is your assessment of the measures that have been taken by ISAF and Afghan leaders to address the insider threat?

Answer. My understanding is that the measures put in place to date have helped to mitigate the threat from insider attacks, with the number of attacks now dropping from a peak in August 2012. Raised awareness of the threat and the implementation of robust force protection measures help protect our personnel, but the work by the ANSF to identify threats and prevent attacks through improved intelligence gathering and vetting of personnel remains critical. As we move into the "fighting season" we need to ensure these steps continue to be implemented fully and that ISAF continues to take the necessary steps to prevent these attacks. If confirmed, I will make this a key priority.

Question. Are there additional steps that you would recommend to address this threat, if confirmed?

Answer. If confirmed, I will continue current efforts—and ask for a constant review of additional measures to further reduce the risk posed by insider threats.

Question. What is your assessment of the impact of these green-on-blue attacks on the level of trust between coalition and Afghan forces?

Answer. It is understandable that insider attacks have negatively impacted trust in some areas. However, after more than 11 years of fighting shoulder to shoulder and shared sacrifice, I believe that, in most areas, the relationship between the ANSF and the Coalition remains strong, particularly out in the field, where soldiers face a common enemy every day.

Question. In light of the spike in insider attacks, do you see a need to reconsider our plans for embedding small Security Force Assistance Teams of U.S. military personnel with Afghan military units as part of the transition to an Afghan security lead?

Answer. If confirmed, I will place a priority on mitigating insider attacks and will ensure that our commanders continually assess the impact of these attacks on the campaign, and consider whether changes to the Security Force Assistance Team model should be made, including any temporary adjustments as needed.

RECONCILIATION

Question. In your view, what should be the role of the United States in any reconciliation negotiations with the Afghan Taliban and other insurgent groups?

Answer. I agree with President Obama that Afghan-led reconciliation is the surest way to end violence and ensure lasting stability in Afghanistan and the region. Most counterinsurgencies end in some form of negotiation. The U.S. role should be to facilitate credible negotiations between the Afghan Government and the Taliban, and ensure that three necessary outcomes are met: that the Taliban and armed groups end violence, break ties with al Qaeda, and accept Afghanistan's constitution, including protections for all Afghan men and women.

Question. What additional steps, if any, should the United States be taking to help advance the reconciliation process?

Answer. The United States should continue to coordinate efforts closely with the Afghan Government.

Question. In your view, what should be the role of Afghanistan's neighbors, in particular Pakistan, in the reconciliation process?

Answer. Afghanistan's neighbors should support an Afghan-led process. Each will benefit from improved stability in Afghanistan or potentially suffer from continued violence. Pakistan and other neighbors should work forthrightly with Afghanistan to mitigate any suspicions or misunderstandings.

SPECIAL OPERATIONS IN AFGHANISTAN

Question. Special Operations Forces depend on general purpose forces for many enabling capabilities, including ISR; logistics; and medical evacuation. Admiral McRaven, Commander of U.S. Special Operations Command, has said "I have no doubt that special operations will be the last to leave Afghanistan" and has predicted that the requirement for special operations forces may increase as general purpose forces continue to be drawn down.

If confirmed, how would you ensure adequate enabling capabilities for Special Operations Forces as general purpose forces continue to draw down in Afghanistan?

Answer. If confirmed, I will seek to ensure that all U.S. forces in Afghanistan—including both Special Operations Forces and general purpose forces—are supported by sufficient enablers. In addition to providing clear guidance to commanders, I will seek the military advice of the Chairman of the Joint Chiefs, and ensure that the views of all relevant combatant commanders are taken into account.

Question. Last April, the United States and Afghanistan signed an MOU on the "Afghanization" of direct action counterterrorism missions in Afghanistan reflecting the shared intention of having Afghan security forces in the lead in the conduct of such operations with U.S. forces in a support role.

Why is it important for Afghan Special Operations Forces to be in the lead on night raids?

Answer. Having Afghans in the lead for "night operations" makes good sense for three reasons. First, this approach helps ensure that cultural and language differences do not result in misunderstandings that could escalate a situation. Second, having Afghans in the lead allows for improved real-time intelligence collection. Third, the Afghan Special Operations Forces are capable of fulfilling this mission and their doing so is a key part of the transition.

Question. General Allen and others have consistently praised the Village Stability Operations (VSO) and Afghan Local Police (ALP) programs—both U.S. Special Operations missions as critical elements of the counterinsurgency strategy in Afghanistan. Some Afghans have called for the removal of U.S. Special Operators from these operations.

What are your views on the value of these programs and do you believe they should be part of the long-term strategy in Afghanistan (i.e. post-2014)?

Answer. I understand that VSO and the ALP have contributed to the decline in Taliban control in many strategic areas throughout Afghanistan. If I am confirmed, I will make a priority to assess the potential future value of these programs.

U.S. STRATEGIC RELATIONSHIP WITH PAKISTAN

Question. What would you consider to be areas of shared strategic interest between the United States and Pakistan?

Answer. I believe the United States and Pakistan share common interests in disrupting, dismantling, and defeating al Qaeda, and in long-term regional stability, including a durable political settlement in Afghanistan and the safety and security of the Indian Ocean.

Question. In what areas do you see U.S. and Pakistani strategic interests diverging?

Answer. The United States and Pakistan often diverge over Pakistan's approach to the militant and terrorist networks that operate in Pakistan's territory and do not overtly threaten the Pakistani state. However, in my view, these networks threaten Pakistani stability, endanger the prospects for a settlement in Afghanistan, and undermine regional stability—so that in fact, while the relationship is challenging, I believe our long-term strategic interests are in alignment.

Question. If confirmed, what changes, if any, would you recommend for U.S. relations with Pakistan, particularly in terms of military-to-military relations?

Answer. U.S.-Pakistan military-to-military ties have been marked by periodic ups and downs. In my view, the military-military relationship should be underlined by a realistic, pragmatic approach to enhancing those areas of cooperation that are dictated by our common interests and to ensuring accountability for actions that detract from these interests. If confirmed, I will make accomplishing that goal a priority.

U.S. ASSISTANCE TO PAKISTAN

Question. Since 2001, the United States has provided significant military assistance to Pakistan. In addition, the United States has provided significant funds to reimburse Pakistan for the costs associated with military operations conducted by Pakistan along the Afghanistan-Pakistan border and other support provided in connection with Operation Enduring Freedom.

In your view, how effective has the assistance and other support that the United States has provided to Pakistan been in promoting U.S. interests?

Answer. As the President has said, more terrorists have been killed in Pakistan than anywhere else since September 11—and that would not be possible without Pakistani cooperation. Security assistance for Pakistan has helped Pakistan press this campaign against the militant and terrorist networks that threaten us all. If

confirmed, I will work to ensure that our security assistance and other support to Pakistan both serves U.S. interests and is cost effective.

Question. Do you support conditioning U.S. assistance and other support to Pakistan on Pakistan's continued cooperation in areas of mutual security interest?

Answer. U.S. assistance to Pakistan should not be unconditional. At the same time, any conditions should be carefully examined to ensure they advance U.S. strategic interests.

AL QAEDA AND ASSOCIATED FORCES

Question. What is your assessment of the threat posed by al Qaeda and its associated forces to the U.S. Homeland, U.S. interests overseas, and Western interests more broadly?

Answer. I assess that the threat posed by al Qaeda to the U.S. Homeland has been significantly diminished over the past 4 years. At the same time, al Qaeda's remaining leadership in Pakistan and al Qaeda in the Arabian Peninsula remains of serious concern. Additionally, the Arab Spring has created new opportunities for al Qaeda affiliates in Syria and North Africa.

Question. In light of the recent events in Benghazi and Algeria, do you share the assessment that al Qaeda is on the brink of strategic defeat?

Answer. Our sustained military, intelligence, and diplomatic efforts over the last 10 years have brought us closer to the strategic defeat of core al Qaeda. There can be no doubt, however, that al Qaeda and associated forces remain potent, dangerous, and adaptable foes—as evidenced by its despicable actions in Benghazi and more recently in Algeria. If confirmed, I will continue to focus on defeating al Qaeda and its associated forces around the world.

ARAB SPRING

Question. The Arab Spring has changed—and will likely continue to change—the political dynamics in the Middle East and North Africa. These changes require the United States to adjust our military-to-military and defense civilian relations in this region. Some observers argue that the United States should reduce significantly our military-to-military contact in countries as a result of the ongoing changes and others advocate more robust and stepped-up contact with our partners in this region.

In your view, what should be the posture of the U.S. Government on military-to-military and defense civilian relations in the region?

Answer. DOD's military-to-military and defense civilian relations with our partners in the Middle East and North Africa have played a critical role in advancing U.S. strategic interests, which include: securing and protecting Israel, preventing Iran from acquiring a nuclear weapon, defeating extremists, countering terrorist organizations, ensuring the free flow of commerce, and supporting operations in Afghanistan. Engagement with key partners' defense ministries and militaries, building partner capacity to meet common challenges, having a forward presence to enable operations and deter threats, and if and when necessary to conduct future contingencies, all require considerable effort by both DOD and the Department of State. During this time of change and uncertainty in the region, the Department should sustain military-to-military and defense civilian relations, while continuing to evaluate and recalibrate the nature and substance of our relationships to ensure they are consistent with U.S. values and advance U.S. vital national interests.

SYRIA

Question. The civil war in Syria continues and President Assad's commitment to continuing his regime's ongoing operations appear unwavering—despite broad international condemnation. To date, the United States has limited its support to opposition forces to non-lethal assistance to forces on the ground, as well as technical assistance to elements of the opposition working to build a cohesive political entity.

In your view, what is the proper role on the United States in this conflict?

Answer. I support the administration's position that Syrian President Bashar al-Asad has lost all legitimacy and must step aside to enable a political solution that ends the bloodshed, and meets the aspirations of the Syrian people. As President Obama has clearly stated, Asad must go. I also support the administration's approach to the ongoing crisis in Syria—working closely with allies, partners and multilateral institutions to achieve this goal through diplomatic and economic pressure on the Asad regime.

I agree with the administration's continued support of the Geneva Action Group's framework for a political solution, which was endorsed by the five permanent members of the U.N. Security Council, the Arab League, and the U.N. General Assembly. If confirmed, I will continue to support Joint U.N.-Arab League Special Representa-

tive Brahimi's efforts to build international support for the Geneva framework and urge all parties in Syria to take steps toward its implementation, to help expedite an end to the suffering of the Syrian people.

Question. In your view, should the United States provide other kinds of support to opposition groups on the ground in Syria, including the provision of lethal support?

Answer. The U.S. Government should continue providing non-lethal assistance to the unarmed opposition, as well as humanitarian support to Syrians in need, both inside Syria and in neighboring countries. The United States should also continue to support the opposition in the diplomatic arena. This includes helping the newly established Syrian Opposition Council with its efforts to end the conflict and improve the future of the Syrian people. I also believe that, like ongoing diplomatic efforts, U.S. assistance efforts should continue to be coordinated with our allies, partners, and relevant regional groups to have the biggest impact possible.

I do not believe that providing lethal support to the armed opposition at this time will alleviate the horrible situation we see in Syria. The Syrian people are in great need during this difficult period, and the United States is helping to address those basic needs by providing medical assistance, humanitarian assistance, and political support on the international stage. We must continually explore additional ways to provide resources and help influence the right outcome.

Question. If confirmed, will you review Defense Department planning for options to ensure the security of chemical weapons in Syria, and recommend any additional planning, if needed?

Answer. If confirmed, I will ensure that the Department continues planning for a variety of contingencies in order to provide the President with options. This includes relevant planning for Syria and specifically, the security and elimination of chemical weapons in Syria. If confirmed, I will review these plans and, if necessary, I will direct additional planning on this and any other potential contingencies.

Question. In your view, what should be NATO's role with respect to Syria (i.e. should NATO consider a military intervention, the creation of a no-fly zone, or other military operations to protect civilians and support opposition forces)?

Answer. The United States is working with our allies to achieve a peaceful and orderly political transition in Syria and to end the bloodshed as quickly as possible. Our NATO allies are closely monitoring the situation in Syria, especially as the conflict touches on NATO's border in Turkey, and like us, are extremely concerned about the deteriorating humanitarian conditions on the ground. NATO's ultimate task is the protection and defense of NATO members. To that end, I support NATO's decision to augment Turkey's air and missile defense capabilities in order to defend the population and territory of Turkey and contribute to the de-escalation of the crisis along the alliance's border. This includes the recent deployment of NATO Patriot batteries to Turkey from the United States, Germany, and The Netherlands. I understand the administration has also been working with our international partners, including NATO allies, to ensure that the appropriate humanitarian assistance is reaching those Syrians in need, both inside Syria and in neighboring countries (Lebanon, Turkey, Jordan, and Iraq).

LIBYA

Question. On March 19, 2011, the multilateral military operation, named Operation Odyssey Dawn, was launched in Libya to enforce United Nations Security Council Resolution 1973. Following the initial operations against Libyan integrated air defense systems, this operation continued under NATO Command as Operation Unified Protector.

What are your views on the limited U.S. military mission in Libya—Operation Odyssey Dawn and Operation Unified Protector?

Answer. I believe the U.S. and NATO operations in Libya were a success. Operation Odyssey Dawn stopped Colonel Qadhafi's army from advancing on Benghazi, saved thousands of lives, and established the conditions for a no-fly-zone. Operation Unified Protector built on these accomplishments and created the time and space needed for the opposition to oppose, and ultimately overthrow, Qadhafi. Both operations had limited and clear objectives for the unique capabilities the U.S. military could provide, avoided U.S. boots-on-the-ground, integrated allies and partners, minimized collateral damage and civilian casualties to a historically unprecedented extent, and enjoyed the legitimacy of U.N. Security Council authorization. This was all achieved at a fraction of the cost of recent interventions in the Balkans, Iraq, or Afghanistan.

U.S. MARINE CORPS SUPPORT TO THE STATE DEPARTMENT

Question. The Accountability Review Board for Benghazi recently completed its report examining the facts and circumstances surrounding the September 11–12, 2012 attack against the U.S. temporary mission facility in Benghazi. Among its findings and conclusions, its report supported the "State Department's initiative to request additional marines and expand the Marine Security Guard (MSG) Program—as well as corresponding requirements for staffing and funding. The Board also recommends that the State Department and DOD identify additional flexible MSG structures and request further resources for the Department and DOD to provide more capabilities and capacities at higher risk posts." In the NDAA for Fiscal Year 2013, Congress authorized up to 1,000 additional marines in the MSG program to provide the additional end strength and resources necessary to support enhanced Marine Corps security at U.S. embassies, consulates, and other diplomatic facilities.

In your view, should the Marine Corps diplomatic security mission be expanded to include new roles beyond the protection of classified information and equipment, and if so, how many additional marines and what rank structure would be needed?

Answer. I am aware that the Departments of Defense and State are currently thoroughly examining the challenges and threats posed by global unrest to our overseas operations and are developing options to address these challenges. These options include consideration of expanding Marine Security Guard detachments, as well as adjustments to their roles and responsibilities. I have not reviewed the details of the options and, therefore, am unable to comment on the specific arrangements, numbers of personnel, or rank structure at this time. However, if confirmed, I will place personal emphasis on this issue and work closely with the Secretary of State and Congress to ensure we are doing all we can to help protect our diplomats and diplomatic facilities overseas.

Question. In your view, should the current arrangements between the Department of State and U.S. Marine Corps be modified?

Answer. I cannot recommend any changes at this time. If confirmed, I will review the on-going work and recommendations that are being developed by the Departments of Defense and State that is examining the roles, responsibilities, and arrangements of the U.S. Marine Security Guards and the Department of State.

STRATEGIC COMMUNICATIONS AND INFORMATION OPERATIONS

Question. Over the past decade, DOD has funded an increasing number of military information support operations (formerly known as psychological operations) and influence programs. The GAO reports that DOD has "spent hundreds of millions of dollars each year" to support its information operations outreach activities. Many of these programs are in support of operations in Afghanistan, but Military Information Support Teams (MIST) from U.S. Special Operations Command also deploy to U.S. embassies in countries of particular interest around the globe to bolster the efforts of the Department of State and the U.S. Agency for International Development. Further, the geographic combatant commands are increasingly moving into this operational space.

What are your views on DOD's military information support operations and influence programs?

Answer. I believe DOD must be able to influence and inform foreign audiences in environments susceptible to the messages of U.S. adversaries. MISTs are trained in developing culturally appropriate messages to counter hostile information and propaganda, as well as assisting with building the capacity of partner nations to conduct these activities themselves. I understand that DOD influence activities, including those conducted by MISTs, are coordinated closely with the embassies in the areas where they operate, both inside and outside of areas of conflict, and at times can support common efforts of other agencies. I understand the Department has taken significant steps to address congressional concerns related to policy oversight, budgeting, and effectiveness. If confirmed, I intend to continue to be responsive to Congress on this matter, as well as to continue the Department's efforts to coordinate information activities across the interagency.

Question. In 2005, al Qaeda's Ayman al-Zawahiri declared that "We are in a battle, and more than half of it is taking place in the battlefield of the media." In 2010, a non-partisan study highlighted the lack of a U.S. strategy to counter radical ideologies that foment violence (e.g. Islamism or Salafist-Jihadism).

In your view, what is the appropriate role of DOD, if any, in developing and implementing a strategy to counter radical ideologies, and how does that role complement or conflict with the efforts of the Intelligence Community and the State Department?

Answer. Countering violent extremist ideology is a whole-of-government endeavor. I believe the Defense Department's focus should be on using its assets to meet military objectives and providing support to other U.S. Government agencies as requested. I understand the Department's activities in this area are closely coordinated with the Intelligence Community and the State Department.

Question. Defense Secretary Gates launched the Minerva Program in 2009 to develop deeper social, cultural and behavioral expertise for policy and strategy purposes.

Do you support this program and its goals?

Answer. I understand both Secretary Gates and Secretary Panetta supported the MINERVA initiative, which provides the Department with a means to focus research on complex social, cultural and political dynamics related to our strategic interests around the world. If confirmed, I would seek to learn more about the program and assess its continued value in supporting policy and strategy development.

SOMALIA

Question. Somalia is a training and operations hub for al Shabab and other violent extremists; pirates operating in the Indian Ocean and Arabian Peninsula; illicit traffickers of weapons, humans, and drugs; and remnants of the al Qaeda East Africa cell that was responsible for the destruction of our embassies in Dar es Salaam and Nairobi in August 1998.

What is your assessment of the threat posed by al Shabab to the U.S. Homeland and U.S. and Western interests in the East African region?

Answer. My understanding is that successful operations by the African Union Mission in Somalia (AMISOM) have reduced Al-Shabaab's freedom of movement in south and central Somalia, but al Shabaab remains a threat to the U.S. Homeland and to U.S. and Western interests in the Horn of Africa. Al Shabaab leaders have claimed affiliation with al Qaeda since 2007 and formally merged with the group in February 2012. Al Shabaab has demonstrated a desire and capability to conduct terrorist acts throughout the Horn of Africa, and it presents a threat to the homeland through links into Somali diaspora communities in the United States and Europe. Al Shabaab continues to repress the Somali people and remains the greatest threat to the new Somali Government. As the new Somali Government stands up, I believe that the United States must remain focused on the risks posed by al Shabaab.

Question. Given the role of the various U.S. Government Departments and Agencies in the Horn of Africa, what changes, if any, would you make to DOD's current role in the Horn of Africa?

Answer. With the establishment of the new government in Somalia and U.S. recognition of that government earlier this month, the Department will continue to play a role in Somalia's security sector development in order to help secure the gains made by AMISOM. Most of the U.S. Government's traditional security cooperation tools have been restricted from use in Somalia for some time, but I understand that the United States will explore possible changes in the coming year, as the United States moves to normalize relations with Mogadishu. If confirmed, I will work to ensure that the Department's approach to Somalia is developed as part of a coordinated U.S. national security policy toward the Horn of Africa, and to determine how the Department can and should best support our foreign policy in this region.

Question. In your view, what role, if any, should the United States play in the building of a Somali national army?

Answer. The United States can play a guiding and mentoring role in the development of Somalia's security sector. It is in the U.S. interest to ensure that Somalia's new government has a competent and professional military to provide security to its citizens and play a constructive role in the region.

AL QAEDA IN THE ARABIAN PENINSULA

Question. A number of senior U.S. officials have indicated the most significant threat to the U.S. Homeland currently emanates from Yemen.

What is your assessment of the threat posed by al Qaeda in the Arabian Peninsula to the United States?

Answer. I am very concerned about the threat that al Qaeda in the Arabian Peninsula (AQAP) poses to the Homeland. AQAP has attempted at least three attacks on the United States since December 2009, and in my view fully intends to attack again. AQAP has shown some very sophisticated and innovative techniques, such as the development of concealed explosive devices and printer cartridge bombs.

AQAP is also attempting to recruit and radicalize would-be terrorists in the West through its extensive media outreach.

Question. What is your assessment of the current U.S. strategy to counter al Qaeda in the Arabian Peninsula, specifically in Yemen?

Answer. I support the administration's whole-of-government strategy to: support the political transition, marshal international economic and humanitarian assistance, and build Yemen's counter-terrorism capabilities through training and assistance. The U.S. strategy to disrupt, dismantle, and defeat AQAP is a collaborative U.S.-Yemeni effort. By closely monitoring and acting on current threat streams while building key Yemeni capabilities, I believe the United States has shown the ability to counter near-term threats.

We have made a number of important gains against AQAP over the past couple of years. I understand that the Department continues to collaborate extensively with Yemeni forces on operational matters, which have helped remove several key AQAP operatives from the battlefield. Efforts to counter AQAP's narrative have helped to delegitimize the group and discourage its efforts to recruit new operatives. The U.S. Government's work on countering threat financing has made it more difficult for AQAP to receive funds and to support other parts of al Qaeda. U.S. efforts—many of them executed by the Department—to train, advise, and equip Yemeni forces are driving AQAP from territory it previously held and are enabling precise operations to capture and kill AQAP leaders.

NORTH AFRICA

Question. In December 2012, Secretary of Defense Leon Panetta stated that "Al Qaeda has long sought to operate in areas beyond the reach of effective security and governance, [and] we know that al Qaeda, its affiliates and adherents are looking to establish a foothold in other countries in the Middle East, and north and west Africa, including al Qaeda in the Islamic Maghreb, and the Boko Haram group in Nigeria."

What is your assessment of the threat posed by al Qaeda and its associated forces in North Africa? Do they pose a threat to the United States homeland and/or U.S. interests abroad?

Answer. Al Qaeda in the lands of the Islamic Maghreb (AQIM) poses an increasing threat to U.S. interests. My understanding is that at this time, there is no credible evidence that AQIM is a direct threat to the U.S. Homeland. However, as seen in the recent hostage situation in Algeria, AQIM and its associates do threaten U.S. persons and interests abroad, as well as our European allies.

Question. In January 2013, the French Armed Forces began conducting operations against violent extremist groups in Mali.

In your view, what should be the role, if any, of the United States in supporting the French operation?

Answer. The United States shares the French goal of denying AQIM and other terrorists a safe haven in the region. I agree with the administration's decision to support the French mission without deploying U.S. combat forces on the ground. My understanding is that this support includes assisting the movement of French and African forces, providing intelligence and planning support, and assisting in the training and preparation of African forces.

Question. In your view, what should be the role of the United States in working with United Nation's Security Council authorized forces from the Economic Community of West African States (ECOWAS) in Mali?

Answer. The African-led International Support Mission in Mali (AFISMA), approved by a Chapter VII U.N. Security Council mandate to restore Malian sovereignty and counter violent extremists, is very important for U.S. interests and for regional stability. I support the U.S. position to expedite the training, equipping and deployment of West African troops as part of AFISMA to ensure a successful, African-led mission.

COLLABORATION BETWEEN THE DEFENSE DEPARTMENT AND THE INTELLIGENCE COMMUNITY

Question. Since September 11, 2001, collaboration—both analytical and operational—between the Defense Department and the Intelligence Community has grown increasingly close. On one hand, seamless collaboration is a vital component of effective and rapid responses to non-traditional threats, and bringing together the strengths of the full spectrum of defense and intelligence missions creates opportunities for solutions to complex problems. On the other hand, such collaboration—without effective management and oversight—risks blurring the missions of agen-

cies and individuals that have cultivated distinct strengths or creating redundant lines of effort.

What are your views regarding the appropriate scope of collaboration between DOD and the Intelligence Community?

Answer. Collaboration between DOD and the Intelligence Community (IC) is an essential element for supporting our national security objectives. Eight of the 17 IC components are embedded in the Department which constitutes a substantial portion of the Nation's intelligence capabilities and resources. It is my understanding that the Department depends on capabilities provided by the IC to support weapons systems acquisition and to enable military operations, while the IC depends on capabilities provided by the Department to support a wide range of critical intelligence-related and special activities. Collaboration has also been central to the ability to dismantle and eventually defeat al Qaeda and to counter the proliferation of weapons of mass destruction (WMD). In 2007, the Secretary of Defense and the Director of National Intelligence (DNI) established the position of the Director of Defense Intelligence (DDI) within the Office of the Director of National Intelligence, and dual-hatted the Under Secretary of Defense for Intelligence (USD(I)) as the DDI. The DNI and the USD(I) have since pursued National Intelligence Program-Military Intelligence Program budget integration leading to more effectiveness and efficiencies from vital intelligence resources.

Question. In your view, are there aspects of the current relationship between the Department and the Intelligence Community that should be re-examined or modified?

Answer. I do not know the issue well enough to make recommendations at the time. If confirmed, I will ensure that the Department consistently assesses its processes and procedures for evaluating how it interacts with the IC and look for opportunities to build on the existing relationship.

NATO ALLIANCE

Question. The NATO alliance continues to be central to our coalition operations in Afghanistan and elsewhere, even as many NATO members have significantly reduced their national defense budgets in response to economic and fiscal pressures.

Do you agree that U.S. participation in the NATO Alliance contributes to advancing U.S. security interests?

Answer. Yes. the transatlantic relationship is of critical importance to U.S. security interests. NATO has been the cornerstone of European security and an integral part of U.S. foreign policy for more than 60 years, and NATO has continued to be critically important to U.S. security interests in recent years. In Afghanistan, there have been nearly 40,000 allied and partner forces alongside our own. In Libya, NATO allies came together with Arab and other partners to prevent a humanitarian catastrophe, and to support the Libyan people. Over years in the Balkans, NATO has been vital to stability and has moved us closer to the goal of a Europe whole, free, and at peace. NATO must remain the central Alliance in U.S. global strategy and has proven an effective partner.

Question. What are the greatest opportunities and challenges that you foresee for NATO in meeting its strategic objectives over the next 5 years?

Answer. In my view, the top NATO-related challenge is the mounting fiscal pressures facing all allies and the resulting reduction in alliance military capabilities as allies cut spending. However, these fiscal difficulties present an opportunity to transform NATO into an Alliance that is more efficient, with a new way of doing business that emphasizes innovation, flexibility, and enhanced cooperation and interoperability with allies and partners. The Alliance must also continue to adapt to meet the new threats of the 21st century: cyber attacks, terrorism, proliferation of WMD, and regional conflicts.

Question. In light of the reductions in national defense spending by some NATO members, are you concerned that the alliance will lack critical military capabilities? If so, what steps, if any, would you recommend be taken to address potential shortfalls in alliance capabilities?

Answer. Yes. I am concerned that the Alliance is in danger of losing critical military capabilities if something does not change. The past decade-plus of fighting in Afghanistan has left the alliance with worn equipment and depleted defense budgets. The Alliance should commit to halting defense cuts, complete the capability projects it has already initiated, and reinvest the funds it will save from the end of combat operations in Afghanistan into sustaining and building prioritized capabilities. If confirmed, I will work to ensure NATO's commitments to critical capabilities.

Question. The concept of defense cooperation between NATO members was emphasized at the NATO summit in Chicago in May 2012.

What areas or projects do you recommend that NATO nations cooperate in to improve NATO alliance capabilities?

Answer. I support the roadmap for NATO that was agreed to by Presidents and Prime Ministers from across the alliance at the Chicago Summit last May. It describes and prioritizes NATO's required capabilities, encourages greater pooling of resources, and focuses on improving education, training, and technology to preserve the interoperability resulting from years of joint operations in Afghanistan.

Question. Under what conditions, if any, would you envision further enlargement of NATO in the coming years?

Answer. If confirmed, I would work closely with my colleagues in the administration and in close consultation with Congress and our allies to determine which countries and within what timeframe NATO would undertake further enlargement. Each NATO aspirant should be judged on its individual merits and progress in implementing political, economic, and military reforms.

Question. In your view, is there a continuing requirement for U.S. nuclear weapons to be deployed in NATO countries?

Answer. I agree with the 2010 Nuclear Posture Review that the presence of U.S. nuclear weapons, along with NATO's unique nuclear sharing arrangements, contribute to alliance cohesion and provide reassurance to allies and partners who feel exposed to regional threats. Any changes should only be taken after a thorough review within, and a decision by, the alliance. I also support NATO's Deterrence and Defense Posture Review that the President and fellow Heads of State and Government agreed to at the May 2012 Chicago NATO Summit. The review committed the alliance to ensuring that NATO's nuclear deterrent remains safe, secure, and effective. The review also stated that the alliance is prepared to consider further reductions in non-strategic nuclear weapons assigned to the alliance, in the context of reciprocal steps by Russia. If confirmed, I will continue to consult with our allies on any such negotiations.

Question. What is your understanding of the relationship between Israel and Turkey as it relates to NATO? Are you concerned about the breakdown in the security cooperation relationship between Turkey and Israel and do you have any ideas as to how to mend it?

Answer. I remain concerned about the deterioration of the relationship between Turkey and Israel, both of which are important partners for the United States and are critical to stability in their region. These relationships are broader than this dispute. Turkey is a critical NATO Ally, and we will continue to exercise, plan, and work with Turkey in that context. Israel is a key security partner of the United States. If confirmed, I would work to ensure that the United States continues, in diplomatic channels and in defense contacts, to encourage both Turkey and Israel to take the steps necessary to resolve their dispute and work together to address common regional challenges.

KOSOVO

Question. Approximately 760 U.S. troops remain in the Balkans as part of the Kosovo Force (KFOR) that first deployed to Kosovo in 1999 and today is comprised of over 5,500 personnel from 30 countries. Spikes in violence in 2011 required the deployment of the NATO Operational Reserve Force battalion of approximately 600 soldiers to bolster KFOR and maintain a secure environment. Progress is required in both the military and political realms before further troop reductions can be made.

What major lines of effort do you think are required to further reduce or eliminate U.S. and NATO presence in Kosovo?

Answer. I recognize that the United States has a long-established commitment, together with our NATO allies, to a responsible, conditions-based drawdown of forces in Kosovo. I understand DOD continues to work with allies and NATO military authorities in monitoring and assessing conditions and pursuing carefully developed plans for the eventual drawdown. Ultimately, a political solution is needed to normalize relations between Kosovo and Serbia and thereby establish lasting security in Kosovo and the region. If confirmed, I will support this effort, both through Department-led engagements, and also by supporting our interagency and international partners to achieve this goal. I understand that a key part of the KFOR military plan, executed by NATO, is to enable a transition of security responsibilities to Kosovo. The United States plays a critical role in this effort. If confirmed, I will ensure that DOD provides support for this goal consistent with decisions among the United States and our allies.

Question. In your view, is the European Union (EU) playing a significant enough role in Kosovo?

Answer. The EU is playing a critical role by facilitating high-level dialogue between Kosovo and Serbia. This dialogue is broadly supported by the United States and our allies as an opportunity to normalize relations between the two countries. The EU Rule of Law Mission (EULEX) plays an important role in Kosovo, working to strengthen legal institutions there. The United States will continue its support for a robust role by EULEX to fulfill its mandate.

SPECIAL OPERATIONS FORCES

Question. The previous two Quadrennial Defense Reviews (QDR) have mandated significant growth in our special operations forces and enablers that directly support their operations.

What is your assessment of the QDR mandate regarding the mix of responsibilities assigned to general purpose and Special Operations Forces, particularly as it relates to security force assistance and building partner military capabilities?

Answer. I agree with the premise that adversaries will continue to seek alternative methods to counter U.S. influence and interests, and that for the foreseeable future the most likely contingencies the United States will face will involve irregular threats. Therefore, I fully support the 2010 QDR's strategic shift toward expanding general purpose forces' capabilities and capacity for these contingencies. The overall flexibility of our Armed Forces has been greatly improved by investing in key enablers within our conventional force such as: strengthening and expanding capabilities for security force assistance; increasing the availability of rotary-wing assets; expanding manned and unmanned aircraft systems for ISR; improving counter-improvised explosive device capabilities; and enhancing linguistic, cultural, counterinsurgency, and stability operations competency and capacity.

Question. Do you believe that our general purpose forces need to become more like Special Operations Forces in mission areas that are critical to countering violent extremists?

Answer. Countering violent extremism requires employing all of the capabilities of the Department—mixed and matched appropriately—depending on the mission requirements. The experience of the last 10 years is clear that general purpose units and special forces both contribute to countering violent extremists.

Question. Are there certain mission areas that should be reserved for Special Operations Forces only?

Answer. Special Operations Forces (SOF) are a uniquely specialized component of our U.S. Armed Forces that are trained, organized, and equipped to conduct counterterrorism, unconventional warfare, direct action, special reconnaissance, foreign internal defense, and counter-proliferation of WMD, and other designated operation, often in areas under enemy control or in politically sensitive environments. In such operations and environments, SOF provide unique and essential capabilities.

Question. Do you believe that we should further increase the number of special operations personnel? If so, why, and by how much?

Answer. I understand U.S. Special Operations Command (SOCOM) is on track to meet the growth mandated by the last two QDRs. If confirmed, I would work with Commander, SOCOM, to better understand the command's missions, pressures, and growth plans.

Question. Special Operations Forces rely heavily on Overseas Contingency Operations (OCO) funds.

With the drawdowns in Iraq and Afghanistan, what OCO funding for special operations needs to be moved into the base budget to preserve enduring capabilities in your opinion?

Answer. I believe we must continue to provide SOCOM with base budget resources sufficient to preserve long-term readiness of a global Special Operations Force. I understand that in the fiscal year 2013 budget the Department moved roughly $1 billion from OCO to base funding and the intent is to continue this transition, although the current fiscal and strategic environment make that challenging.

Question. In your view, can the size of Special Operations Forces be increased, while also maintaining the rigorous recruiting and training standards for special operators?

Answer. I understand and agree with the concept that Special Operations Forces (SOF) cannot be mass produced, and I fully support SOCOM's efforts to maintain the quality of SOF operators and support personnel during this current era of SOF growth. Experience has shown that SOF manpower growth of 3 to 5 percent annually can be sustained and will not dilute the force or outpace the required training

and support structure. This is the pace SOCOM has sustained to great effect over the past several years and is on track to sustain this year.

Question. In recent years, Special Operations Forces have taken on an expanded role in a number of areas important to countering violent extremist organizations, including those related to information and military intelligence operations. Some have advocated significant changes to SOCOM's title 10 missions to make them better reflect the activities Special Operations Forces are carrying out around the world.

Question. What current missions, if any, do you believe can and should be divested by SOCOM, and why?

Answer. At this time, I do not advocate significant changes to SOCOM's title 10 missions. If confirmed, I would work with Commander, SOCOM, to better understand the command's missions, operations, and pressures and if I see that changes are needed I will offer proposals.

Question. Are there any additional missions that you believe SOCOM should assume, and, if so, what are they and why do you advocate adding them?

Answer. I do not currently foresee any additional missions that SOCOM should assume. If confirmed, I would work with Commander, SOCOM, to review any additional missions that may be proposed.

Question. What can be done to ensure that indirect special operations missions with medium- and long-term impact, such as foreign internal defense, receive as much emphasis as direct action, and that they receive appropriate funding?

Answer. The activities of Special Operations Forces are quite varied, from high-risk strikes and counterterrorist raids conducted in minutes, to training and advising foreign counterparts conducted over months and years. Both require highly skilled operators, trained, organized, and equipped for the task. I believe that each of these activities is a highly valued capability for the U.S. Government that should be maintained and, if confirmed, I will ensure that the Department is adequately prepared for both.

UNIFIED COMMAND PLAN CHANGES

Question. It has been reported that Admiral McRaven, Commander of SOCOM, is seeking changes to the Unified Command Plan (UCP) and other authorities that he believes would allow SOCOM to better support the requirements of the Theater Special Operations Commands (TSOCs). Reportedly, such changes would give the Commander of SOCOM combatant command authority over the TSOCs—including responsibilities for resourcing—and provide for more rapid deployment of special operations forces to and between geographic combatant commands without the requirement for approval by the Secretary of Defense in every case. Operational control of deployed Special Operations Forces would reportedly remain with the respective geographic combatant commander. Some have expressed concern that such changes could raise problems related to civilian control of the military, infringe upon the traditional authorities of the geographic combatant commanders, and make it more difficult for Ambassadors and geographic combatant commanders to know what military personnel are coming into their areas of responsibility and what they are doing while they are there.

Please provide your assessment of whether such UCP changes are appropriate and can be made without conflicting with civilian control of the military, infringing upon authorities provided to the geographic combatant commanders, or raising concerns with the State Department.

Answer. It is my understanding that DOD is considering several initiatives to enhance the organization, training, equipping, and employment of Special Operations Forces to meet future global security challenges, including potential changes to the UCP and other guidance that establish command responsibilities and relationships. If confirmed, I look forward to seeing the recommendations from the Joint Chiefs of Staff and senior civilian leadership and will ensure these proposed changes preserve civilian control of the military principles, establish clear and appropriate command authorities, and support strong interagency relationships.

COMBATING TERRORISM

Question. What is your assessment of the threat posed by al Qaeda and associated forces to the U.S. Homeland, U.S. interests overseas, and western interests more broadly? Which affiliates and associated forces are of most concern?

Answer. I assess that the threat posed by al Qaeda to the U.S. Homeland has been significantly diminished over the past 4 years. At the same time, al Qaeda's remaining leadership in Pakistan and al Qaeda in the Arabian Peninsula remain

of greatest concern. Additionally, the Arab Spring has created new opportunities for al Qaeda affiliates in Syria and North Africa.

What is your understanding of the Department's role in the U.S. strategy to combat terrorism?

Answer. My understanding is that the U.S. Government is engaged in a multi-departmental, multi-national effort, and that key activities that the Department undertakes to support this strategy include: training, advising, and assisting partner security forces; supporting intelligence collection on al Qaeda; conducting information operations against al Qaeda; and, when appropriate, capturing or killing al Qaeda operatives. I understand that the Department also works to help enable our intelligence and law enforcement partners, both in the United States and overseas, in their efforts to counter this threat.

Question. Are there steps the Department should take to better coordinate its efforts to combat terrorism with those of other Federal departments and agencies?

Answer. Based on my current knowledge, it appears that the Department is properly coordinating its counterterrorism efforts with the rest of the U.S. Government. I understand that the U.S. military, Intelligence Community, and law enforcement agencies regularly collaborate on operations, and that departments and agencies constantly share intelligence, with little of the "stovepiping" that we saw before September 11. I will look at this closely if confirmed.

INTELLIGENCE SUPPORT FOR INDIRECT ACTIVITIES

Question. Some observers contend that the national intelligence agencies focus their assistance to the Defense Department on special operators engaged in direct action operations. As a consequence, it is alleged, general purpose forces and Special Operations Forces engaged in indirect activities, including foreign internal defense and population protection, receive less intelligence support.

Do you believe this is true? If so, and if confirmed, how would you ensure that general purpose forces and special operations forces engaged in indirect activities receive adequate intelligence support?

Answer. It is my understanding that the Intelligence Community and DOD continue to expand intelligence support for a full range of military operations—direct and indirect—not only in Afghanistan, but across multiple areas of responsibility. The Department has invested in and employed innovative ISR capabilities increasing its intelligence and operations support to interagency and foreign partners in their efforts against emerging threats. DOD and the Intelligence Community have assisted our partners in Afghanistan, East Africa, the Arabian Peninsula, Colombia, and the Phillipines. I think that U.S. military operations around the world over the past few years have demonstrated that our general purpose forces are the beneficiaries of consistent, timely support from across the Intelligence Community. If confirmed, I will work to ensure that intelligence capabilities are properly aligned across the force for all missions.

SECTION 1208 OPERATIONS

Question. Section 1208 of the Ronald Reagan NDAA for Fiscal Year 2005 (Public Law 108–375), as amended by subsequent bills, authorizes the provision of support (including training, funding, and equipment) to regular forces, irregular forces, and individuals supporting or facilitating military operations by U.S. Special Operations Forces to combat terrorism.

What is your assessment of this authority?

Answer. I understand that the section 1208 authority has been a very effective tool for U.S. Special Operations Forces (SOF) conducting counterterrorism operations to build effective security partners. Combatant commanders strongly support section 1208.

LORD'S RESISTANCE ARMY

Question. The President notified Congress in October 2011 of Operation Observant Compass (OOC), an operation to support the efforts of Ugandan and other regional militaries to remove Joseph Kony and other senior leaders of the Lord's Resistance Army (LRA) from the battlefield in Central Africa, and of his decision to send approximately 100 U.S. Special Operations Forces personnel to Central Africa to help regional partners achieve these goals. Despite pressure by the Ugandan People's Defense Forces and efforts by U.S. Special Operations personnel to support them, elements of the LRA—including Joseph Kony—continue to operate and commit atrocities against civilian populations in the Central African Republic, Democratic Republic of the Congo, and South Sudan. Congress recently passed and the President signed the NDAA for Fiscal Year 2013, which reiterated that the ongoing

efforts to remove or apprehend Joseph Kony and his top commanders from the battlefield and end the atrocities perpetuated by his LRA should continue as appropriate to achieve the goals of the operation.

Do you support OOC?

Answer. Yes. My understanding is that Department support to regional counter-LRA efforts helps to advance regional security cooperation and security sector reform more broadly. If confirmed, I would seek to continue the U.S. commitment to deepen our security partnerships with African countries and regional organizations by expanding efforts to build African military capabilities through low-cost, small-footprint operations. At the same time, I would work with the Department of State and other U.S. agencies and departments to seek to strengthen the capacity of civilian bodies and institutions to improve the continent's ability to provide security and respond to emerging conflicts. I would also regularly assess and review Department contributions to this mission to ensure the deployment of U.S. personnel is not open-ended.

Question. What is your understanding of the objectives of OOC?

Answer. U.S. Special Operations Forces under OOC seek to enhance the capacity of local forces to end the threat posed by the LRA. It is my understanding that U.S. military advisors are working with these forces to strengthen information-sharing and synchronization, enhance their operational planning, and increase overall effectiveness. While OOC is important in the effort to counter the LRA threat, there is not a purely military solution to this problem. If confirmed, I would support the current U.S. policy of pursuing a comprehensive, multi-faceted strategy to help the governments and people of this region in their efforts to end the threat posed by the LRA and to address the impacts of the LRA's atrocities. The U.S. strategy to counter the LRA outlines four pillars for continuing support: increasing the protection of civilians; apprehending or removing Joseph Kony and senior commanders from the battlefield; promoting the defection, disarmament, demobilization, and reintegration of remaining LRA fighters; and increasing humanitarian access and providing continued relief to affected communities.

MASS ATROCITIES PREVENTION

Question. President Obama identified the prevention of mass atrocities and genocide as a core U.S. national security interest, as well as a core moral interest, in August 2011 under Presidential Study Directive 10. What are your views on the role the United States plays in the prevention of mass atrocities and genocide?

Answer. As President Obama noted in his speech at the Holocaust Museum last April, preventing and responding to atrocities is a critical mission and a core national security interest of the United States. As the President has made clear, we must look at a wide range of tools before military intervention. I support this view: we should make every effort to prevent crises from escalating, through every policy lever at our disposal, including diplomacy, assistance, and financial measures. I understand that the Atrocities Prevention Board has strengthened our efforts by developing more tools with which to work; I support these vital efforts

Question. What are your views on the adequacy of the Department's tools and doctrine for contributing to this role?

Answer. I understand that the Department has played an active role in the work of the Atrocities Prevention Board, working closely with other agencies to develop a range of tools that enhance the USG's ability to prevent and respond to atrocities. I also understand that DOD has strengthened its own capabilities, including by developing formal doctrine on mass atrocity response operations, for the first time, and incorporating atrocity prevention and response into policy and plans. If confirmed, I would continue these efforts.

U.S. FORCE POSTURE IN THE ASIA-PACIFIC REGION

Question. The Defense Department's January 2012 strategic guidance, "Sustaining U.S. Global Leadership: Priorities for the 21st Century", states that "while the U.S. military will continue to contribute to security globally, we will of necessity rebalance toward the Asia-Pacific region." Likewise, the 2010 report of the QDR states that the United States needs to "sustain and strengthen our Asia-Pacific alliances and partnerships to advance mutual security interests and ensure sustainable peace and security in the region," and that, to accomplish this, DOD "will augment and adapt our forward presence" in the Asia-Pacific region.

Do you feel DOD has adequate resources to implement the new January 2012 strategic guidance?

Answer. Congress passed and the President signed into law the BCA of 2011. The President insisted that the resulting defense cuts be driven by strategy and U.S. de-

fense needs in the coming decade. I understand that the fiscal year 2013 DOD budget was shaped by the strategic guidance and reflects key mission and capability priorities emerging from the strategic review. If confirmed, I would continue to refine the focus of the Department's spending in future budget cycles and keep it in line with the President's strategic guidance. believe that the Department is facing hard but manageable cuts. The strategy is executable with the resource levels currently detailed in the BCA, but the potentially severe cuts stemming from sequestration would seriously threaten the Department's ability to implement the strategic guidance.

Question. What do you see as the U.S. security priorities in the Asia-Pacific region?

Answer. The maintenance of peace, stability, the free flow of commerce, and of U.S. influence in this dynamic region will depend in part on an underlying balance of military capability and presence. I believe that as a Pacific nation, the United States should, with its network of allies and partners, maintain an enduring defense presence in the Asia-Pacific region as a tangible demonstration of U.S. commitment to Asia's continued security and economic development.

Question. What does the "rebalance toward the Asia-Pacific region" mean to you in terms of force structure, capabilities, and funding?

Answer. The rebalance is broader than just military policies and programs; it is about harnessing every element of our national power to sustain a regional order rooted in economic openness, peaceful resolution to disputes, and democratic governance and political freedom, In terms of our force structure the rebalance places a renewed emphasis on air and naval forces while sustaining ground force presence. While rebalancing, it will also be important for the Department to develop new capabilities and investments to respond to changes in the security environment and technical advancements required to maintain an edge, our freedom of action, and ability to project power in the Asia-Pacific region. I believe that the rebalancing to Asia-Pacific is vital for U.S. future interests, but it can be done smartly, using air and sea and geographically distributed ground forces, without sacrificing the needed U.S. presence in the Middle East.

Question. Do you believe that it is a "necessity" to rebalance the U.S. military toward the Asia-Pacific region? If so, why?

Answer. I share the President's view that future U.S. economic and security interests will be closely tied to the Asia-Pacific. I have reviewed the Defense Strategic Guidance released last year, and agree that the emerging economic and political dynamism in the Asia-Pacific will require strong and continuous U.S. commitment.

Question. Why, if at all, do you believe it is important for the U.S. military to maintain and even augment its forward presence in the Asia-Pacific region, and what are the advantages to having a forward presence?

Answer. A robust U.S. military presence in the Asia-Pacific has underwritten peace and prosperity in the region for the past 60 years. The Department should be able to assure regional allies and partners, deter threats to regional stability, and prevail in conflicts if necessary. If confirmed, I would support the administration's effort to work towards a posture that is more geographically distributed—for example, the movement of forces to Guam and Australia; operationally resilient, with a focus on our sea based assets; and politically sustainable—meaning we must work with our partners and allies to address their concerns about U.S. presence, such as in Okinawa.

Question. What is your assessment of the risks and benefits that are likely to result from this shift?

Answer. This shift in U.S. posture is meant to continue supporting peace and prosperity in the Asia-Pacific region. U.S. forces should be present to effectively assure our allies and deter potential adversaries. By emphasizing the Asia-Pacific while also focusing on the Middle East, rebalancing will necessarily accept risk in other areas given the resource-constrained environment. I believe the risks associated with this rebalance are manageable. The potentially severe cuts stemming from sequestration, however, would seriously threaten the Department's ability to implement the strategic guidance, including the rebalance.

Question. What changes, if any, in structure, equipment, and training do you believe will be necessary to meet the requirements for general purpose ground forces in an Asia-Pacific strategy?

Answer. My understanding is that our military leadership is already working hard to ensure fielded capabilities enable our military personnel to think, train, and, if necessary, fight to succeed in this theater. The Department is already devoting significant effort to understanding how to operate in—or gain access to—those areas where our adversaries may try to deny us access and is developing the required operational concepts to manage that challenge. We will also need to build military-

to-military ties and other relationships, as well as language and cultural expertise, to operate effectively in the Asia-Pacific region. If confirmed, I will work closely with the Joint Chiefs of Staff, Services, and Office of the Secretary of Defense leadership to assess any additional changes in structure, equipment, and training.

CHINA

Question. How would you characterize the current U.S.-China relationship?

Answer. I would describe the relationship as simultaneously possessing elements of cooperation and competition. The U.S.-China relationship, of which the defense component is only one part, is one of the most complex and important bilateral relationships in the world. The United States and China are working together to build a cooperative partnership based on practical cooperation in addressing shared regional and global challenges—a commitment President Obama and President Hu made in January 2011. At the same time, China is rapidly modernizing its military and increasingly asserting claims to territory in the East China Sea and the South China Sea.

Question. From your perspective, what effect is China's expanding economy and growing military having on the region at-large and how does that growth influence the U.S. security posture in the Asia-Pacific region?

Answer. China's expanding economy and growing military are developments the United States, allies, partners, and all other nations in the region must monitor carefully. On the one hand, China's growth and potential create an opportunity to cooperate where our interests and those of China converge. At the same time, China's rapid rise and the relative lack of transparency surrounding its intentions can be a source of anxiety and concern in the region. If confirmed, I will evaluate the impact of these developments—as well as the impact of other security trends—on requirements for the U.S. defense posture in the region.

Question. What do you believe are the objectives of China's military modernization program?

Answer. As I understand it, China is pursuing a long-term, comprehensive military modernization program designed to improve the capacity of its armed forces to fight and win high-intensity regional military operations of short duration. I understand that Taiwan contingencies remain the principal focus of much of this modernization, but there are growing indications that China is developing capabilities for missions that go beyond China's immediate territorial concerns, such as its counter-piracy operations off the Horn of Africa and noncombatant evacuation operations from Libya.

Question. How do you believe the United States should respond to China's military modernization program?

Answer. I believe the United States should continue to monitor developments in China's military modernization while encouraging Beijing to be more transparent about its military and security strategies, policies and programs. The U.S. response to China's military modernization should be flexible and supported by the continued evolution of our presence and force posture in the Asia-Pacific region, the strengthening of our regional alliances and partnerships, the maintenance of our global presence and access, and the modernization of our own capabilities in such areas as countering efforts to deny us access and freedom of action.

Question. U.S.-China military-to-military dialogue has been strained over the past several years and efforts to establish and maintain mutually beneficial military relations has been hampered by China's propensity for postponing or canceling military engagements in an apparent effort to influence U.S. actions.

What is your view of the relative importance of sustained military-to-military relations with China?

Answer. I believe there is value in sustained—and substantive—military dialogue with China as a way to improve mutual understanding and reduce the risk that miscommunication and misperception could result in miscalculation. If confirmed, I would look for ways to strengthen the U.S.-China military-to-military relationship consistent with our interests and our values.

Question. Do you believe that we should make any changes in the quality or quantity of our military relations with China? If so, what changes would you suggest and, given Chinese resistance to military-to-military dialogue, how would you implement them?

Answer. If confirmed, I will seek ways to improve the U.S.-China military-to-military relationship, in terms of the quality and the quantity of exchanges between the Armed Forces of our countries. I would support continuing to pursue exchanges with the Chinese armed forces at all levels, and I would look to engage in a wide range

of areas where we might find common ground to encourage China to act responsibly on the regional and global scene.

NORTH KOREA

Question. What is your assessment of the current security situation on the Korean peninsula?

Answer. North Korea's provocative behavior, large conventional military, proliferation activities, ballistic missile program, and nuclear program continue to present a serious threat to the United States, our regional allies, and the international community. The opaque nature of the North Korean system, coupled with an uncertain political transition, adds to my concerns. North Korea's December missile launch, which was a violation of United Nations Security Council Resolutions, provided yet another example of North Korea's pattern of irresponsible behavior. If confirmed, I will work with our allies and other key partners in the region and internationally to ensure that we can deter and, if necessary, defeat North Korean aggression.

Question. What is your assessment of the threat posed to the United States and its allies by North Korea's ballistic missile and WMD capabilities and the export of those capabilities?

Answer. I am concerned about North Korea's WMD and ballistic missile programs because they present an immediate threat to our allies and partners as well as a growing threat to the United States. North Korea's December launch—using ballistic missile technology—underscores our concerns about North Korea's continued pursuit of a long-range missile program. The United States will continue carefully monitoring, and impede, North Korea's WMD and missile development programs and related proliferation activities. If confirmed, I would ensure that the Department continues working closely with other parts of the U.S. Government to address North Korea's missile and WMD programs, take necessary steps to defend the United States and our allies, and enhance engagement with our allies to ensure that we can deter and, if necessary, defeat North Korean aggression.

Question. In your view, what additional steps should the United States take to defend against the North Korean ballistic missile threat and dissuade North Korea from its continued pursuit of ballistic missile technology and to stop or slow North Korean proliferation missile and weapons technology to Syria, Iran, and others?

Answer. The United States should continue to work to prevent North Korea's proliferation of weapons-related technology by advancing international nonproliferation norms and further tightening sanctions aimed at impeding development of North Korea's ballistic missile and nuclear programs. This includes cooperating with partner nations to inspect and interdict vessels and aircraft suspected of carrying illicit cargo. The United States should also seek to enhance bilateral and trilateral missile defense cooperation with our Republic of Korea (ROK) and Japanese allies, particularly in the area of information sharing. If confirmed, I would continue to work to strengthen the international consensus against proliferation; to invest in programs like the Proliferation Security Initiative, which bolsters the will and capacity of partner nations to interdict these dangerous shipments; to increase WMD-related information sharing with international partners; to take necessary steps to defend the United States and our allies; and to ensure that our ballistic missile defenses are able to defeat any North Korean attack.

U.S. CONTRIBUTIONS TO INTERNATIONAL PEACEKEEPING MISSIONS

Question. In testimony before the House Committee on Foreign Affairs on July 29, 2009, the U.S. Ambassador to the United Nations (U.N.) stated that the United States "is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women I should note—to U.N. peacekeeping operations." General Dempsey has said the United States "should consider opportunities for U.S. personnel to contribute to U.N. peacekeeping missions" and that "experience shows that even a small number of trained and experienced American servicemembers can have a significant, positive effect on U.N. operations." In your view, should the United States increase the number of personnel it contributes in the form of staff positions and military observers to U.N. peacekeeping missions and other international peace operations?

Answer. I support in principle additional contributions of U.S. military personnel to key positions in U.N. peacekeeping operations where the mission is a strategic priority for the Department and the United States and where our servicemembers can add significant value to the mission effectiveness and efficiencies. I understand that, although we still provide military observers to U.N. peacekeeping missions, the

Department has shifted its contributions almost exclusively to staff officer positions so as to maximize the returns on our investment.

Question. In your view, what are the advantages and disadvantages of contributing additional military personnel to U.N. operations in the form of staff positions and military observer positions?

Answer. The success of U.N. peacekeeping operations is important to the United States. I believe that the United States should continue to provide military personnel to U.N. peacekeeping operations, especially for key staff positions that help shape the direction and success of the mission. Such support must be practicable and weighed against the potential costs and competing demands for military commitments. If confirmed, I will carefully evaluate the costs of requested U.N. support against the potential positive impacts and U.S. interests.

DEPARTMENT OF DEFENSE COUNTERNARCOTICS ACTIVITIES

Question. DOD serves as the single lead agency for the detection and monitoring of aerial and maritime foreign shipments of drugs flowing toward the United States. On an annual basis, DOD's counternarcotics (CN) program expends approximately $1.5 billion to support the Department's CN operations, including building the capacity of U.S. Federal, State, and local law enforcement agencies, and certain foreign governments, and providing intelligence support on CN-related matters and a variety of other unique enabling capabilities.

In your view, what is the appropriate role of DOD in counterdrug efforts?

Answer. It is my understanding that the Department plays an important role in U.S. counterdrug efforts in support of the National Security Strategy, the National Drug Control Strategy, and the Strategy to Combat Transnational Organized Crime. The Department supports and enables U.S. agencies and foreign partners to be more effective in executing their respective counternarcotics responsibilities. In the Western Hemisphere, the allocation of DOD capabilities in support of U.S. law enforcement interdiction efforts has helped remove hundreds of tons of cocaine and deny billions in illicit revenues to transnational criminal organizations. I believe this support role is a sensible and effective indirect approach.

Question. In your view, what should be the role of the United States in countering the flow of narcotics to nations other than the United States?

Answer. Drug trafficking is by far the world's most lucrative illicit activity and therefore is often used as a source of revenue by terrorists, insurgents, and other actors threatening our national security. In my view, the consequences of narcotics flows beyond U.S. borders—for example, the role of drug trafficking in Afghanistan and the surrounding region is of particular concern to the Department. If confirmed, I look forward to working with Congress, the Office of National Drug Control Policy, other agencies in the U.S. Government, and military commanders to address the flow of illegal narcotics as it affects U.S. national interests.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

Question. The Director of National Intelligence recently described transnational organized crime as "an abiding threat to U.S. economic and national security interests," and stated that "rising drug violence and corruption are undermining stability and the rule of law in some countries." In July 2011, the President released his Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security. One of the priority action areas designated in the strategy is "enhancing DOD support to U.S. law enforcement".

In your view, what role should DOD play in combating transnational organized crime and in training and equipping partner security forces that have been tasked with combating it?

Answer. By law, the Department is the lead Federal agency for detection and monitoring of the aerial and maritime transit of illegal drugs into the United States. In the Western Hemisphere, DOD coordinates the efforts of the U.S. interagency and regional partners in the detection and monitoring of illicit aerial and maritime drug shipments towards the United States. It is my understanding that beyond that, the Department's role is to contribute unique capabilities in support of law enforcement, other U.S. Government departments and agencies, and international partners. That support takes multiple forms: military intelligence support to law enforcement; military-to-military capacity building; broader capacity building support to foreign partner security services (including police forces); and counter threat finance support. believe the Department should continue to focus on delivering unique capabilities in support of other departments and agencies that have the lead for combating transnational organized crime.

COUNTER THREAT FINANCE

Question. DOD and the Intelligence Community (IC) have begun investing more resources in identifying and tracking the flow of money associated with terrorist networks and illicit trafficking, but the opportunities for tracking and degrading illicit financing flows are not yet matched by the effort and resources devoted to them. Identifying and disrupting key individuals, entities, and facilitation routes enabling the flow of money that supports terrorism, production of IEDs, narco-trafficking, proliferation, and other significant national security threats could have an outsized impact on confronting these threats.

What are your views on the role of DOD in counter threat finance activities?

Answer. Our Nation's adversaries, from drug traffickers to terrorists or insurgents, rely upon the flow of money to enable their activities. All available U.S. Government tools should be employed to track and disrupt the finances that support these groups, and the Department can bring unique tools to bear. My understanding is that the Department is not the lead U.S. agency in counter threat finance, but does work with other departments and agencies, and with partner nations, to fight our adversaries' ability to access and use global financial networks. For example, the Department has worked with the Intelligence Community and other interagency partners to identify and disrupt our adversaries' finances and remove key sources of insurgent funding in Afghanistan. I believe the Department should continue to work with law enforcement agencies to ensure military support is targeted, tailored, and in line with defense priorities.

Question. Are there opportunities to replicate or improve upon the network-disruption efforts of groups like the Joint Improvised Explosive Device Defeat Organization or the Afghanistan Threat Finance Cell in impacting other facilitation networks?

Answer. My understanding is that the Afghanistan Threat Finance Cell has been successful at disrupting illicit networks in Afghanistan through broad interagency cooperation. The Joint Improvised Explosive Device Defeat Organization's quick reaction and innovation has saved countless American lives. I believe that the capabilities involved in network disruption are worth institutionalizing into the Department. If confirmed, I will work with the Department's senior leadership and the interagency on this worthy effort.

Question. In your view, how should DOD coordinate and interface with other key agencies, including the Department of Treasury and the Intelligence Community, in conducting counter threat finance activities?

Answer. My understanding is that the Department works closely with the National Intelligence Manager for Threat Finance as well as the Department of Treasury's Assistant Secretary for Intelligence and Analysis. The Department also supports other U.S. Government departments and agencies and with partner nations to deny and disrupt adversaries' ability to use global licit and illicit financial networks to affect U.S. interests negatively. I believe the Department should continue to support law enforcement agencies, the Department of the Treasury, and the Intelligence Community with unique DOD capabilities, including planning, intelligence analysis and tools, and the integration of intelligence into operations.

CENTRAL AMERICA AND MEXICO

Question. During a March 2012 Senate Armed Services Committee hearing, the Commanders of U.S. Northern Command and U.S. Southern Command discussed the increasingly dangerous region along the northern and southern borders of Mexico and the devastating impact transnational criminal organizations are having on the people and security of southern Mexico, Guatemala, Belize, Honduras, and El Salvador. The United States has increased its assistance in this region, but—to date—DOD has had only a small role.

What are your views on the threats posed by transnational criminal organizations in this region?

Answer. It is clear that transnational and domestic criminal organizations and gangs undermine the security of citizens in many parts of the Western Hemisphere. The influence of criminal elements has brought an increase in violence as well as an increase in narcotics and other illicit trafficking. The root causes of violent crime and insecurity are also influenced by endemic poverty and lack of economic opportunity, weak government institutions, and widespread corruption and impunity. Central America has become one of the most violent regions in the world, and this can be largely attributed to the influence of these elements. Criminal influences threaten regional stability and the fundamental security of an area that lies very close to the United States. I believe the United States has a clear interest in helping partner nations strengthen their security institutions consistent with U.S. values.

Question. What is your assessment of DOD's role and current activities in Mexico and Central America?

Answer. I have not had a chance to fully assess these issues, but I am aware that the Department is building defense relations with Mexico based on mutual interest. I am also aware that the Department has a wide range of activities and initiatives with partner nations in Central America, consistent with our values, shared interests and our partner's capacity. My understanding is that that engagements in both Mexico and Central America are broadly focused on defense planning and institutional reform, human rights training, counterdrug support and humanitarian assistance activities. I believe these roles and activities are appropriate to support our policies and strategies in the region, which focus on efforts to strengthen law enforcement, governance and rule of law institutions, while improving economic and social conditions that can contribute to insecurity.

Question. What changes, if any, would you propose to DOD's current role and activities in this region?

Answer. If confirmed, I would need to conduct a thorough review before being able to propose specific changes to the Department's roles and activities in this region. In general terms, however, I am supportive of leveraging the longstanding military-to-military relationships within the region to ensure our partner nations' defense institutions are capable and remain responsive to civil authorities, while being respectful of human rights.

INTERAGENCY COLLABORATION

Question. The collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies has played a significant role in the success of counterinsurgency and counterterrorism operations in recent years. However, much of this collaboration has been ad hoc in nature.

What do you believe are the most important lessons learned from the collaborative interagency efforts in Afghanistan, Iraq, and elsewhere?

Answer. The importance of unity of effort and action remains one of the most critical lessons the Nation has learned from its experiences with counterinsurgency, counterterrorism, and stability operations in Iraq and Afghanistan. I believe that effective interagency collaboration can greatly improve the U.S. Government's preparedness to operate effectively in all phases of conflict. If confirmed, I will prioritize efforts to ensure interagency collaboration is as robust and effective as possible.

Question. How do you believe these efforts can be improved?

Answer. Interagency collaboration can always be improved. Ensuring that the U.S. military plans and trains with its civilian counterparts in other U.S. departments and agencies, and vice-versa, is one way to increase our unity of effort in the field. We also need a strong interagency planning process to ensure effective use of expertise from across the U.S. Government that recognizes each department's and agency's unique role and capabilities. I believe that robust civilian capabilities and resourcing are critical to achieving national security objectives and will be vital to the success of future operations.

Question. How can the lessons learned in recent years be captured in military doctrine and adopted as "best practices" for future contingency operations?

Answer. My understanding is that the Department has a variety of efforts devoted to capturing and disseminating best practices within the Department and to the interagency. The importance of institutionalizing lessons learned from the past 10 years of war was highlighted in the 2012 Defense Strategic Guidance. If confirmed I will continue this emphasis.

INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004

Question. The Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), among other actions, realigned the responsibilities for budgeting for and management of intelligence organizations between the Secretary of Defense and the head of the Intelligence Community, the Director of National Intelligence (DNI).

What do you believe is the role of DOD in intelligence under IRTPA?

Answer. The role of DOD, including the defense intelligence components, is clearly outlined in law. Under titles 10 and 50 of the U.S.C., the Secretary of Defense has broad responsibility for the intelligence and intelligence-related activities conducted by the Department's components. In addition, under title 50, the Secretary has several specific statutory responsibilities for elements of the Intelligence Community that are part of DOD, including the Defense Intelligence Agency, the National Security Agency, the National Geospatial-Intelligence Agency, and the National Reconnaissance Office. Consistent with the DNI's statutory responsibilities, the Secretary

of Defense is responsible for the continued operation of those elements as effective organizations within the Department for the conduct of their missions in order to satisfy the requirements of the Department and the Intelligence Community.

The Secretary, in consultation with the DNI, is also responsible for ensuring that the budgets of the Intelligence Community elements that are within the Department are sufficient to satisfy the overall intelligence needs of the Chairman of Joint Chiefs of Staff, the combatant commanders, and other departments and agencies. The Secretary is also responsible for the timely response of intelligence community elements within the Department to the needs of operational military forces. The Department strengthened its management of defense intelligence in 2002 by designating the Under Secretary of Defense for Intelligence (USD(I)) as lead for its intelligence reform efforts and Principal Staff assistant and advisor to the Secretary of Defense and Deputy Secretary of Defense regarding intelligence, counterintelligence (CI), and security matters.

As a former member of the Senate Select Committee on Intelligence and the President's Intelligence Advisory Board, I have seen first-hand how the Intelligence Community and all its elements have become better integrated and cooperative and, if confirmed as Secretary of Defense, I look forward to furthering that cooperation.

Question. Do you believe that the IRTPA strikes the correct balance between the duties and responsibilities of the Secretary and the DNI?

Answer. Yes. I believe the duties and responsibilities of the Secretary and the DNI are well balanced under the IRTPA. The IRTPA appropriately provided the DNI strong authority to oversee and direct the implementation of the National Intelligence Program. As such, the DNI is responsible for establishing requirements and developing budgets as well as setting objectives and priorities for collection, analysis, production, and dissemination of national intelligence. The responsibility for execution of DOD intelligence activities remains with the Secretary. The Under Secretary of Defense for Intelligence also holds the position of the Director of Defense Intelligence in the Office of the DNI; the position was established to enhance integration, collaboration, and information sharing. If confirmed as Secretary of Defense, I will reinforce this strong and effective relationship with the DNI.

Question. What changes in the IRTPA, if any, would you recommend that Congress consider?

Answer. As of now, I would not recommend any changes to the IRTPA. If confirmed, I would address any proposed changes should the need arise.

STRATEGIC REVIEWS

Question. What is your understanding and assessment of the DOD processes for analysis, decisionmaking, and reporting results for each of the following strategic reviews:

The QDR (section 118 of title 10, United States Code);

Answer. The QDR is statutorily required, and sets a long-term course for the Department by assessing the opportunities and challenges that the Nation faces in the emerging global security environment. It provides an important opportunity to clearly and concisely articulate the national defense strategy and identify priorities for defense policy and force planning. Given the new defense strategy and the fiscal challenges the Nation is facing, I believe the upcoming QDR will be critical in setting the future path of the Department.

Question. The National Military Strategy (section 153 of title 10, United States Code);

Answer. The National Military Strategy outlines the ways and means for our military to ensure national security based on guidance from the National Security Strategy and the QDR. Section 153 of title 10 of the U.S. Code requires the Chairman of the Joint Chiefs of Staff to assist the President and Secretary of Defense in providing strategic direction for the Armed Forces. Because the Chairman prepares the National Military Strategy in consultation with the combatant commanders and the Joint Chiefs of Staff, I believe that it is the best military advice available for the Secretary of Defense. The Chairman also provides an annual risk assessment based upon the most current National Military Strategy.

Question. Global Defense Posture Review (section 2687a of title 10, United States Code);

Answer. My understanding is that the Department continuously reviews U.S. Global Defense Posture based in part on combatant command submissions of annual Theater Posture Plans. The Department has an executive-level oversight body, the Global Posture Executive Council (GPEC), composed of senior leaders from across the Department and including the Department of State. This body provides analysis and recommendations to the Secretary and Deputy Secretary of Defense. The De-

partment submits an annual report to Congress that provides an overview of global defense posture strategy and the status of key overseas posture realignment actions. My assessment, at this time, is that the GPEC offers an appropriate forum for comprehensive analysis of key overseas posture issues.

Question. The Quadrennial Roles and Missions (QRM) Review (section 118b of title 10, United States Code).

Answer. The QRM review is a statutorily required review of the roles and missions of the Armed Forces and the Department's core competencies and capabilities to perform and support these missions. My understanding is that the QRM is required every 4 years, most recently in 2012, and accordingly will be due again in 2016 submitted with or before the President's budget submission for the next fiscal year. I believe that the next few years will be very dynamic—both in world events and how our military can and should respond—and that the next QRM review will be very important to capturing the consequences of those changes.

Question. If confirmed, what recommendations would you make, if any, to change title 10, U.S.C., and to improve DOD's processes for analysis, policy formulation, and decisionmaking relative to each review above?

Answer. Based on my current understanding, at this time I would not request any changes to title 10, U.S.C. If confirmed and after reviewing Department processes relating to each review, I will make recommendations to Congress and the White House accordingly.

Question. The QDR must examine the National Security Strategy as most recently updated by the President's January 2012 Defense Strategic Guidance (DSG). Noteworthy, the DSG states that the "tide of war is receding".

Do you agree with that assessment and, if so, how might that influence your analysis and recommendations with regard to strategic priorities in the QDR?

Answer. I agree that, with the drawdown of the war in Iraq and transition of security responsibilities in Afghanistan, our future security challenges will be defined less by the wars of the past decade and more by emerging complex threats. The Department remains committed to security in Afghanistan and Iraq, and our counterterrorism mission will remain a priority for the foreseeable future, but the Department needs to begin focusing on the mix of skills and capabilities and new technologies that will be needed in the future. The QDR should, therefore, examine the current and future security environment, to include changes since the 2012 Defense Strategic Guidance was released, and adjust strategic priorities as appropriate.

Question. Section 118 in title 10, U.S.C. also requires the QDR to identify the budget plan that would be required to provide sufficient resources to execute successfully the full range of missions called for in that national defense strategy at a low-to-moderate level of risk, and any additional resources (beyond those programmed in the current Future Years Defense Program) required to achieve such a level of risk. The law also requires the QDR to make recommendations that are not constrained to comply with and are fully independent of the budget submitted to Congress by the President.

If confirmed, how would you propose to structure the Department's QDR analysis and recommendations to address these two requirements?

Answer. It would be my intent, if confirmed, to oversee a QDR process that begins with an assessment of U.S. interests, opportunities, and challenges, and concludes with the development of a defense program and budget designed to meet the resulting defense objectives we set at a low-to-moderate level of risk. If confirmed, I would intend to provide my honest appraisal of the resources required for defense.

Question. In your view, is there analytical and/or practical value in a defense strategy that is unconstrained by or independent of the current budget request or fiscal environment?

Answer. I think we must be aware of the fiscal environment when determining our defense strategy just as the strategy is informed by other important environmental factors, such as trends in military technology. That strategy must ensure that the U.S. military is be capable of meeting crucial national security priorities across the range of current and future potential threats.

TACTICAL FIGHTER PROGRAMS

Question. Perhaps the largest modernization effort that we will face over the next several years is the F–35 Joint Strike Fighter (JSF) program to modernize our tactical aviation forces with fifth generation tactical aircraft equipped with stealth technology.

Based on current and projected threats, what are your views on the requirements for and timing of these programs?

Answer. Dominance in the air is essential to the success of our forces. I understand that the F–35, which will replace several older generation aircraft in the Air Force, Navy, and Marine Corps, is intended to provide that dominance well into the future. I have not looked at the projected threats in detail; however I believe that other nations, notably China and Russia, have programs to build advanced aircraft that will challenge our current capabilities in the coming years. My view is that we cannot let any other nation achieve parity with the United States in the ability to control the air.

Question. What is your assessment of whether the restructuring of the JSF program that we have seen over the past several years will be sufficient to avoid having to make major adjustments in ether cost or schedule in the future?

Answer. I know that the Joint Strike Fighter is the Department's largest acquisition program and that it has experienced significant cost increases and schedule slips. I understand that the Department has already taken steps to tighten the contract terms for the F–35 and restructured the program in 2012 to reduce concurrency, the risk of being in production before development is finished. I have not had the opportunity to review this program or its restructuring in detail. If confirmed, I will make it a high priority to examine the health of this program to determine if it is on a sound footing and ensure the aircraft are delivered with the capability we need and a cost we can afford.

NAVY SHIPBUILDING

Question. Today's Navy is at its smallest size in decades and could decline further without additional shipbuilding efforts. Over the past several years, successive Chiefs of Naval Operations (CNOs) have concluded that the Navy requires a fleet of at least 313 ships to perform its mission. Despite this conclusion, the President's budget request for fiscal year 2013 proposed the decommissioning of nine ships—two dock landing ships and seven cruisers designed to last another 10 to 15 years, in order to address defense budget constraints and growing operating costs. Congress rejected the proposal noting the Navy's initial investment of $11.6 billion in the nine ships and the fact that cutting them creates unnecessary and unaffordable future shipbuilding requirements.

What are your views regarding the CNO's conclusions about the appropriate size and composition of the fleet, and the adequacy of the Navy's current and projected plans to deliver that inventory of ships?

Answer. A strong and capable Navy is essential to meet our Nation's strategic requirements across the spectrum of operational demands. Therefore, the Navy needs a broad set of capabilities among the mix of ships in its inventory. I understand the Chief of Naval Operations is currently analyzing the Navy shipbuilding goal and will present his analysis shortly. If confirmed, I will review these recommendations for the Navy's current shipbuilding plan and work with the Navy to ensure we have the right size, mix, and usage of our naval forces to meet our strategic goals.

Question. In your opinion, how important is the requirement for a 313 ship fleet on the ability of the Navy to support the national military strategy?

Answer. I understand that the Navy's presently stated requirement is for a 313 ship fleet, but I do not yet know all the details of the mix and capabilities of our present and future fleet. I do know the United States requires a capable Navy that is robust enough to execute the full range of missions called upon by our combatant commanders in support of the National Security Strategy and Defense Strategic Guidance—including operating persistently across the globe, securing freedom of access, responding to crises, and projecting power into denied areas. If confirmed, I will work with the Navy and Congress to ensure naval forces are appropriately structured to meet our national defense needs.

Question. Do you believe the Navy can meet its goals for the size of the fleet in the current budget climate?

Answer. I believe the President's budget request for fiscal year 2013 allowed the Navy to meet its current plan for the size of the fleet. However, the budget environment that we all are dealing with has introduced a good deal of uncertainty for the future of each of the armed services. If confirmed, I will work with the Secretary of the Navy and the Chief of Naval Operations to understand the impact of budget levels on the size of the fleet and how we work within the budget constraints to still meet mission requirements.

AIRCRAFT CARRIERS

Question. DOD has repeatedly reaffirmed that the United States is committed to maintaining a fleet of 11 nuclear powered aircraft carriers despite budget pressures, and maintaining 2 carriers on patrol in the Middle East. Yet, recent press accounts

cite concerns by the Navy to maintain the carrier deployment schedule due to declining budgets. The Chief of Naval Operations recently stated "Right now, we are committed to providing two carrier strike groups in the Arabian Gulf through March. We've been doing this since 2010, and we're committed to that, as I said, through this March. We need to take a look at that, and we will be, with the Joint Staff and the Services to see if we need to continue this."

What is your view of the impact of maintaining two carriers in the Arabian Gulf on U.S. strategic goals in the region?

Answer. The Carrier Strike Group is a premier instrument supporting the warfighter and demonstrating U.S. resolve and commitment to allies around the world. In recent years the Navy has stepped up to meet increased demands to support operations in the Middle East, as well as to counter other tensions in the region. This support has been critical to our goals in the region. If confirmed, I will work with the Navy to ensure that we allocate our resources to ensure the level of presence necessary to meet our Nation's world-wide strategic goals.

Question. What are your views about the requirement to maintain a fleet of 11 aircraft carriers?

Answer. I understand that the Department's recent strategic reviews indicate that an 11-carrier force is the correct size to support our current strategy and provide sufficient carrier strike groups to meet overseas presence requirements. However, I also understand that increased combatant commander demands for carrier strike groups over the past 3 years have stressed the carrier force. Carriers are an essential tool given the strategic focus on the Asia-Pacific, an inherently maritime theater, and the Middle East, an increasingly maritime theater, and the requirement to conduct operations in multiple regions simultaneously. If confirmed, I will work with the Navy to ensure that we resource a sustainable level of presence that continues to support the strategic goals.

FUTURE ROLE OF THE ARMY

Question. In a speech at West Point in February 2011, former Secretary of Defense Robert Gates argued that it is unlikely that the Nation will commit large land forces to future conflicts, and that the Army must "confront the reality that the most plausible, high-end scenarios for the U.S. military [will be] primarily naval and air engagements." Accordingly, the Army will find it difficult to justify the number, size, and cost of its heavy forces. The Defense Strategic Guidance, announced in January 2012, echoed that prediction and indicated that ground forces would not be sized to conduct large scale long-term stabilization operations.

Do you agree with Secretary Gates assertion that the commitment of land forces, on the scale of Iraq or Afghanistan, is unlikely in the future? Why or why not?

Answer. We will continue to need the best Army in the world. But the best Army does not mean the largest. We must have the Army be appropriately sized for the contingencies we deem likely, and it also must be trained and modernized. Our forces must be able to conduct operations across the spectrum of conflict and adapt to the security environment as it changes. However, given that we must make choices in today's fiscal and security environment, I agree that large-scale, long-term stabilization operations is an area where we can take risk in the future.

Question. Do you agree that high-end military operations will primarily be naval and air engagements such that the Army will have difficulty justifying the size, structure, and cost of its heavy formations?

Answer. The Nation needs a robust balance of capabilities in each of the warfighting domains—air, sea, and ground. These capabilities can and should be complementary of one another—capabilities in one domain need not come at the expense of those in another. Furthermore, I know from my experience that war is an inherently human endeavor. As long as this nation faces adversaries with large, capable ground forces, the United States will need an Army with diverse and flexible capabilities, which include heavy forces.

Question. General Raymond Odierno, Chief of Staff of the Army, has stated that the Army will continue to be an indispensable part of the joint force and that there is a synergy that is gained of all the services in order for the military to meet the Nation's needs. He has also said the Army provides more than Brigade Combat Teams—the Army is the largest contributor to Special Operations Forces and it provides a broad range of essential services to combatant commanders to include ISR; air and missile defense; logistical support; and signal communication support.

In your view, what are the most important considerations or criteria for aligning the Army's size, structure, and cost with strategy and resources?

Answer. The most important considerations are our national security requirements. Our security environment and strategy requires the Army to have the appro-

priate size and structure to be able to support steady-state operations to shape the environment and deter potential adversaries, while simultaneously supporting contingency operations to defeat any potential adversary should deterrence fail.

Question. If confirmed, what actions, if any, would you propose to properly align the Army's size and structure with the requirements of security strategies and the likely availability of resources?

Answer. The Department should align the Army's size and structure to the strategy in the same way it would align those of any other component of the joint force: based on appropriate security scenarios, examining the demands of the missions that are most relevant to that component and then determining how best to provide the capabilities required to accomplish those missions. During this period of budget austerity, some tradeoffs across the force may be necessary. If confirmed, I will work closely with military and civilian leaders to balance maintaining the skills needed to meet our most pressing national security demands within the limits of acceptable risk.

ARMY FORCE STRUCTURE

Question. The Defense Strategic Guidance of January 2012 calls for the reduction of Army end strength and force structure over the next 5 years to 490,000 personnel and 8 fewer combat brigades. Army analysis underway and decisions still pending could add a third maneuver battalion to the modular armored and infantry brigades requiring a further reduction in the total number of Active component brigades to support such a redistribution of personnel.

If confirmed, what guidance would you give the Army regarding priorities for planning, decisions, and execution with respect to the identification and deactivation of the planned eight and anticipated additional brigade deactivations?

Answer. If confirmed, I would provide the same guidance I would give to any Service, which would be to figure out what is in the best interest of the Nation's security as expressed in the National Security Strategy and Defense Strategic Guidance. The Army, and the other Services, must use a holistic approach to ensure our forces are organized, manned, trained, equipped, and stationed to best incorporate the lessons of the last decade, while remaining ready for the kinds of challenges we will face in the future.

Question. If confirmed, will you prioritize for deactivation those brigades based overseas before those based in the United States?

Answer. If confirmed, I would prioritize the selection of brigades for deactivation based on how best to meet the Nation's global strategy and objectives while minimizing negative impact on Army families and communities and ensuring we maintain our treaty obligations and commitment to our allies. I cannot say now whether that results in prioritizing overseas units versus U.S.-based units, but, if confirmed, I will look comprehensively at this issue. I recognize that any force structure reduction will affect Army communities, and I expect that the Army and DOD will work with those communities to help minimize the impact.

Question. In your view, can the Army's Active component end strength be drawn down below the announced and planned reduction to 490,000? If so, what in your view would be the impact on strategic risk, if any, and, in your view would that strategic risk be acceptable or unacceptable?

Answer. Independent of size, we must maintain the best Army in the world. If fiscal pressures compel us to consider further reductions of any Service, I plan to study tradeoffs and fully understand the risks to our strategy before recommending further cuts. But the size of the force should be driven by mission requirements.

Question. What is your understanding and assessment of the current size and structure of the Army's Reserve component? If confirmed, what size or force structure changes, if any, would you propose for either the Army Reserve or the Army National Guard?

Answer. The Active and Reserve components of the Army, as parts of the entire force, must be sized and shaped to support our strategy. One of the foundations of the All-Volunteer Force is the Army National Guard with the critical capabilities it provides to the Governors and States, in addition to the tremendous support that it provides for Federal missions at home and abroad. Another foundation is the Army Reserve, which has been a key partner with the Active Army and the Army National Guard throughout many diverse missions. However, as the needs of the Nation change, I expect that the capabilities and capacities resident in the Army National Guard and the Army Reserve may also have to change. If confirmed, I will review the results of ongoing studies on recommended composition and size before I propose future changes to Reserve component end strength.

ARMY MODERNIZATION

Question. According to a recent study done for the Secretary of the Army by former Assistant Secretary of the Army Gilbert Decker and retired Army General Louis Wagner, the Army has sunk $3.3 billion to $3.8 billion annually since 2004 into weapons programs that have been cancelled. The report states that, "The Army lacks a credible, quantitative model and process for determining realistic, achievable requirements for modernization and recapitalization given reduced budgets." The Army has implemented many of the recommendations made in the report.

What is your assessment of the Army's modernization record?

Answer. I understand that the Army has terminated several large acquisition programs in the past, which gave rise to the study commissioned by Secretary McHugh in 2010. These program terminations were caused by a variety of factors, to include the Army's reliance on immature technologies as solutions to very complex and evolving military requirements. These factors significantly impacted program cost and delivery schedule. I understand that the Army has undertaken efforts to address the root causes of these prior terminations in current and future acquisition programs. If confirmed, I will emphasize the need for sound, cost-informed planning regarding the Army's acquisition efforts and work with the Army to continue to address these root causes.

Question. What actions, if any, would you take to ensure that the Army achieves a genuinely stable modernization strategy and program?

Answer. If confirmed, I will closely monitor and oversee the Army's acquisition efforts to ensure that stable and affordable modernization strategies are adopted and implemented. To this end, I will emphasize the need for Army acquisition programs that incorporate sound and realistic development strategies, affordable and technically feasible requirements, and—to the fullest extent practicable—adequate and stable resources. I understand that these are necessary ingredients for success in acquisition programs.

Question. What is your understanding and assessment, if any, of the Army's capabilities portfolio review process and its current modernization priorities and investment strategy?

Answer. It would be premature for me to currently assess the Army's specific processes for reviewing military requirements or setting modernization priorities. I understand that the Capability Portfolio Reviews are designed to provide a comprehensive examination of Army requirements in an effort to validate their operational value and inform the programming and budgeting processes. This holistic approach makes sense to me, but if confirmed, I will work with Army leadership to review their processes.

Question. What actions, if any, would you take to sustain the momentum of these reviews in stabilizing the Army's modernization strategy and priorities?

Answer. If confirmed, I would encourage and support the Army to take any necessary steps to properly define its equipment modernization requirements and priorities. I would closely monitor the outcome of these processes and support the Army's implementation of a successful modernization strategy.

Question. What is your assessment of the Army's implementation of the recommendations of the Decker-Wagner Acquisition Report?

Answer. I understand that the actions to implement the approved recommendations in the 2010 report commissioned by Secretary McHugh are either complete or underway. If confirmed, I will review the Army's implementation of the recommendations and work to ensure that they are reflected in ongoing and future modernization efforts.

UNFUNDED PRIORITIES

Question. What is your position on allowing the Service Chiefs to respond to Congress with a list of critical unfunded priorities not included in the President's budget request?

Answer. If confirmed, I plan to continue the Department's current policy whereby the Service Chiefs may communicate their unfunded requirements directly to Congress, once they have informed me of those requirements.

BALLISTIC MISSILE DEFENSE

Question. In September 2009, President Obama announced that he had accepted the unanimous recommendation of the Secretary of Defense and the Joint Chiefs of Staff to pursue a Phased Adaptive Approach (PAA) to missile defense in Europe. This approach is intended to defend all of Europe against existing and emerging threats from Iranian missiles, starting in 2011 and increasing in capability with

each of its four phases. Phase 4 of the European PAA is intended to provide a capability to defend against long-range missiles that could reach the United States, thus augmenting the existing Homeland missile defense capability.

Do you support the Phased Adaptive Approach to missile defense in Europe and, if confirmed, will you implement it?

Answer. Yes. I support the European Phased Adaptive Approach (EPAA). If confirmed, I will ensure the Department continues to support implementation of EPAA.

Question. In February 2010, the Defense Department issued its report on the first-ever comprehensive review of U.S. ballistic missile defense policy and strategy, the Ballistic Missile Defense Review (BMDR), as required by Congress. The BMDR established a number of policy priorities, including establishing defense against near-term regional missile threats as a top priority of missile defense plans, programs and capabilities. It also stated the policy of sustaining and enhancing the ability of the Ground-based Midcourse Defense system to defend the homeland against attack by a small number of long-range missiles by countries such as North Korea and Iran, and of hedging against future uncertainties.

Do you support the policies, strategies, and priorities set forth in the Ballistic Missile Defense Review and, if confirmed, will you implement them?

Answer. Yes. I support the administration's policies, strategies, and priorities as set forth in this review, and, if confirmed, I will implement them.

Question. The two most recent flight tests of the Ground-based Midcourse Defense (GMD) system failed to intercept their targets. The Missile Defense Agency (MDA) formed a Failure Review Board to determine the root cause of the failure and developed a plan to correct it, including flight tests to confirm the correction. Until the flight tests confirm the correction, MDA has suspended production of the Exo-atmospheric Kill Vehicles (EKVs) of the type that failed in the previous flight tests, in order to ensure that those EKVs do not contain a flaw that would need to be corrected later.

Do you agree that it is a high priority to correct the failure of the GMD system kill vehicle and demonstrate through flight testing that the system works as intended?

Answer. I'm not familiar with the technical details associated with these flight test failures, but in general I would agree that for any system, but especially for a national missile defense system, it is important to correct failures and demonstrate effectiveness as quickly as possible.

Question. Do you agree that it is prudent to verify that the flight test failure problem has been corrected before resuming production of additional EKVs?

Answer. I am not in a position to express a technical opinion on the right course of action, but in general it would seem prudent to demonstrate system effectiveness before committing to production. This is in line with the administration's principle of "fly before you buy".

Question. Do you support the continued enhancement and sustainment of the Ground-based Midcourse Defense system?

Answer. I very strongly believe that we should sustain and enhance our national missile defense to protect the Nation from limited ICBM attack by states like North Korea and Iran.

Question. Do you support the modernization of the Exo-atmospheric Kill Vehicle, which is based on 20-year-old technology?

Answer. Yes. I understand that the Exo-Atmospheric Kill Vehicle (EKV) is a key component of the Ground-based Midcourse Defense System that we rely on to protect the United States.

Question. Would you agree to study the feasibility, advisability, cost, and potential advantage of deploying additional ground based interceptors in the United States, including at a site located on the east coast of the United States?

Answer. I understand that such a study is required by the NDAA and, if confirmed, I will ensure the Department executes the NDAA for Fiscal Year 2013 direction to analyze potential locations for another continental United States (CONUS)-based missile defense site and to conduct environmental impact surveys.

Question. The United States and NATO are seeking options to cooperate with Russia on missile defense. President Obama has announced that such cooperation would not limit U.S. or NATO missile defense capabilities.

Do you agree that such cooperation could enhance the security of the United States, NATO, and Russia against common missile threats from nations such as Iran?

Answer. Yes. I agree that missile defense cooperation with Russia has the potential to enhance the security of the United States, NATO, and Russia. I also agree with President Obama's commitment to ensure that such cooperation will not limit U.S. or NATO missile defense capabilities.

Question. Do you agree that, irrespective of Russian objections, the United States is committed to the continued development and deployment of U.S. missile defense systems, including qualitative and quantitative improvements to such systems, to defend the homeland, our forward-deployed troops, and allies and partners overseas?

Answer. I agree that the United States is committed to continue to develop and deploy missile defenses, including qualitative and quantitative improvements consistent with the Ballistic Missile Defense Review. The President is on record as saying, and I agree, that the United States cannot accept limits on its BMD systems or expose information that would put our missile defense systems at risk. The President has made clear the need to ensure our missile defense systems are capable of defeating the most likely threat we face from North Korean and Iranian missiles. It makes sense to explore approaches to missile defense cooperation that improve transparency and reassure Russia that the U.S. missile defense system does not undermine Russia's strategic deterrent.

SPACE

Question. China's test of an anti-satellite weapon in 2007 was a turning point for the United States in its policies and procedure to ensure access to space. As a nation heavily dependent on space assets for both military and economic advantage, protection of space assets became a U.S. national priority.

Do you agree that space situational awareness and protection of space assets should be a national security priority?

Answer. Yes. Space situational awareness is foundational to all space activities, and enables the United States to maintain the strategic advantages we derive from space-based capabilities.

Question. In your view, should China's continued development of space systems inform U.S. space policy and programs?

Answer. Yes. U.S. space policies and programs should be informed by China's continued development of space systems, including its multidimensional counterspace program, as well as by the range of other actors that make the space environment increasingly congested, contested, and competitive.

Question. If confirmed, would you propose any changes to national security space policy and programs?

Answer. At this time, I am unaware of any necessary changes and if confirmed, I would plan to continue to implement the President's 2010 National Space Policy and the 2011 National Security Space Strategy. If I find need for changes in the future, I would propose them.

Question. Do you support the space code of conduct as a non-binding agreement among nations that utilize outer space?

Answer. Yes. An international code of conduct for space activities—a non-binding arrangement among nations that utilize space—would enhance our national security by helping to maintain the long-term sustainability, safety, stability, and security of space. As more countries and companies field space capabilities, a code could encourage responsible behavior and single out those who would act otherwise, while reducing the risk of mishaps, misperceptions, and mistrust.

Question. If confirmed, would you commit to reviewing the overall management and coordination of the national security space enterprise?

Answer. I understand that there has been a recent reorganization of the management and coordination of the national security space enterprise, including the establishment of the Defense Space Council, and the confirmation of the Secretary of the Air Force as the Executive Agent for Space. This reorganization has resulted in improvements in information flow across the Department and among U.S. departments and agencies, and has also improved the process for acquisition and policy decisions. If confirmed, I will commit to review this reorganization to ensure continued progress.

Question. What is your view on weapons in space?

Answer. If confirmed, I would continue to implement the 2011 National Security Space Strategy, which states that "it is in the interests of all space-faring nations to avoid hostilities in space," and the President's 2010 National Space Policy, which states that "all nations have the right to explore and use space for peaceful purposes." The National Space Policy also directs the Secretary of Defense to develop capabilities, plans and options to deter, defend against, and, if necessary, defeat efforts to interfere with or attack U.S. or allied space systems.

Question. The administration is proposing to free up 500 MHz of spectrum for broadband use, a candidate portion of which includes the band 1755–1850 MHz, which is used heavily by DOD and other national security agencies.

Do you support this initiative?

Answer. I fully support the national economic and security goals of the President's 500 MHz initiative to make spectrum available for commercial broadband use, the implementation of more effective and efficient use of limited radio-frequency spectrum and the development of solutions to meet these goals.

Question. Do you support section 1602 of Public Law 106–65, which requires the Secretaries of Commerce and Defense and the Chairman of the Joint Chiefs of Staff to certify that any alternative band or bands to be substituted for spectrum currently used by DOD and other national security agencies provide "comparable technical characteristics to restore essential military capability that will be lost as a result of the band of frequencies to be so surrendered"?

Answer. I fully support section 1602 of Public Law 106–65. This provision is absolutely critical to protecting and maintaining our warfighting capabilities. This statutory requirement is intended to ensure the Department is provided access to alternate spectrum before surrendering any spectrum critical for national security capabilities. Any spectrum reallocations and auctions should provide sufficient time for evaluation and certification of such alternate spectrum so that national security operations are not put at risk.

Question. If confirmed, how do you intend to comply with section 1602 in light of the 500 MHz initiative?

Answer. If confirmed, I will ensure the Department continues to conduct operational and cost-feasibility analysis to guarantee that spectrum-dependent national security capabilities are preserved, while supporting the economic benefits spectrum provides to our Nation.

Question. Do you intend to insist that DOD be compensated fully for the cost of relocating, if required to do so?

Answer. Yes. In order to relocate national security capabilities that rely on spectrum, while maintaining mission effectiveness, the Department must have alternate spectrum with comparable technical characteristics, full cost reimbursement for modifying complex weapons systems, and adequate time to make the transition.

Question. How do you propose the Department make more efficient use of communications spectrum through leasing of commercial satellites?

Answer. I understand that both the National Security Space Strategy and the Department of Defense Space Policy indicate that the Department will make use of commercial systems to the maximum extent practicable. I am not familiar with all the details, but will review this more thoroughly, if confirmed.

Question. Do you support more competition in the launch of DOD payloads?

Answer. Yes. in general I favor competition in contracting—to include new competitors that can meet certification standards.

Question. If confirmed, what steps will you take to encourage new entrants to the medium and heavy lift launch of DOD payloads while balancing affordability, mission assurance, and maintaining the viability of the existing launch provider?

Answer. I understand that the Department has developed criteria to certify new space launch vehicles capable of reliably launching national security satellites and will openly compete up to 14 space launches in the next 5 years, while guaranteeing the existing launch provider at least 28 launches.

Question. Do you support commercial hosting of DOD payloads and if so how?

Answer. Hosted payloads are one of the ways to enhance resilience and assure space capabilities in the congested, contested, and competitive space environment. If confirmed, I would support innovative approaches to improve the national security benefits we derive from space in a budget-constrained environment, including through the use of hosted payloads.

Question. What is your long-term vision and support for the Space-Based Infrared Sensing System (SBIRS)?

Answer. I understand that the SBIRS provides advanced early warning of hostile missile threats, allowing our warfighters to take swift and precise action. If confirmed, I would support the Department's continued efforts to define the future architecture necessary to provide early warning.

Question. Do you support splitting the systems sensors up to lower overall cost of the system?

Answer. I understand that the Department of Defense Space Policy requires the consideration of resilience in space architecture development. Splitting space sensors may be one way to achieve resilience. If confirmed, I will look at options for improving resilience in this system.

STRATEGIC SYSTEMS

Question. Over the next 5 years DOD will begin to replace or begin studies to replace all of the strategic delivery systems. For the next 15 plus years, DOD will also have to sustain the current strategic nuclear enterprise. This will be a very expensive undertaking.

Do you support the President's intent, stated in his message to the Senate on the New START treaty (February 2, 2011), to modernize or replace the triad of strategic nuclear delivery systems?

Answer. I support the President's commitment to a safe, secure, and effective nuclear deterrent as long as nuclear weapons exist. I believe that providing necessary resources for nuclear modernization of the Triad should be a national priority. I understand the Department is currently modernizing, replacing, or studying recapitalization options for each leg of the Triad.

Question. Do you have any concerns about the ability of the Department to afford the costs of nuclear systems modernization while meeting the rest of the DOD commitments?

Answer. I am not able to make a judgment on this at this time; however, if confirmed, I will assess the costs to ensure that we protect critically important nuclear systems modernization while meeting other defense commitments. We must continue to aggressively scrutinize each of our programs to ensure we maintain critical capabilities in a fiscally responsible manner.

Question. The Department is committed to modernizing our nuclear command and control system, do you support that commitment?

Answer. I do. An effective, reliable Nuclear Command, Control, and Communication (NC3) system is a vital component of a safe, secure, and effective nuclear deterrent. NC3 systems provide the President redundant and assured capability to execute U.S. nuclear forces under any scenario and are a critical element in ensuring crisis stability and deterrence.

U.S. CYBER COMMAND PERSONNEL REQUIREMENTS

Question. The Commander of U.S. Cyber Command (CYBERCOM) in conjunction with the Chiefs of the Military Services and other elements of DOD, is now seriously engaged in defining the numbers and qualifications of personnel required to conduct the offensive, defensive, and intelligence missions of the Command in support of the combatant commands and the defense of the Nation in cyberspace. Preliminary indications are that the numbers of exceptionally qualified operators are going to be substantial. Secretary Panetta committed to report to the Committee on Armed Services as early as possible this year how the Department would address these serious manpower and training requirements.

Do you believe that the strategy, operational concepts, and operational assumptions that underpin CYBERCOM's force planning have received sufficient critical scrutiny and analysis?

Answer. I understand that the Department's leadership has invested significant effort analyzing the threat, reviewing the force planning model, and is currently addressing how to implement the proposed model. If confirmed, I will review this analysis and implementation plan.

Question. Can the Military Services' current personnel systems and practices produce and sustain the number of highly qualified cyber operators that CYBERCOM believes are required, especially in light of end strength reductions and declining budgets?

Answer. Recruiting, training, and retaining military and civilian personnel needed for cyber operations will be a challenge. This is a high priority area for the Department with regard to investment of both resources and management oversight and, if confirmed, I will review these systems and practices.

Question. Should consideration be given to providing the Commander of CYBERCOM personnel authorities similar to those granted to the Commander of SOCOM?

Answer. If confirmed, I will seek the advice of the Joint Chiefs of Staff and senior civilian staff of the Department before recommending any additional authorities for CYBERCOM.

CYBER DETERRENCE

Question. Do you believe we are deterring and dissuading our adversaries in cyberspace?

Answer. At this time, it appears that the United States has successfully deterred major cyber attacks. I expect that deterring and, if necessary, defeating such attacks

will be a continued key challenge. If confirmed I intend to ensure that the Department provides strong support to our national efforts in this area.

U.S. CYBER COMMAND STATUS

Question. The Chairman of the Joint Chiefs of Staff has recommended that U.S. CYBERCOM be elevated from a sub-unified to a full unified command. The NDAA for Fiscal Year 2013 includes a Sense of the Congress resolution calling for consultation with Congress before a Presidential decision is made to make CYBERCOM a unified command, and asking for consideration of a number of issues associated with such a decision.

Do you believe it would be advisable to consult with Congress prior to making a decision to elevate CYBERCOM to a unified command?

Answer. Yes. If confirmed, I will ensure consultation with Congress.

Question. As the current Commander of the sub-unified CYBERCOM is dual-hatted as the Director of the National Security Agency (NSA), what are your views on the wisdom of having an intelligence officer serve as a unified combatant commander, rather than a line officer with broad training and command experience?

Answer. My sense is that dual-hatting the commander of CYBERCOM and the Director of NSA has worked well to date. However, if confirmed, I will review specifics of the dual-hatted relationship and assess whether it should continue in the future. I recognize that NSA support is critical to CYBERCOM's mission given the technical capabilities required to operate in cyberspace. In addition, I recognize that the CYBERCOM commander requires significant understanding of the intelligence community's capabilities and processes to execute his or her missions effectively. However, I am also aware of concerns about the dual-hatted relationship and, if confirmed, will carefully consider these concerns.

Question. Do you believe that CYBERCOM is mature enough to become a unified command, and that policy, strategy, operational planning, and rules of engagement to govern operations in cyberspace are sufficiently developed to justify this step?

Answer. My understanding is that the Department has made significant progress since CYBERCOM's creation in 2009. This includes issuance of a comprehensive strategy for military operations in cyberspace. In addition, I am told that CYBERCOM is expanding its integration into the Department's deliberate planning, and that the Chairman, with the approval of the Secretary of Defense, will issue a new set of rules of engagement governing all military operations, including cyber operations, in the near future. If confirmed, I will evaluate the maturity of the command and will consult closely with the Chairman of the Joint Chiefs, combatant commanders, and Congress prior to any decisions with respect to CYBERCOM.

CHINA'S AGGRESSIVE THEFT OF U.S. INTELLECTUAL PROPERTY

Question. A recent report by the National Counterintelligence Executive confirmed the widespread belief that China is engaged in a massive campaign to steal technology, other forms of intellectual property, and business and trade information from the United States through cyberspace. The current Commander of CYBERCOM has referred to this as the greatest transfer of wealth in history and, along with others, believes this is a serious national security issue.

Do you believe that China's aggressive and massive theft of technology in cyberspace is a threat to national security and economic prosperity?

Answer. I believe that the theft of intellectual property and other sensitive information threatens the United States' military advantage and economic prosperity. If confirmed, I will work within the Department and with other departments and agencies to address this threat.

Question. What steps, if any, do you believe are needed to deter China from such activities in the future?

Answer. I am not in a position to recommend specific policies, guidance, or changes to authorities at this time. I understand that the Department is enhancing its cyber defense programs and those of certain defense industrial base networks, as well as improving its ability to identify the origins of intrusion. If confirmed, I will consider what diplomatic and public engagement as well as other actions that should be taken to address this challenge.

DOD'S ROLE IN DEFENDING THE NATION FROM CYBER ATTACK

Question. What is your understanding of the role of DOD in defending the Nation from an attack in cyberspace? In what ways is this role distinct from those of the Homeland security and law enforcement communities?

Answer. My understanding is that DHS has the lead for domestic cybersecurity. Thus, DHS coordinates national protection, prevention, mitigation, and recovery in

significant cyber incidents. The Defense Department provides technical assistance to DHS when requested. The Department's role is to provide the military forces needed to deter the adversary, and if necessary, act to protect the security of the country. This includes planning against potential threats to our critical infrastructure, gathering foreign threat intelligence, and protecting classified networks. I believe that the defense, homeland security, and law enforcement communities should work together, and with our private sector partners to improve network defenses, share information on cyber threats, and ensure swift response to threats when they manifest themselves.

Question. Do you believe that defending the Homeland mission will require both offensive and defensive cyber forces and tools?

Answer. If confirmed, this is an area I will review closely. My current view is that defending the Homeland from cyber attacks should involve the full range of tools at the disposal of the United States, including diplomacy and law enforcement as well as any authorized military operations.

Question. This new mission will require substantial resources, including personnel. How do you envision generating these additional resources in the face of reduced budgets and declining end strength?

Answer. The current fiscal situation will force hard choices across a range of priority missions, including cyber. If confirmed, I will consult closely with military and civilian leaders in the Department, the President, and Congress in finding the right balance.

IRAN

Question. What is your assessment of the military and political threat posed by Iran?

Answer. Iran poses a significant threat to the United States, our allies and partners, and our interests in the region and globally. Iran continues to pursue an illicit nuclear program that threatens to provoke a regional arms race and undermine the global non-proliferation regime. Iran is also one of the main state-sponsors of terrorism and could spark conflict, including against U.S. personnel and interests. Iran is also actively investing in the development of a range of conventional capabilities, including air, missile, and naval assets that have generated regional anxieties and could threaten our interests and personnel in the region.

Question. What is your assessment of U.S. policy with respect to Iran?

Answer. I believe that President Obama has put in place and pursued effectively—with support from the U.S. Congress—a strong, multi-vector strategy to deal with the threats that Iran poses to the United States, particularly its nuclear pursuits. This strategy has included a strong diplomatic effort to test Iranian intentions, lay the ground work for an international coalition that holds Tehran accountable for its transgressions, and isolate Iran in the region and globally. This strategy has also included the application of smart, unprecedented, and effective sanctions against the Iranian regime that has sharpened its choices significantly. Lastly, this strategy has credibly, and smartly in my opinion, made clear that all options are on the table. I believe that this strategy has made it clear to Iran that the United States will do what it must to prevent Iran from acquiring a nuclear weapon, and I will continue to implement this policy if confirmed.

Question. In your view, what has been the effect of sanctions against Iran—how effective have they been?

Answer. I believe that the President with significant help from the U.S. Congress, has been able to bring the world community together to confront Iran with effective sanctions. As a result of these sanctions, Iran's financial, trade, and economic outlook has deteriorated significantly. International financial institutions estimate that Iran's economy contracted in 2012 for the first time in more than 2 decades. Iran's access to foreign exchange reserves held overseas has diminished. Additionally, the Iranian currency—the rial—reached an all-time low in mid-October, losing more than half its value since the start of 2012. Inflation and unemployment are also growing. As the economic outlook for Iran continues to worsen and as the U.S. continues to reinforce our pressure track along with the International Community, I believe that pressure is building on Iran.

Question. You have said that "Washington should make clear that everything is on the table with Tehran—an end to sanctions, diplomatic recognition, civil nuclear cooperation, investment in Iran's energy sector, World Bank Loans, World Trade Organization membership, Iraq, Afghanistan, regional security arrangements, etc.—if Iran abstains from a nuclear weapons program, ends support for terrorist groups, recognizes Israel, and engages in more constructive policies in Iraq."

Do you still hold this view?

Answer. I do believe that if Iran lives up to international obligations, it should have a path to a more prosperous and productive relationship with the international community and eventual rejoining of the community of nations. The other choice is clear as well—if Iran continues to flout its international obligations, it should continue to face severe and growing consequences. While there is time and space for diplomacy, backed by pressure, the window is closing. Iran needs to demonstrate it is prepared to negotiate seriously.

Question. In March 2012, President Obama said "when it comes to preventing Iran from obtaining a nuclear weapon, I will take no options off the table, and I mean what I say. That includes all elements of American power: A political effort aimed at isolating Iran; a diplomatic effort to sustain our coalition and ensure that the Iranian program is monitored; an economic effort that imposes crippling sanctions; and, yes, a military effort to be prepared for any contingency."

Do you agree with the President's view that "all options should be on the table" to prevent Iran from obtaining a nuclear weapon?

Answer. I agree with the President that the United States should take no options off the table in our efforts to prevent Iran from acquiring a nuclear weapon. If confirmed, I will focus intently on ensuring that U.S. military is in fact prepared for any contingency.

COUNTERING IRAN'S BALLISTIC MISSILE THREATS

Question. Iran has hundreds of short- and medium-range ballistic missiles today that are capable of reaching forward-deployed U.S. forces, allies, and partner nations in the CENTCOM AOR. The Ballistic Missile Defense Review Report of February 2010 stated that the United States intends to pursue a phased and adaptive approach to ballistic missile defense tailored against such missile threats in various regions, including the Middle East.

Do you agree that such a phased adaptive approach will provide CENTCOM with the missile defense capabilities needed to defend our forward deployed forces and our allies and partners in the region against Iranian ballistic missile threats?

Answer. While I have not looked into the details of the phased adaptive approach, I believe this approach includes the appropriate steps to protect the United States as well as our forces and interests overseas. If confirmed, I will work to ensure the President continues to propose a budget sufficient to support our ballistic missile defense priorities, balanced with competing priorities, and consistent with the projected capabilities of missile defense systems to deal with the anticipated threats.

Question. What role do you see for the Aegis Ballistic Missile Defense system with Standard Missile-3 interceptors in U.S. regional missile defense capabilities against Iran's ballistic missiles?

Answer. My understanding is that today, U.S. Aegis combatants equipped with Standard Missile-3s are on station and protecting U.S. forces, partners, and allies in the Middle East as well as Europe against Iran's ballistic missiles. My expectation is that this capability will continue to evolve.

Question. In addition to U.S. missile defense capabilities in the CENTCOM AOR, what role do you see for other nations in the AOR to contribute to regional missile defense capabilities, such as UAE's plans to purchase the Terminal High Altitude Area Defense system?

Answer. Recognizing that global demand for BMD will likely exceed the U.S. supply, it is appropriate for the United States to seek appropriate burden-sharing arrangements with partners and allies in the CENTCOM area and other regions. Such arrangements can increase the quantity of missile defense assets in support of U.S. regional deterrence and security goals. If confirmed, I will encourage those contributions to our mutual defense needs.

Question. The Intelligence Community assesses that, with sufficient foreign assistance, Iran may be technically capable of flight testing an ICBM capable of reaching the United States by 2015. What should the United States do to hedge against this possibility?

Answer. I understand that, with the deployed Ground-based Midcourse Defense system, the United States is currently protected against the threat of limited ICBM attack from states like Iran and North Korea. As noted in the 2010 Ballistic Missile Defense Review, it is important that we maintain this advantageous position by hedging against future uncertainties. If confirmed, I would continue the current efforts to prepare options in case the threat changes or if the development of new technical capabilities is delayed.

U.S.-ISRAEL DEFENSE COOPERATION

Question. In recent years, the NDAA has supported close cooperation and substantial funding for a number of critical missile defense and rocket defense programs for the state of Israel, including the Arrow system, the Arrow-3 interceptor, David's Sling, and the Iron Dome system.

In your view, should the United States continue to support such joint cooperation and funding for these programs?

Answer. Yes. I am proud of the work that the United States has done in support of the ballistic missile defense of Israel and, if confirmed, I will continue to support these efforts. Missile defense is a core area of U.S.-Israel joint cooperation. The importance of these efforts came to the forefront with Israel's recent Operation Pillar of Defense in Gaza. Throughout the 8 days of the operation, Hamas and the Palestinian Islamic Jihad launched over 1,506 rockets into Israel. Focusing only on these that posed a real threat to populated areas, Iron Dome intercepted 421 rockets with an overall intercept rate of approximately 85 percent—saving the lives of countless Israeli civilians. This highlights the importance of the work that the United States is doing with the Israelis on all layers of missile and rocket defense, and if confirmed, I will work to continue and expand this cooperation.

DOD'S COOPERATIVE THREAT REDUCTION (CTR) PROGRAM

Question. The CTR program is focused on eliminating WMD in the states of the former Soviet Union and other nations around the world. Its key objectives include: (1) eliminating strategic nuclear weapons; (2) improving the security and accounting of nuclear weapons and weapons-usable fissile material; (3) detecting, eliminating, and preventing the proliferation of biological and chemical weapons and capabilities; and (4) encouraging development of capabilities to reduce proliferation threats. The current CTR umbrella agreement between the Russian Federation and the United States will expire at the end of May 2013, and it has been reported that the Duma does not support extending the umbrella as it is currently written at this time.

Do you support extending this umbrella agreement?

Answer. Yes. On December 3, 2012, President Obama said, "If Russia believes the CTR agreement hasn't kept pace with the changing relationship between our countries, we should update it." If confirmed, I will support continuation of the nonproliferation cooperation with Russia supported by the CTR Umbrella Agreement.

Question. Do you support continued cooperation with the Russian Federation to eliminate WMD in Russia?

Answer. Yes. U.S. and Russian efforts to secure and eliminate WMD have made both countries safer, and have proven to be a productive area of cooperation.

Question. Do you support the use of metrics to assess the progress of the CTR programs and to ensure individual programs complete their objectives?

Answer. Yes. Metrics are an important tool in ensuring efficient execution of the CTR program.

Question. In your view, are Russia and the former Soviet Union countries making a significant contribution to efforts to reduce the proliferation threats they inherited?

Answer. My understanding is that the Russian Federation and several other states of the Former Soviet Union have contributed in many ways to reduce threats posed by WMD that they inherited. I understand that the Department supports these efforts through the CTR program, which helps secure nuclear materials, destroy chemical weapons, and reduce the threat from especially dangerous pathogens. Russia and several of its neighbors also made important contributions to the Nuclear Security Summits held in Washington and Seoul.

Question. Do you think the CTR program is well-coordinated among the U.S. Government agencies that engage in threat reduction efforts in Russia, e.g., DOD, the Department of Energy, and the State Department?

Answer. My understanding is that CTR and other nonproliferation programs executed by Federal agencies are coordinated well through the leadership of the National Security Staff. If confirmed, one of my priorities as Secretary of Defense will be to ensure that all of the Department's activities in this area are well-coordinated with interagency partners.

Question. As the CTR program expands to geographic regions beyond the states of the former Soviet Union, in your view what proliferation prevention and threat reduction goals should the DOD establish or focus on?

Answer. My understanding is that the President has highlighted nuclear and biological terrorism as key threats, and that the CTR program strongly supports these priorities. I agree with these priorities.

Question. Do you support extending the CTR program to nations in the Middle East, especially with respect to containing Syrian chemical weapons?

Answer. My understanding is that the CTR program is authorized to undertake activities in the Middle East. The main objective of this expanded authority is to enhance the capacity of regional partners, particularly the nations that border Syria, to mitigate the threat to their territory posed by the potential loss or use of Syria's chemical weapons. If confirmed, I would continue to support this effort.

Question. Do you support extending the CTR program to nations in Africa, especially with respect to biological materials?

Answer. Yes. based on my current understanding, I believe it makes good sense to continue to expand the CTR program's geographic reach beyond the former Soviet Union. Any cost effective steps we can take to keep terrorists from accessing dangerous biological agents by partnering with other nations are especially important in regions like East Africa where active terrorist threats converge with emerging infectious diseases.

PROMPT GLOBAL STRIKE

Question. The 2010 QDR concluded that the United States will continue to experiment with prompt global strike prototypes. There has been no decision to field a prompt global strike capability as the effort is early in the technology and testing phase.

In your view, what is the role for a conventional prompt global strike capability in addressing the key threats to U.S. national security in the near future?

Answer. I understand that the Department continues to assess a broad range of conventional strike capabilities to address current and emerging threats. Conventional prompt global strike weapons could provide the President with unique conventional capabilities in certain scenarios that include fleeting or otherwise inaccessible time-sensitive targets for example. I understand, however, that there are concerns about this operational concept. At this point, I believe that it makes sense to assess potential approaches to conventional prompt global strike. If confirmed, I will look forward to further discussions with Congress on this topic.

Question. What approach to implementation of this capability would you expect to pursue if confirmed?

Answer. I understand the Department is continuing to conduct research and testing to support the development of concepts and technologies for boost-glide systems that could provide the basis for a conventional prompt global strike capability. If confirmed, I will review implementation options.

Question. Do you support a competitive procurement of prompt global strike systems if they progress to a milestone B stage?

Answer. In general, where viable options exist, I think the Department should take maximum advantage of a competitive procurement process.

NUCLEAR WEAPONS AND STOCKPILE STEWARDSHIP

Question. Congress established the Stockpile Stewardship Program with the aim of creating the computational capabilities and experimental tools needed to allow for the continued certification of the nuclear weapons stockpile as safe, secure, and reliable without the need for nuclear weapons testing. The Secretaries of Defense and Energy are statutorily required to certify annually to Congress the continued safety, security, and reliability of the nuclear weapons stockpile.

As the stockpile continues to age, what do you view as the greatest challenges with respect to assuring the safety, reliability, and security of the stockpile?

Answer. I understand that the Stockpile Stewardship Program has ensured that our nuclear weapons stockpile remains safe, secure, and effective without the use of underground nuclear weapons testing. At the same time, the challenge we face is that some aspects of today's nuclear complex are in need of repair or replacement. If confirmed, I will continue to work with the Department of Energy to ensure the safety, security, and reliability of our stockpile, and the modernization of the nuclear weapons complex infrastructure.

Question. Do you agree that the full funding of the President's plan for modernizing the nuclear weapons complex, commonly referred to as the 1251 report, is a critical national security priority?

Answer. The modernization of the National Nuclear Security Administration (NNSA) infrastructure and life extension of our nuclear weapons are critical to sustaining a safe, secure, and effective nuclear deterrent. If confirmed, I will work to ensure appropriate funding levels and cost-effective management for these efforts, which will require a substantial and sustained fiscal commitment.

Question. Prior to completing this modernization effort, do you believe it would be prudent to consider reductions below New START treaty limits for either the deployed or nondeployed stockpile of nuclear weapons?

Answer. I believe that we should make necessary investments in infrastructure modernization regardless of potential future nuclear weapon reductions. I understand that the New START treaty does not limit nondeployed warheads; if confirmed I will ensure that the stockpile, including both deployed and nondeployed nuclear warheads, sustains the credibility of the U.S. deterrent, including our commitments to extend deterrence to U.S. allies.

Question. What role does the Nuclear Weapons Council (NWC) play in helping to establish key stockpile stewardship goals and modernization objectives?

Answer. The NWC is the primary interface for coordinating nuclear weapons enterprise issues between DOD and the Department of Energy. I understand that its current top priority is to address stockpile life extension and nuclear infrastructure modernization in the current fiscal environment.

Question. Do you support a more active role of the Office of Cost Analysis and Program Evaluation (CAPE) in ensuring the programs within the Department of Energy and the NNSA are appropriately tailored for the best investment of funds possible to achieve a safe, effective, and reliable nuclear weapons stockpile?

Answer. I am not familiar enough with the degree of CAPE's involvement with the Department of Energy and the NNSA to make that determination at this time. I understand that CAPE has worked closely with NNSA over the past year to review NNSA programs, and if confirmed, will closely consider CAPE's appropriate role in this regard in the future.

MEDICAL COUNTERMEASURES INITIATIVE

Question. The administration has produced an interagency strategy for the advanced development and manufacture of medical countermeasures (MCM) to defend against pandemic influenza and biological warfare threats. In this strategy, DOD will be responsible for the rapid development and manufacture of medical countermeasures to protect U.S. Armed Forces and Defense Department personnel.

Do you support this interagency strategy and the MCM Initiative and, if confirmed, would you plan to implement them?

Answer. I am very concerned about the threat of biological weapons. I support assigning to the Department the responsibility for protecting the U.S. Armed Forces and Defense Department personnel with rapid development and manufacturing of medical countermeasures. If confirmed, I will need to look into the specific plans associated with the interagency strategy of the Medical Countermeasure Initiative. I would do my best to implement the administration's strategy, consistent with any statutory guidance and available funding.

DEFENSE ACQUISITION REFORM

Question. The Weapon Systems Acquisition Reform Act of 2009 (WSARA) is designed to ensure that new defense acquisition programs start on a sound footing, to avoid the high cost of fixing problems late in the acquisition process.

What are your views regarding WSARA and the need for improvements in the Defense acquisition process?

Answer. I believe that our weapons systems acquisition process has substantial room for improvement. My understanding is that WSARA, which enacted a number of steps to improve many aspects of weapons system acquisition, has been largely implemented by the Department and that it is improving the Department's acquisition performance, but that more needs to be done. I am aware the Department is continuing to implement the remaining provisions of WSARA and other acquisition improvement initiatives. If confirmed, I will review these efforts to ensure that they are adequate and I will continue to work with Congress and our industry partners to improve the way we acquire systems for the Department.

Question. If confirmed, how would you improve all three aspects of the acquisition process B requirements, acquisition, and budgeting?

Answer. Close coordination of these three processes is essential to improving the Department's ability to acquire services and systems and to obtain the best value for every defense dollar. Since WSARA's enactment, progress appears to have been made in regard to closer integration of these three processes, but I do not believe that this work is complete. In my view, requirements must be feasible and affordable, there must be an executable plan to acquire the products that meet those requirements, and there must be an adequate budget established to conduct the program and acquire the product. If confirmed, I will work to bring requirements, acquisition, and budgeting into close alignment by ensuring that the individuals re-

sponsible for these three aspects of acquisition work in conjunction with one another and not in isolation.

Question. If confirmed, how would you improve acquisition accountability?

Answer. I support a chain of command for the acquisition process that provides for the clear responsibility and accountability that was established by the Goldwater-Nichols Act in the 1980s. For major programs, this chain of command begins with the Defense Acquisition Executive and runs through DOD component head to the Service or Component Acquisition Executive, the Program Executive Officer, and the Program Manager. If confirmed, I will hold these individuals accountable for acquisition system performance.

Question. Do you believe that the current investment budget for major systems is affordable given increasing historic cost growth in major systems, costs of current operations, and asset recapitalization?

Answer. I have not yet reviewed DOD's investment budget in detail or the balance between major systems investments, operations, and recapitalization. However, it is clear to me that pursuing only affordable programs and controlling costs throughout a product's life cycle are critical in any financial environment. All programs must be closely managed to avoid cost growth, and the affordability of any new requirements must be carefully scrutinized at the outset—before the program is authorized. If confirmed, I will examine the investment budget closely for near and long-term affordability, taking into consideration the potential for cost growth. I will also assess the sustainability of the balance between the various accounts that make up the Department's budget, including the investment, operations, and asset recapitalization portions of the budget.

Question. If confirmed, how do you plan to address this issue and guard against the potential impact of weapon systems cost growth?

Answer. My understanding is that the Department has been imposing affordability cost caps on new programs for over 2 years for both production and sustainment costs. These caps are being used to force trade-offs between capability and costs early in a program's life cycle. If confirmed, I will strongly support the imposition and enforcement of these cost caps. I will also work with the Department and industry to ensure that we stay on budget and on schedule. DOD and the taxpayer cannot afford the excessive cost growth that has plagued some programs in the past.

RELIABILITY OF WEAPONS SYSTEMS

Question. The Department's process for procuring major weapons systems places insufficient emphasis on reliability and maintainability and, therefore, produces systems that are increasingly costly to operate and sustain. Given that these ownership costs comprise most of a given weapons systems' overall lifecycle cost, these increased costs could undermine considerably the Department's "buying power".

How would you ensure that the defense acquisition system produces more reliable weapons systems?

Answer. I believe that the key to obtaining necessary reliability is to establish effective incentives and, when necessary, to enforce the consequences of failure to meet established standards. If confirmed, I will ensure that the acquisition system takes this approach to achieving the needed reliability performance for its weapons systems.

EXCESSIVE CONCURRENCY IN MAJOR DEFENSE ACQUISITION PROGRAMS

Question. Major defense acquisition programs (MDAP) have experienced excessive cost-growth and schedule delays due to, among other things, too much of an overlap between development and production. This has exposed these systems to a high risk of costly new discoveries requiring redesign and retrofit late into operational testing or production.

What more can be done to ensure that the defense acquisition system safeguards against excessive concurrency in MDAPs?

Answer. I am not an expert in this field; however, my understanding is that some limited degree of concurrency between development and initial production can often be the most efficient way to structure a weapons system program. However, the Department has in some cases, such as the F–35 Joint Strike Fighter, taken too much risk with concurrency, committing to production well before the design was tested enough to know that it was mature and stable. If confirmed, I will work to ensure that the risks of concurrent development and production are fully understood and taken into account by acquisition decisionmakers before a program enters production.

PROCUREMENT PROGRAM RISK

Question. Another major cause of excessive cost growth and schedule delays in how the Department procures major weapons systems and major automated information systems (in particular, "enterprise resource planning" systems, which are vital to defense financial improvement and business transformation), relates to the Department's inability to identify, price, and therefore effectively manage program risk, (e.g., technological, developmental, integration, and manufacturing risk).

How would you improve the defense acquisition system to ensure that the Department can more effectively and timely address all types of risk in its major defense procurement programs to better ensure the delivery of needed combat capability on time and on budget?

Answer. I believe the early identification, management, and mitigation of program risk is a critical element of any well-managed acquisition program. I understand that the Department, through implementation of WSARA and other ongoing initiatives, is working to improve early planning efforts to better understand risks and to put in place steps that will remove and/or mitigate them prior to the commitment of a major investment in product development or initial production. My view is that new product development inherently involves risk and that the risk of any new product development must be actively managed if the program is to be successful. If confirmed, I will review the adequacy of these initiatives and their effectiveness.

SERVICES CONTRACTING

Question. Over the last decade, the Department has become progressively more reliant upon contractors to perform functions that were once performed exclusively by government employees. As a result, contractors now play an integral role in areas as diverse as the management and oversight of weapons programs, the development of personnel policies, and the collection and analysis of intelligence. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as DOD employees.

In your view, has DOD become too reliant on contractors to support the basic functions of the Department?

Answer. Although I understand that DOD has been taking steps in recent years to reduce its reliance on contractors, I believe DOD must continue to manage its workforce in a way that avoids inappropriate or excessive reliance on contractor support for basic Department functions, while also meeting its obligations to perform work efficiently and effectively and to be a good steward of taxpayer resources. If confirmed, I will ensure that the Department implements a workforce strategy that aligns functions and work among military, civilian, and contracted services in a cost effective, and balanced manner consistent with workload requirements, funding availability, and laws and regulations.

Question. If confirmed, how do you plan to address the issue of cost growth in services contracting and ensure that the Department gets the most for its money in this area?

Answer. If confirmed, I will continue the efforts of the administration and the Department to improve the visibility and accountability of contracted services by expanding and refining the data we collect from contractors, as required by statute, in order to compare it to our civilian and military workforce planning factors.

Question. U.S. military operations in Iraq and Afghanistan have relied on contractor support to a greater degree than previous U.S. military operations. According to widely published reports, the number of U.S. contractor employees in Iraq and Afghanistan has often exceeded the number of U.S. military deployed in those countries.

Do you believe that DOD has become too dependent on contractor support for military operations?

Answer. At this time I don't have enough information to make an assessment. While many support functions for military operations are appropriate for contract support, some are more closely associated with work that should be performed by government employees (military or civilian), or other Federal agencies. I am aware of recent recommendations made by the Commission on Wartime Contracting and the GAO regarding such dependence and, if confirmed, I will support ongoing efforts to implement those recommendations as appropriate.

Question. What risks do you see in the Department's reliance on such contractor support? What steps do you believe the Department should take to mitigate such risk?

Answer. Reliance on contractor support can lead to operational risk if contractors fail to perform or perform outside the scope of appropriately defined roles. Our experiences in Iraq and Afghanistan have also shown that additional risk is introduced

when there is poor government oversight, further increasing the potential for fraud, waste, and abuse. We also know that government oversight is critical to ensure appropriate contractor interaction with local communities.

If confirmed, I will support the Department's ongoing efforts to minimize any over-reliance on contractors and ensure the appropriate mix of military, civilian, and contract personnel in theater. I will also review the Department's progress in implementing recommendations made by the Commission on Wartime Contracting, the GAO, and the legislative mandates in the NDAA regarding operational contracting requirements including considerations for contract support as part of the national military strategy, the QDR, and the Chairman's annual risk assessment.

Question. Do you believe the Department is appropriately organized and staffed to effectively manage contractors on the battlefield?

Answer. I do not have enough information yet to make a full assessment of this issue. However, I believe that investments made over the last few years in the Department's acquisition workforce, as well as the implementation of recommendations made by the Commission on Wartime Contracting and the GAO, have vastly improved the Department's ability to effectively manage contractors on the battlefield. If confirmed, I will continue to improve our capabilities in this critical area.

Question. What steps if any do you believe the Department should take to improve its management of contractors on the battlefield?

Answer. At this time I don't have enough information to identify specific steps or actions necessary to improve management of contractors on the battlefield. If confirmed, I will work with the Chairman, the Joint Chiefs, the combatant commanders, and other Department leadership to ensure commanders in the field have the necessary resources and access to information to effectively manage contract support and mitigate against potential risks.

PRIVATE SECURITY CONTRACTORS

Question. Federal agencies including DOD have spent more than $5 billion for private security contractors in Iraq and Afghanistan over the last decade. Over this period, there have been numerous reports of abuses and questionable activities by private security contractors in both countries.

Do you believe DOD and other Federal agencies should rely upon contractors to perform security functions that may reasonably be expected to require the use of deadly force in highly hazardous public areas in an area of combat operations?

Answer. I believe it may be appropriate to use private security contractors for specific security functions in contingency operations when they are limited by specific rules for the use of force. Such functions include providing security for our military bases in areas of operations and protecting supply convoys. Without a significant increase in end strength and resources, the Department would not have the capacity to take on all the missions private security contractors are able to fill. However, the Department must provide proper guidance and supervision when using private security contractors and must ensure they do not engage in combat operations. I cannot comment on the use of private security contractors by other Federal agencies.

Question. In your view, has the U.S. reliance upon private security contractors to perform such functions risked undermining our defense and foreign policy objectives in Iraq and Afghanistan?

Answer. The use of private security contractors in support of contingency operations always requires careful oversight. The misapplication of the use of force by private security contractors can undermine our strategic objectives. If confirmed, I will ensure DOD has established policies and procedures to effectively manage private security contractors to prevent actions that would be detrimental to our policy objectives.

Question. Section 846 of the NDAA for Fiscal Year 2013 requires DOD to carry out risk assessments and risk mitigation plans whenever it relies on contractors to perform critical functions in support of OCOs.

What steps will you take, if confirmed, to implement the requirements of section 846?

Answer. I believe that contract support is an essential part of the total force and will remain so in the future. In many cases contractors are absolutely vital. For example transportation command heavily uses contractors to move personnel and equipment. If confirmed, I will ensure that the DOD policy and operational guidance addresses the requirements of section 846 and that proper risk assessments and risk mitigation plans are conducted.

Question. What steps if any would you take, if confirmed, to ensure that any private security contractors who may continue to operate in an area of combat oper-

ations act in a responsible manner, consistent with U.S. defense and foreign policy objectives?

Answer. If confirmed, I will ensure DOD has policies that effectively guide the operations of private security contractors when they are used, and that we provide proper oversight. We must also strive to ensure that all contractors, including private security contractors, are appropriately legally accountable for their actions, and that private security contractors that operate in an area of combat and contingency operations act responsibly.

EFFICIENCY IN DEPARTMENT OPERATIONS

Question. The Joint Chiefs recently stated that, "we must be given the latitude to enact the cost-saving reforms we need while eliminating the weapons and facilities we do not need."

In your view, what latitude must be given to the Joint Chiefs to enact cost-saving reforms?

Answer. It is my understanding that the Joint Chiefs supported some hard choices that were made in the fiscal year 2013 President's budget in order to achieve the savings required to sustain the new defense strategy. The Joint Chiefs need Congress to provide them the latitude to implement those changes and allow them to execute the new strategy. I also understand that it is now a zero sum game. If the Department is not able to implement the changes proposed, other offsets must be made, while still preserving warfighting capability.

Question. If confirmed, how would you work with the Joint Chiefs to eliminate unneeded weapons?

Answer. If confirmed, I look forward to the opportunity to sit down with the Joint Chiefs and to work together to thoroughly review, identify, and eliminate any effort that is outdated or no longer needed by the Department.

Question. Do you support the administration's request for the authority to conduct two rounds of Bases Realignments and Closures (BRAC) to eliminate unneeded facilities?

Answer. I understand that the administration's proposal for two rounds of BRAC was not accepted by Congress. However, I also think any prudent manager has to look at all options when faced with significant budget pressures. As with industry, the Department should examine its infrastructure and eliminate excess. The BRAC process is not perfect, but I believe BRAC is a fair and comprehensive way to rightsize the Department's footprint, and is the best process identified to date. If confirmed, I would have to look at the need for BRAC in the future.

Question. If so, given the recent report by GAO of the excessive costs of the 2005 BRAC round, what would be your priorities in carrying out a round of BRAC?

Answer. It is my understanding that the 2005 BRAC round was an anomaly, the only round conducted while the Department was growing. It focused on transformation, jointness, and relocating forces from overseas. A future BRAC round is more likely to be like the rounds in 1993 and 1995 where excess capacity was reduced.

ACQUISITION WORKFORCE

Question. Over the last 15 years, DOD has reduced the size of its acquisition workforce by almost half, without undertaking any systematic planning or analysis to ensure that it would have the specific skills and competencies needed to meet DOD's current and future needs. Since September 11, 2001, moreover, the demands placed on that workforce have substantially increased. Section 852 of the NDAA for Fiscal Year 2008 established an Acquisition Workforce Development Fund to help DOD address shortcomings in its acquisition workforce. This requirement was revised and updated by section 803 of the NDAA for Fiscal Year 2013.

Do you agree that the Department would be "penny-wise and pound foolish" to try to save money by cutting corners on its acquisition workforce at the risk or losing control over the hundreds of billions of dollars that it spends every year on the acquisition of products and services?

Answer. Yes. It is imperative that DOD act as a good steward of the resources entrusted to it by the American people. A properly qualified and sized acquisition workforce is central to maintaining this stewardship and to ensuring that the Department obtains as much value as possible for the money that it spends obtaining products and services from contractors.

Question. Do you believe that the Acquisition Workforce Development Fund is needed to ensure that DOD has the right number of employees with the right skills to run its acquisition programs in the most cost effective manner for the taxpayers?

Answer. I understand that the Acquisition Workforce Development Fund has provided funds necessary for strengthening the acquisition workforce with regard to both its size and skills. I support this goal and, if confirmed, will work with Congress to ensure that the Fund is used effectively to build the capability of the Department's acquisition workforce.

HUMAN CAPITAL PLANNING

Question. DOD faces a critical shortfall in key areas of its civilian workforce, including the management of acquisition programs, information technology systems and financial management, and senior DOD officials have expressed alarm at the extent of the Department's reliance on contractors in these areas. Section 115b of title 10, U.S.C., requires the Department to develop a strategic workforce plan to shape and improve its civilian employee workforce.

Would you agree that the Departments human capital, including its civilian workforce, is critical to the accomplishment of its national security mission?

Answer. Yes. I agree. The civilian workforce performs key enabling functions for the military, such as critical training and preparation to ensure readiness, equipment reset and modernization. Civilians also provide medical care, family support, and base operating services—all vital to supporting our men and women in uniform.

Question. Do you share the concern expressed by others about the extent of the Departments reliance on contractors in critical areas such as the management of acquisition programs, information technology and financial management?

Answer. Yes. We must ensure that we have a properly sized, and highly capable, civilian workforce that maintains critical skills and prevents an overreliance on contracted services. If confirmed, I will support the administration's focus on reducing inappropriate or excessive reliance on contracted support.

Question. If confirmed, will you ensure that the Department undertakes necessary human capital planning to ensure that its civilian workforce is prepared to meet the challenges of the coming decades?

Answer. Yes. If confirmed, I will ensure departmental human capital planning employs strategies for recruitment, development, and retention of a mission-ready civilian workforce.

Question. Section 955 of the NDAA for Fiscal Year 2013 requires a 5-percent reduction in anticipated funding levels for the civilian personnel workforce and the service contractor workforce of DOD, subject to certain exclusions.

What impact do you expect the implementation of section 955 to have on the programs and operations of DOD?

Answer. I do not have enough information at this time to speak to potential impact. If confirmed, I will ensure that the Department's implementation of section 955, both in the civilian and contracted support workforces, is done in a manner that best mitigates risk to programs and operations, while maintaining core capabilities and support to our warfighters and their families.

Question. What steps will you take, if confirmed, to ensure that section 955 is implemented in a manner that is consistent with the requirements of section 129a of title 10, U.S.C., for determining the most appropriate and cost-efficient mix of military, civilian and service contractor personnel to perform DOD missions?

Answer. If confirmed, I will ensure implementation of section 955 recognizes that the sourcing of work among military (both Active and Reserve components), civilian, and contracted services must be consistent with requirements, funding availability, and applicable laws.

Question. What processes will you put in place, if confirmed, to ensure that the Department implements a sound planning process for carrying out the requirements of section 955, including the implementation of the exclusion authority in section 955(c)?

Answer. If confirmed, I will review the current processes the Department has for workforce determinations, along with existing management structures and tools. I do not currently have enough information regarding possible specific exclusions, but will ensure that the workforces of the Department are sized to perform the functions and activities necessary to achieve the missions of the Department.

TEST AND EVALUATION

Question. If confirmed, will you make it a priority to ensure that the Department as a whole and each of the Services specifically maintains its testing organizations, infrastructure, and budgets at levels adequate to address both our current and future acquisition needs?

Answer. Yes. Test and evaluation is a critical element of our acquisition system, that providing the measured and objective insight into a system's performance that is essential to making sound programmatic decisions.

Question. A natural tension exists between major program objectives to reduce cost and schedule and the test and evaluation objective to ensure performance meets specifications and requirements. What is your assessment of the appropriate balance between the desire to reduce acquisition cycle times and the need to perform adequate testing?

Answer. Test and evaluation provides acquisition decisionmakers with accurate and objective information on system performance necessary to inform critical acquisition decisions. My view is that we should generally not gamble on the performance of a weapons system when a reasonable amount of testing will significantly reduce the risk of redesign or major changes after production has been started. If confirmed, I will closely monitor the balance between reducing acquisition cycle time and conducting adequate testing to ensure warfighters receive affordable, operationally effective, and suitable systems when they need them.

Question. Under what circumstances, if any, do you believe we should procure weapon systems and equipment that has not been demonstrated through test and evaluation to be operationally effective, suitable, and survivable?

Answer. I understand that test and evaluation plays a critical role in product development and fielding. I believe that there are only a limited number of cases where it might be necessary to field a system prior to operational testing—for example, to address an urgent gap in a critical operational capability in an ongoing or imminent conflict. Even when fielding is accelerated to meet an urgent need, applicable statutes governing the test process must be complied with. There must be some level of testing to ensure basic operational performance and the safety of the system and to evaluate the system's capabilities and limitations to identify any deficiencies that might need to be corrected.

Question. Congress established the position of Director of Operational Test and Evaluation to serve as an independent voice on matters relating to operational testing of weapons systems. As established, the Director has a unique and direct relationship with Congress, consistent with the statutory independence of the office.

Do you support the continued ability of the Director of Operational Test and Evaluation's to speak freely and independently with Congress?

Answer. Yes.

FUNDING FOR SCIENCE AND TECHNOLOGY (S&T) INVESTMENTS AND WORKFORCE

Question. In his State of the Union speech in 2010, the President said that "maintaining our leadership in science and technology is crucial to America's success." The DOD budget submissions for fiscal years 2012 and 2013 supported continued investment in science and technology, despite the significant budget pressure.

Do you support maintaining growth in the DOD's S&T investments?

Answer. I understand and appreciate the importance of government investment in science and technology in the area of national security. Maintaining technological superiority against current and projected adversaries underpins our National Security Strategy and it is only through this investment that we can sustain this critical edge. I fully support the President's commitment to science and technology, and if confirmed, I will work to support science and technology investments in our defense budget.

Question. How will you assess whether the science and technology investment portfolio is adequate to meet the current and future needs of the Department?

Answer. If confirmed, I anticipate conducting reviews of the Department's current science and technology investment strategy, in the context of the Department's priorities and capability needs. I also acknowledge the necessity of maintaining a strong technology base.

Question. Well over half of all graduates of U.S. universities with advanced degrees in science and technology are non-U.S. citizens. Due to a variety of reasons, many return to their home countries where they contribute to competing against the United States in technology advancement.

What is your view on steps that the Department should take, if any, to ensure that DOD and the defense industrial base are able to recruit and retain scientists and engineers from this talent pool?

Answer. In order to maintain our technology superiority, it is essential for the Department to attract the best and brightest minds. The President made clear in his recent inaugural address that including bright students and engineers from abroad in America's workforce is an imperative for our future. If confirmed, I will work within the Department and the administration to find ways in which the Depart-

ment could enhance its skilled workforce, to include its scientific and engineering segments, by drawing upon a broad talent pool and by seeking to recruit and retain the best possible individuals, within the construct of national security requirements.

DEFENSE INDUSTRIAL BASE

Question. The latest QDR addressed the need for strengthening the defense industrial base. Specifically, it said: "America's security and prosperity are increasingly linked with the health of our technology and industrial bases. In order to maintain our strategic advantage well into the future, the Department requires a consistent, realistic, and long-term strategy for shaping the structure and capabilities of the defense technology and industrial bases—a strategy that better accounts for the rapid evolution of commercial technology, as well as the unique requirements of ongoing conflicts."

What is your understanding and assessment of the current state of the U.S. defense industry?

Answer. I understand the Department relies on a broadened technical and industrial base that is now far more global, commercial, and financially complex than ever before. For the past decade the defense industrial base has enjoyed a period of increasing budgets that is now at an end. While I think our industrial base is currently strong, I am concerned about the impact that further defense budget cuts would have on the ability of the base to provide the broad range of products and services that the Department and our Nation need. If confirmed, the continuing health of the industrial base will be a high priority for me.

Question. Do you support further consolidation of the U.S. defense industry?

Answer. Expansion and consolidation of industries and companies is the hallmark of a robust free market economy as it responds to the market forces. I expect, and encourage, the free market to act when faced with changing demands. However, I believe the Government must also be watchful for consolidations that eliminate competition or cause market distortions. At the end of the Cold War there was a major consolidation at the top tier of defense businesses. My understanding is that the Department's leadership have indicated that further consolidation at the top tier would not be viewed favorably. I have not studied this in detail; however, my initial assessment is that this is the correct view. I also believe that each individual case of consolidation, acquisition, or merger dealing with our defense firms must be examined carefully for what is best for the warfighter and the taxpayer, particularly with regard to its impact on competition.

Question. What is your position on foreign investment in the U.S. defense sector?

Answer. Foreign investment has generally benefitted the United States, including DOD, by providing needed capital and increasing access to leading-edge technologies. However, I believe foreign investment in the defense sector can also expose critical national defense-related technologies to risks, including loss of the intellectual property that gives our military personnel the technological edge they rely upon. Congress has put provisions in place to address critical national security concerns of this nature, including the Committee on Foreign Interests in the United States led by the Department of the Treasury. If confirmed, I will continue DOD's commitment to its oversight function and to ensuring that national security concerns are addressed in transactions that involve foreign investments in the United States, including investments in the defense sector.

Question. If confirmed, what steps if any do you believe DOD should take to most effectively and efficiently manage risk and ensure the continued health of the U.S. defense industrial base?

Answer. If confirmed, I would seek to ensure the sources of manufacturing and services in the industrial base that the Department relies on are capable of meeting our warfighters' requirements. I will ensure that the Department proactively monitors the base to identify any risks that need to be addressed. When necessary and as resources permit, the Department should be prepared to act to ensure that key industrial capabilities are sustained, although, unfortunately, this will not be possible in every case. I will also make myself accessible to the best source of information on the industry's concerns—industry itself. This means working closely and communicating with private industry to ensure that, as the Department makes changes necessary to adapt to a new set of strategic and budgetary challenges, it does not inadvertently jeopardize critical elements of the industrial base. I believe the Department must simultaneously be receptive to industry's concerns and address their issues as effectively as possible, consistent with the Department's priorities and the resources available.

RESET AND RECONSTITUTION FUNDING

Question. The Department has a substantial backlog of maintenance availabilities due to the high tempo and demand of more than a decade of combat operations. Senior DOD officials have testified that they will require 2 to 3 years of additional funding to restore readiness through reset and reconstitution of their equipment and personnel.

Do you agree with the assessment that the DOD will need 2 to 3 years of additional funding for reset and reconstitution?

Answer. I would need to review the facts behind the specific estimate of 2 to 3 years; however, I believe that it will require considerable time to repair equipment returning from operations in Afghanistan because of the nature of the repairs and difficulty of removing the equipment from theater.

Question. If confirmed, how will you balance maintenance and reset requirements with fiscal realities and future risk in developing your budget request?

Answer. The goal of reset and reconstitution is to produce ready units with the equipment they need for contingencies or current operations. Any further budget cuts must be balanced against this need for ready units, and, if confirmed, I will work with the services to prioritize the readiness of the units needed to implement the President's strategy.

OPERATIONAL ENERGY

Question. Last July, the Assistant Secretary of Defense for Operational Energy Plans and Programs published a policy that any alternative drop-in replacement fuel procured for DOD-wide use and distribution within the Class III (Bulk) supply chain must compete with petroleum products and any awards will be based on the ability to meet requirements at the best value to the government, including cost.

What is your view of this policy?

Answer. I understand this policy to be a positive one. It is prudent for the Department to engage in tests and demonstrations that confirm defense equipment can operate on a range of fuels; however, as the Department allocates its limited resources to ensure it delivers necessary warfighting capability, it should only buy large volumes of these fuels when they are cost-competitive with petroleum products.

Question. What is your assessment of section 526 of the Energy Independence and Security Act of 2007 and how it should apply to military operations of DOD?

Answer. My understanding is that section 526 has not restricted the Department from purchasing whatever fuel it has needed to support military operations. Rather, section 526 applies only to contracts that are for the express purpose of buying alternative or synthetic fuel. As long as mission capability is not restricted, it is helpful to have this guidance that new fuels should not be any more polluting than fuels produced from conventional petroleum sources.

Question. Considering the potential of further cuts to Defense budgets and the importance of energy security, do you believe DOD should jointly invest with other government agencies in the construction of a commercial biofuels refinery?

Answer. I understand the Department is in the early planning stages of such a project, undertaken in partnership with the private sector and the Departments of Energy and Agriculture, which have the lead roles for the Federal Government in promoting biofuels. I have not reviewed this project; however, I believe the Nation's long-term energy security would benefit from a competitive, domestic renewable fuels industry—the Department has a long history of contributing to national innovation by innovating to meet the defense mission. As a major consumer of liquid fuels, the Department would benefit from that industry as well. That said, I am not yet in a position to comment on the trade-offs between the value of this investment and the other priorities of the Department. Given the Department's funding constraints, I would, if confirmed, examine the value of this investment carefully before authorizing it to proceed.

Question. If confirmed, what priorities would you establish for Defense investments in energy technologies?

Answer. My broad priorities for defense energy investments will be those that: increase military capabilities, provide more mission success, and lower total cost. If confirmed, I will focus on both operational effectiveness and efficiency—improving the energy performance of aircraft, ships, ground vehicles, and military bases; reducing the vulnerability of our fuel supply lines; lowering the load our expeditionary forces must carry; and diversifying the energy supplies we use.

LAW OF THE SEA CONVENTION

Question. The United Nations Convention on the Law of the Sea is pending consideration in the U.S. Senate.

What is your view on whether or not the United States should join the Law of the Sea convention?

Answer. I strongly support U.S. accession to the Law of the Sea Convention. Ratification would allow the United States to take its rightful place and enjoy the benefits and protections of this treaty.

Question. How would being a party to the Law of the Sea convention help or hinder the United States' security posture?

Answer. Becoming a party to the Law of the Sea Convention would enhance the U.S. security posture around the globe in several significant ways. First and foremost, accession would enable the United States to reinforce all of the rights, freedoms, and uses of the sea codified in the Convention, including the navigational and over-flight rights that are critical to the global mobility of U.S. forces as well as the right to submit extended continental shelf claims that would help us preserve the rights to potential resources. Additionally, accession would help the United States to promote a common rules-based approach among other nations to peacefully resolve their territorial and maritime disputes, particularly in East Asia. Further, accession would add to the Department's credibility in a large number of Asia-focused multilateral venues where Law of the Sea matters are discussed. Lastly, accession would reassure some nations who have expressed concerns of the legality of cooperative security efforts that United States supports, such as the Proliferation Security Initiative. The United States has longstanding interests in freedom of the seas and respect for international law, and our accession to the Convention would further demonstrate our commitment to those national interests.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as Secretary of Defense?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CARL LEVIN

U.S.-ARMENIAN DEFENSE RELATIONSHIP

1. Senator LEVIN. Mr. Hagel, what is your assessment of the U.S.-Armenia defense relationship, and what steps, if any, would you take to strengthen that relationship?

Mr. HAGEL. The U.S.-Armenia defense relationship is sound. As with all relationships, there is room to grow and areas where we can strengthen our cooperation and partnership. That growth will be based on shared interests and willingness to cooperate, available resources, and capacity to absorb new capabilities and missions.

If confirmed, I would continue to engage Armenian leaders to strengthen existing areas of engagement and identify new areas of cooperation that support Armenia's defense reforms, especially its peacekeeping brigade, and continue its ability to deploy in coalition operations. I would look for the United States to be Armenia's part-

ner of choice and help Armenia's defense establishment contribute to regional security and stability.

NUCLEAR TRIAD

2. Senator LEVIN. Mr. Hagel, the Global Zero report provides an illustrative example of a future alternative nuclear policy and force structure in the 2022 timeframe that would eliminate, through negotiated international agreements, our land-based Intercontinental Ballistic Missiles (ICBM) as a means to reduce the size of our nuclear forces consistent with our obligations under Article VI of the Nuclear Nonproliferation Treaty (NPT).

Do agree with General Kehler, the Commander of U.S. Strategic Command and with the 2010 Nuclear Posture Review (NPR) that at the present time, the triad of strategic nuclear forces continues to serve U.S. national security interests?

Mr. HAGEL. Yes. I agree that the NPR's recommendation remains the right one at the present time. I believe that the triad's mix of ICBMs, submarine-launched ballistic missiles (SLBMs), and nuclear-capable heavy bombers continues to support U.S. national security interests under New START limits.

MALIGN IRANIAN INFLUENCE

3. Senator LEVIN. Mr. Hagel, Iran supports proxies in Lebanon, Yemen, Iraq, Afghanistan, Bahrain, and the Western Hemisphere. In your view, what is the impact of Iran's activities in places such as Lebanon, Yemen, Iraq, Afghanistan, Bahrain, and the Western Hemisphere?

Mr. HAGEL. Iranian support for proxy groups and terrorist activities in the Middle East region and in places around the world constitutes a serious threat not only for the stability of our partners and allies who are directly impacted by these activities, but also for U.S. interests. In short, Iran's activities are malevolent and intended to be destabilizing. If confirmed, I intend to focus intently on countering Iran's malign influence—including preventing Iran from acquiring a nuclear weapon.

4. Senator LEVIN. Mr. Hagel, in your view, what role—if any—should the Department of Defense (DOD) play in countering malign Iranian influence in the Middle East?

Mr. HAGEL. In my view, DOD could help to counter Iranian malign activities in at least three ways. First, the Department should support diplomatic and intelligence efforts to inhibit the activities of Iranian proxy and terrorist groups. Second, the Department can leverage its presence in the region to deter and, when directed by the President, disrupt Iranian malign activities. Third, the Department could leverage its extensive security cooperation relationships with countries in the Middle East and around the world to partner in countering Iranian destabilizing activities.

SYRIA

5. Senator LEVIN. Mr. Hagel, the civil war in Syria continues and President Assad's commitment to continuing his regime's ongoing operations appears unwavering—despite broad international condemnation. You have indicated that you share the Obama administration's position that Assad must go. In your view, what is the most effective way to bring about the end of the Assad regime?

Mr. HAGEL. I believe that a political transition should remain our goal. The best way to weaken the Assad regime at this time is through political, diplomatic and economic pressure, as well as assisting the unarmed opposition. If confirmed, I will support the President's ongoing reassessment of the continuously changing conditions on the ground in Syria to determine what additional steps may be appropriate.

6. Senator LEVIN. Mr. Hagel, what is your assessment of the composition and intentions of the Syrian opposition?

Mr. HAGEL. Based on my observations, the opposition is made up largely of Syrians wanting to free themselves from a repressive ruler. An important exception is the Al Nusrah Front, which the State Department has listed as an alias of al Qaeda in Iraq. In my view, the United States should continue to encourage the Syrian Opposition Council to pursue an approach that isolates extremist elements but is inclusive of a broad range of communities inside Syria, and I will continue this policy if confirmed.

7. Senator LEVIN. Mr. Hagel, are the opposition's motivations consistent with U.S. interests in the region?

Mr. HAGEL. In Syria, the opposition is made up of disparate groups with varying interests and values. I believe that the Syrian Opposition Council's fundamental motivation to end Assad's rule is consistent with U.S. interests. U.S. efforts in Syria should aim to partner with those groups that share U.S. interests and values, and isolate those groups—such as the Al Nusrah Front—which do not.

QUESTIONS SUBMITTED BY SENATOR JACK REED

ARMENIAN GENOCIDE

8. Senator REED. Mr. Hagel, could you please provide clarification of your views on the Armenian genocide?

Mr. HAGEL. As President Obama has emphasized in his April 24th Remembrance Day statements, the achievement of a full, frank, and just acknowledgement of the facts of what occurred in 1915 is in all of our interests. I further concur with the President that the best way to advance that goal is for the Armenian and Turkish people to address the facts of the past as a part of their efforts to move forward. If confirmed, I would continue to strongly support the State Department's efforts to work with Armenia and Turkey to normalize relations so they can forge relationships that are peaceful, productive, and prosperous.

GLOBAL ZERO REPORT

9. Senator REED. Mr. Hagel, there have been a number of questions raised about the Global Zero report on U.S. nuclear policy and force structure. I want to make sure we understand the context of that report. Is it correct that the report provides an illustrative alternative nuclear policy and force structure 10 years in the future—as an example of how we could continue to reduce our reliance on and the number of nuclear forces, in line with our future security requirements?

Mr. HAGEL. In the Global Zero report we took a longer-term view of what might be possible under different circumstances. The policy and force structure it provided was indeed illustrative in nature. The study group's analysis was intended to provide a stimulus to national debate about how many nuclear weapons may be enough in the future, and to illustrate a possible pathway forward.

10. Senator REED. Mr. Hagel, is it correct that the illustrative reductions envisioned would be made through bilateral and multilateral negotiated arms control agreements?

Mr. HAGEL. Yes. I agree with the administration's view, as stated in the 2010 NPR, that large disparities in nuclear capabilities on either the United States or the Russian side could raise concerns and could hinder our pursuit of a stable, long-term U.S.-Russian relationship. Therefore, I agree that further reductions should be negotiated bilaterally or, if appropriate, multilaterally.

11. Senator REED. Mr. Hagel, is it correct that pursuing additional reductions to our nuclear forces, beyond the limits established in the New Strategic Arms Reduction Treaty (START), is consistent with our obligations under Article VI of the NPT, and with the findings and conclusions of the April 2010 NPR?

Mr. HAGEL. Yes, I believe that pursuing negotiated reductions below New START levels would be consistent with both Article VI of the NPT and with the conclusions of the 2010 NPR.

12. Senator REED. Mr. Hagel, is it correct that the illustrative example of an alternative U.S. nuclear policy and force structure in the next decade would be consistent with maintaining a safe, secure, and effective nuclear deterrent force?

Mr. HAGEL. Yes.

QUESTIONS SUBMITTED BY SENATOR BILL NELSON

STRATEGIC DISPERSAL

13. Senator NELSON. Mr. Hagel, our Nation must recognize the spectrum of threats that confront us daily, and position our assets accordingly. Pearl Harbor taught us assets and resources should not be concentrated in one place. Dispersing our capital ships is in our best national security interest and specifically, dispersing

the East Coast carrier fleet is a national security priority. One needs to only look at the Pacific Fleet to see an excellent example of strategic dispersal. The Navy has stationed its Pacific Fleet at four different homeports—San Diego, CA; Bremerton, WA; Everett, WA; and Japan, but has been slow to accomplish the same thing with our Atlantic Fleet. The military decision to disperse the fleet has been studied, and restudied. Admiral after admiral, secretary after secretary, have all testified keeping a second Atlantic homeport is essential to national security. In addition, the 2010 Quadrennial Defense Review (QDR) clearly states, "To mitigate the risk of a terrorist attack, accident, or natural disaster, the U.S. Navy will homeport an East Coast carrier in Mayport, Florida."

Moving a carrier from Norfolk, VA, to Mayport is a cost-effective national security objective. As Secretary of Defense, will you maintain the DOD's support for moving a carrier from Norfolk to Mayport and, as your predecessors have done, will you ensure strategic dispersal is again added as an objective in the 2014 QDR?

Mr. HAGEL. I agree that our country faces a spectrum of threats and concur that strategic dispersal is a critical element in reducing risk and providing strategic flexibility in the event of natural disaster, manmade calamity or attack by a foreign nation or terrorists. If confirmed, I will look at strategic dispersal as a means of ensuring we address strategic risk to our national security objectives. I support the Department's efforts to continue to prepare Mayport for carrier access.

14. Senator NELSON. Mr. Hagel, will you support the addition of programmed funds in the next President's budget to do so?

Mr. HAGEL. If confirmed, I will ensure future budgets and the upcoming QDR evaluate all options to maximize our strategic objectives, including strategic dispersal of our carriers on the east coast.

EXCESS CAPACITY IN OVERSEAS MILITARY INSTALLATIONS

15. Senator NELSON. Mr. Hagel, the value of having a forward footprint with our men and women stationed abroad, as well as the cooperation it breeds with our allies, is critical to our national security. However, I am concerned about the excess capacity of U.S. military bases in overseas locations and the drain of our taxpayers dollars to maintain these installations. I believe this excess capacity and the potential for savings needs to be addressed before we begin to close or realign domestic installations. Please share your thoughts on this issue.

Mr. HAGEL. A prudent manager has to look at all options when faced with significant budget pressure. That includes reviewing options for consolidation overseas—particularly in Europe, where the Department is reducing force structure and there are clear opportunities to reduce supporting infrastructure. The Department should begin this review immediately, as specific legislation is not required to consider base closures overseas. However, this should not preclude the Department from taking simultaneous action to realize infrastructure savings at domestic installations. Given the size of the cuts the Department is facing, it is unrealistic to expect to achieve all necessary savings by looking only at overseas infrastructure.

MORATORIUM ON DRILLING IN THE GULF OF MEXICO

16. Senator NELSON. Mr. Hagel, in 2006, you cosponsored the Gulf of Mexico Energy Security Act to restrict leasing in areas of the eastern Gulf of Mexico within 125 miles of Florida, including areas in the Gulf of Mexico east of the military mission line. Previous Secretaries of Defense (Rumsfield, Gates) supported a moratorium on drilling east of the military mission line. These training ranges are vital for our fifth generation air superiority assets—F–22, F–35—as well as providing an area for the critical testing of the weaponry on various airframes. As Secretary of Defense, will you maintain this vital military test and training area?

Mr. HAGEL. My understanding is that the Department conducted analysis in 2010 that identified some parts of this region where drilling would not interfere with military activities if the drilling activities are significantly constrained—for example, in some regions, drilling was deemed compatible if the structures were subsurface. If confirmed, I will review this analysis and ensure the Department does not put critical military test and training capabilities at risk.

AFGHANISTAN DRAWDOWN

17. Senator NELSON. Mr. Hagel, President Obama plans to withdraw combat forces from Afghanistan by 2014. The U.S. and North Atlantic Treaty Organization

(NATO) allies are transitioning from fighting to training and advising the Afghan security forces, and during his recent meeting with President Karzai, President Obama signaled the transition to Afghan security forces may be accelerated. What footprint should the U.S. and NATO allies have after 2014?

Mr. HAGEL. The President has stated, and I agree, that the scope of the international mission in Afghanistan after 2014 should focus on two primary objectives: first, to deny safe haven to al Qaeda and its affiliates; and second, to train, advise, and assist the Afghan forces so they can maintain their own security. This mission shift is consistent with what was agreed upon by the United States, NATO allies, and ISAF and Afghan partners at the Chicago NATO Summit last year and also with our long-term Strategic Partnership Agreement with the Afghan Government, signed May 1, 2012. I understand that the President is considering a range of options provided by his military commanders and national security team. I have not been a part of those discussions, but, if confirmed, I will work to ensure that the appropriate resources and capabilities are made available for the post-2014 mission.

18. Senator NELSON. Mr. Hagel, how will the Afghanistan Government afford to maintain their military operations?

Mr. HAGEL. At the 2012 NATO Summit in Chicago, the United States, NATO allies, and other international partners pledged to provide significant financial assistance after 2014 to help maintain the Afghan National Security Forces (ANSF). The Afghan Government also pledged to provide at least $500 million a year for the ANSF beginning in 2015, and to increase this amount over time as its economy grows. The international donor community has also pledged its support to Afghanistan's continued economic and social development after 2014 through commitments made at the 2012 Tokyo conference, including pledges for $16 billion in civilian aid over 4 years. With this support, as Afghanistan's economy grows and its revenues increase, Afghanistan will increasingly be able to take responsibility for future security costs. Further, it is my understanding that DOD is working closely with the Afghan Government to ensure that the force we are building and developing is a sustainable one. If confirmed, I will continue to work closely with the Afghan Government to ensure that the ANSF is sustainable within available resources.

CAMP LEJEUNE WATER CONTAMINATION

19. Senator NELSON. Mr. Hagel, Florida has 16,000 veterans and civilians in the Camp Lejeune water contamination registry, second only to North Carolina. The Agency for Toxic Substances and Disease Registry (ATSDR) is completing studies designed to determine the size and scope of water contamination at Camp Lejeune. In January, ATSDR released the preliminary results of a drinking water study, which shows the following:

- Housing complex drinking water was contaminated with dry cleaning solvents from 1957 to 1987 above the current Environmental Protection Agency (EPA) limits.
- Separate housing areas were contaminated with organic compounds (from 1 million gallons of spilled gasoline) from 1953 to 1985 above the current EPA limits.

Recent ATSDR findings show drinking water contamination at Camp Lejeune from 1953 through 1987. Although the U.S. Navy Bureau of Medicine had established Navy drinking water standards during this time period, DOD continues to state that no standards existed. As Secretary of Defense, will you ensure that these misleading statements from the Navy and Marine Corps receive the proper oversight from you?

Mr. HAGEL. The health and well-being of our servicemembers, their families, and civilian employees is of the utmost importance to me. If confirmed, I will be committed to finding answers to the many questions surrounding the historic water quality issue at Camp Lejeune and ensuring appropriate oversight of these efforts. Working with the leaders of the Navy and Marine Corps, I will engage the proper experts and review all the facts pertaining to the Bureau of Medicine Instruction to which you refer, ensuring that accurate information is provided to all who believe they may have been exposed to contaminated water at Camp Lejeune. The Department will continue to understand the meaning of ongoing scientific efforts and provide comprehensive science-based answers to our servicemembers, their families, and civilian employees.

I applaud Congress' efforts to support families through the passage of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 and

I pledge to support the Department of Veterans Affairs efforts to properly implement the legislation.

AIR FORCE OVERSIGHT

20. Senator NELSON. Mr. Hagel, the Air Force recently released two major decisions which affected Florida: the Air Force Materiel Command (AFMC) reorganization and the KC–46 basing selection. We believe there is room for improvement in regards to the Air Force routing and seeking validation through the Office of the Secretary of Defense (OSD) on these very important decisions.

In regards to the KC–46 basing decision and the analysis to determine future requirements, the level of engagement and coordination between the Air Force and Combatant Commands (COCOM), as well as OSD validation of the Air Force decision, requires additional attention.

On December 18, 2012, in section 2814 of the National Defense Authorization Act (NDAA) for Fiscal Year 2013, the Air Force was directed to submit a report and include the efficiencies and effectiveness associated with the AFMC reorganization, as well as the extent to which the proposed changes were coordinated with OSD.

Critical decisions of a strategic nature need to be properly coordinated with the COCOMs. As Secretary of Defense, how will you direct your staff to ensure the Air Force seeks OSD validation prior to releasing decisions such as these?

Mr. HAGEL. It is my understanding that each Service has a decisionmaking methodology and process for managing its operations, organizational structure, and basing decisions. OSD oversees these efforts, which involve key stakeholders including the COCOM. For reorganization decisions such as these, I think it is important that the Secretary of Defense allow the Military Departments the latitude to make proposals to streamline management functions while also preserving core capabilities. OSD oversight of this process ensures that affected stakeholders have the opportunity to provide their perspective on the implications of proposed changes. If confirmed, I will ensure my staff and the combatant commands continue to appropriately examine the Air Force approach to basing decisions.

TAIWAN RELATIONS ACT

21. Senator NELSON. Mr. Hagel, the 1979 Taiwan Relations Act and the Six Assurances of 1982 have contributed to the peace and stability of the Asia-Pacific region for the past 3 decades. With the military balance—including air superiority—gradually shifting in China's favor, what are your plans to implement the security commitment the United States has for Taiwan under this framework?

Mr. HAGEL. I agree that the Taiwan Relations Act has contributed to peace and stability in the region for over 30 years. In my view, the increasing complexity and sophistication of the military threat to Taiwan from China means that Taiwan must devote greater attention to asymmetric concepts and innovative technologies to maximize Taiwan's strengths and advantages. If confirmed, I would work closely with Congress, throughout DOD, and with our interagency partners to ensure the continued effective implementation of all of the relevant provisions of the Taiwan Relations Act.

22. Senator NELSON. Mr. Hagel, as Taiwan is likely to retire some of its older fighter aircraft in the next 5 to 10 years, do you believe that sales of advanced aircraft are a next step in this commitment?

Mr. HAGEL. If confirmed, I would work closely with Congress, throughout DOD and with our interagency partners to ensure the continued effective implementation of all of the relevant provisions of the Taiwan Relations Act. If confirmed, I will look at what specific capabilities will help Taiwan meet its self-defense needs in light of the security situation in the Taiwan Strait and the evolving military capabilities on the mainland.

QUESTIONS SUBMITTED BY SENATOR CLAIRE MCCASKILL

CONTRACTING REFORM

23. Senator MCCASKILL. Mr. Hagel, in 2011, in its final report to Congress, the Commission on Wartime Contracting found that as much as $60 billion, roughly $12 million "every day for the past 10 years," was lost to waste or fraud through contracts in Iraq and Afghanistan. In addition to the financial costs, the Commission found that poor planning, management, and oversight of contracts damaged the

United States' strategic and diplomatic objectives overseas. Building on the Commission's recommendations, last year I offered legislation, along with our former Senate colleague, Jim Webb, to reform wartime contracting practices within DOD, the Department of State, and the U.S. Agency for International Development (USAID). Major provisions of this legislation were signed into law as part of the NDAA for Fiscal Year 2013.

Section 843 of the new law requires the Secretary to establish a chain of authority and responsibility for policy, planning, and execution of operational contract support. Do I have your commitment to direct the needed resources to look at our over-reliance on contractors and our loss of core capabilities in certain areas and to report back to me on the responsibilities you lay out after this review?

Mr. HAGEL. Yes. If confirmed, you have my commitment to look at the Department's reliance on the use of contractors in contingency operations and to assess what core capabilities should be retained in DOD.

24. Senator MCCASKILL. Mr. Hagel, section 846 requires the Secretary of Defense to conduct a risk assessment of certain types of contracting, including not only private security contractors, but also contracts for training, intelligence, and a host of other problem areas. You have your pick of poster child case studies in Iraq and Afghanistan to know this is a problem. DOD does not operate in a vacuum in wartime. Do I have your commitment to work with the State Department and USAID, who are also subject to this provision, and to conduct this assessment based not just on whether you are legally entitled to contract something out, but on whether it makes sense in the long term, for both our military mission and our own future capabilities to do so?

Mr. HAGEL. Yes. If confirmed, I will work with State Department and USAID in conducting the required risk assessment of contingency contracting from not just a legal perspective but also from the perspective of our long-term capability needs.

F/A–18

25. Senator MCCASKILL. Mr. Hagel, the F/A–18 program has been a model acquisition program, and continues to deliver Super Hornets on-time and on-schedule at less than half the cost of an F–35. The fact is, the Super Hornet is an aircraft that has performed superbly in virtually every combat operation and delivers nearly all of the capability.

As the F–35 program continues to slip, we are nearing the end of the production line for the Super Hornet, which is currently scheduled to shut down in 2014. I am concerned that the United States could be left with a gap in the defense industrial bases' ability to produce strike fighters and eliminates DOD's ability to rely on the F/A–18 lines to manage future F–35 cost, performance, and schedule risks. As Secretary of Defense, how would you address this gap?

Mr. HAGEL. If confirmed, I will assess the strike fighter capability mix, the progress of the F–35, and the state of the F/A–18 production line to determine if a gap exists and evaluate the options to address it for feasibility and affordability.

26. Senator MCCASKILL. Mr. Hagel, international sales of the F/A–18 could help mitigate the risk of the closing of domestic strike fighter production line that can address our own strike fighter shortfall. Will you ensure that DOD actively supports international sales of the F/A–18?

Mr. HAGEL. If confirmed, I will ensure the Department actively supports foreign military sales of U.S. defense products including the F–18.

SEXUAL ASSAULT

27. Senator MCCASKILL. Mr. Hagel, DOD under Secretary Panetta's leadership has implemented a number of initiatives to try to curb sexual assaults in the military—a problem he has stated could be six times greater than reported—and we have seen both military and civilian leaders acknowledge that sexual assault is a problem that affects the recruitment, retention, and readiness of our armed forces. This committee has taken up the issue of sexual violence in the military and has implemented some reforms in the NDAA, most recently in fiscal year 2013.

We have seen some promising programs developed by the Services, as well. You mentioned in one of your responses to the advance policy questions that you look forward to hearing about the outcome of the Air Force's pilot program that assigns an attorney to each victim of sexual assault who requests one to represent them through the process. I have been impressed by the training for special investigators

going on at the Army's Military Police School at Fort Leonard Wood in Missouri. This course has been recognized as the "gold standard" for special investigator training, which both DOD and Congress have encouraged the other Services to follow.

As a former prosecutor, I understand how critically important the investigation process is to the outcome of sexual assault cases. The investigation process is also key for victims, as victims may feel more comfortable coming forward to report their cases if they have confidence that the military justice system is working and that perpetrators will be brought to justice.

While I recognize each of the Military Services have a unique history and culture, that should not be an excuse for refusing to adopt best practices to combat a problem they all share. Will you push the Services to adopt best practices in their efforts to combat sexual assault?

Mr. HAGEL. It is my understanding that the Services are sharing information about their processes and working to adopt these best practices across the Services. If confirmed, I will work to continue and expand this important effort.

28. Senator MCCASKILL. Mr. Hagel, will you review whether the Services have done enough, in your view, to address the problem of sexual assault within the military?

Mr. HAGEL. Sexual assault is a horrible crime and cannot be tolerated, ignored, or condoned in DOD. If confirmed, I will be fully committed to combating this crime and determined in reducing the instance of sexual assault, with a goal of eliminating it from the military.

I know that the over the past year, the Department has developed and implemented several new policies and procedures to prevent the crime of sexual assault, support victims, strengthen investigations, and hold offenders appropriately accountable. I also know that these efforts are not enough.

The Department must continue its multi-discplinary approach in combatting sexual assault. Prevention efforts are important, so that the crimes do not happen in the first place. These efforts must ensure that every servicemember, from top to bottom in our military ranks, knows that dignity and respect are core values we must all live by.

But accountability is key and people who violate the standards of acceptable behavior must be held appropriately accountable for their actions. I believe a positive first step was elevating the initial disposition of the most serious sexual assault cases to the level of colonel or Navy captain, or higher. Military commanders are essential to making sexual assault prevention and response efforts successful.

I look forward to learning more about the Department's ongoing program to develop Special Victims Capabilities across each of the Services, a program legislated in the NDAA for Fiscal Year 2013, and which is under development in the Department in the form of special training and standardized procedures for investigators, prosecutors, paralegals, and victim witness liaisons. This program's objective is to enhance the quality of investigations and accountability in sexual assault cases and I fully support it.

I also look forward to hearing more about the impact of the Air Force's pilot program, implemented in January, which assigns an attorney to a victim of sexual assault who requests one to represent them. I believe this could be a very good way to improve accountability. It will improve victim confidence and increase the number of victims who are willing to report; thereby increasing the number of cases that can be investigated and the number of cases in which offenders can be held appropriately accountable.

If confirmed, I will be resolute in advancing the Department's prevention, investigation, accountability, victim support and assessment programs in order that we address the problem of sexual assault in a persistent, comprehensive, and effective manner.

QUESTIONS SUBMITTED BY SENATOR MARK UDALL

ALTERNATIVE ENERGY PROGRAMS

29. Senator UDALL. Mr. Hagel, do you believe that the U.S. military's dependence on foreign oil represents a national security risk?

Mr. HAGEL. I am concerned about the Nation's dependence on foreign oil. At the same time, U.S. military forces need to be able to buy fuel wherever they operate. I support efforts to reduce the military's energy needs and diversify supplies in order to increase military effectiveness.

30. Senator UDALL. Mr. Hagel, do you support the continuation of DOD's energy conservation and alternative energy development programs?

Mr. HAGEL. I support the continuation of energy initiatives that improve the effectiveness and efficiency of the Defense mission. The Department has a long history of harnessing innovation to meet defense challenges in ways that can benefit the civilian economy, and there is potential for such gains in this case.

31. Senator UDALL. Mr. Hagel, do you believe those programs represent a strategic investment that will benefit U.S. national security and increase our military capabilities?

Mr. HAGEL. Yes. Energy efficiency and alternative energy programs are critical for cost savings, operational effectiveness, and our strategic national security goals. The Department has a long history of harnessing innovation to meet defense challenges in ways that can benefit the civilian economy, and there is potential for such gains in this case.

AFRICA

32. Senator UDALL. Mr. Hagel, what specific actions should be taken by DOD to address the wave of extremism in the Sahel region of Africa?

Mr. HAGEL. I believe the United States should continue to support France's strong actions to counter al Qaeda in the Lands of the Islamic Maghreb's effort to establish a safe haven in Mali, including by providing DOD assistance. The Departments of Defense and State should also continue contributing to the robust international support to the African-led International Support Mission in Mali (AFISMA). AFISMA will help to degrade the threat posed by al Qaeda and allied terrorist groups and put Mali on a path to stability.

Elsewhere in the Sahel region, the United States should continue to work with regional partners to strengthen their security capacities and create the conditions to apply region-wide pressure on extremist groups.

33. Senator UDALL. Mr. Hagel, what methods would you prescribe to prevent additional countries and national governments in North Africa from falling to extremists?

Mr. HAGEL. Extremists in North Africa clearly pose a significant threat to regional stability. If confirmed, I will work with the Secretary of State, other interagency counterparts, international partners and allies, and countries across the region to build the capacity of their militaries to counter these threats and to assist North African governments in improving governance and security for their populations. This includes preventing the expansion of terrorist networks and then degrading and, ultimately, defeating terrorist groups.

PAKISTAN

34. Senator UDALL. Mr. Hagel, do you believe that there are steps that the United States should take to further pressure Pakistan to withdraw their tacit support for terrorist groups like Lashkar-e-Taiba and the Haqqani Network in order to enhance the prospects for a stable peace in the region?

Mr. HAGEL. The ability of militant and terrorist networks to operate on Pakistani soil poses a threat to the United States, Pakistan, and other countries in South Asia. Therefore, the United States should continue to work to ensure that Pakistan meets its commitments, including supporting a durable settlement in Afghanistan, pressuring the Haqqani Network, and not allowing Pakistani territory to be used to launch terrorist attacks on other countries. Our approach should apply diplomatic pressure where needed and ensure our security assistance, which is an important tool, is not unconditional but conditions advance U.S. strategic interests.

MILITARY HEALTHCARE

35. Senator UDALL. Mr. Hagel, as Secretary of Defense, would you continue to prioritize funding for military suicide prevention programs, as well as for improved treatment for physical and psychological injuries?

Mr. HAGEL. I am deeply concerned about the significant rise in military suicides and am firmly committed to prioritizing funding for the full range of the Department's mental and physical health programs. These programs include: suicide prevention programs, such as the Army's Shoulder to Shoulder and Navy's Combat and Operational Stress Control resilience and fitness programs; peer-to-peer programs

such as the Vets4Warriors which focuses on our Reserve members; transition and family support programs, such as Recovery Care Coordination; and quality of life programs, such as those offered through Military OneSource. In addition, I will continue ongoing collaboration with the Department of Veterans Affairs, with continued emphasis on the Military Crisis Line, to ensure that our members receive support as they transition back to their civilian lives. Finally, and most importantly, I agree with Secretary Panetta that there is a significant leadership role and responsibility for preventing suicides and building the resilience of the force. If confirmed, I will continue to look for opportunities to improve our military and civilian leaders' ability to understand the needs of distressed servicemembers and reduce stigma so that they can be properly guided to the support they need.

ROLE OF THE RESERVE COMPONENT

36. Senator UDALL. Mr. Hagel, would you agree that, over the last decade, the National Guard and Reserves have demonstrated their value to the military mission in support of domestic disaster relief, combat operations, and in a variety of other roles at home and abroad?

Mr. HAGEL. Yes. The National Guard and Reserves have played an integral role during the past decade, mobilizing in unprecedented numbers for the wars in Afghanistan. They have also been critical to Homeland defense and security, highlighted by their heroic efforts during Hurricane Sandy.

37. Senator UDALL. Mr. Hagel, please discuss your views of the Reserve and National Guard and the role they should play in the coming years.

Mr. HAGEL. The Reserve components have served with distinction over more than a decade of war and continue to be a relevant and cost effect part of the Total Force. In a time of declining budgets and complex contingencies, I believe that the Department will continue to call on both Active and Reserve components to accomplish the domestic and overseas requirements of the new strategy. I understand that the Department is still in the process of finding the proper Active component/Reserve component mix that will most effectively accomplish our new strategy in a constrained fiscal environment. If confirmed, I will work with our military leaders on this important issue.

RUSSIAN POLICIES

38. Senator UDALL. Mr. Hagel, since Vladimir Putin was reelected as Russia's president, the Russian Federation has sent mixed signals for what its defense and foreign policies will be going forward. The creation of a so-called "Eurasian Union"—which would consist of Russia and other former Soviet republics—was a key component of President Putin's campaign platform, and is viewed by some as an attempt by Russia to "re-Sovietize" the region, which would pressure U.S. allies in the region. Former Senator John Kerry (nominated to be Secretary of State) has reaffirmed the U.S. Government's unwavering support for the independence of these countries and their right to choose "political, military, [and] economic" alliances "free from coercion". One such U.S. strategic partner, Azerbaijan, recently allowed a lease with Russia for the Gabala Radar station—the last Russian installation on Azerbaijan's soil—to expire due to a disagreement over the cost of the lease, continuing a trend of moving away from Moscow's orbit. As Secretary of Defense, what will be your policy to ensure that the independence of U.S. strategic partners in the region is preserved?

Mr. HAGEL. If confirmed, I will support continuing engagement with the leaders of the defense and security institutions of former Soviet Republics to advance reform and defense modernization goals, to contribute to regional stability and security, and to advance our shared security interests. It is possible for countries in the region to preserve their independence while also having a constructive, positive relationship with the United States, Russia, and other countries. As sovereign independent nations these countries must pursue the bilateral and multinational relationships that they assess are in their own national interests, but I would work to ensure the United States is the partner of choice. Working with the Department of State and other U.S. agencies, I would, if confirmed, continue to support partners in the region building their government institutions, practices, and capabilities to enable them to exercise the full measure of responsibilities and opportunities of independent, sovereign countries.

COOPERATIVE THREAT REDUCTION

39. Senator UDALL. Mr. Hagel, do you support the work conducted under the Cooperative Threat Reduction (CTR) programs which seek to eliminate threats, demilitarize systems, and to secure stocks of existing weapons of mass destruction (WMD)?

Mr. HAGEL. Yes. I believe that the Cooperative Threat Reduction Program is a vital mechanism for partnering with other nations to counter the threat posed by weapons of mass destruction. The program is now global and focused on core U.S. priorities, including nuclear security, countering biological threats, and destroying chemical weapons. If confirmed, I will continue to support the work of this vital program.

40. Senator UDALL. Mr. Hagel, how would you characterize your own views on the importance and priorities of the CTR program, originally undertaken in the former Soviet Union, and more recently expanding into other territories including Africa and the Middle East?

Mr. HAGEL. In the immediate aftermath of the Cold War, I believe that it made good sense for the CTR program to focus on reducing the threat posed by the former Soviet Union's nuclear arsenal. Based on information currently available to me, I believe that the program's recent expansion into new geographic areas, including Africa, the Middle East, and Southeast Asia also makes good sense, as does a new focus on biological threats. In my view, CTR remains a very important tool in reducing risks to the United States.

NUCLEAR MODERNIZATION

41. Senator UDALL. Mr. Hagel, do you support the restoration of funding appropriations to maintain the U.S. nuclear triad, and for key nuclear infrastructure programs such as the Chemistry and Metallurgy Research Replacement Nuclear Facility in the fiscal year 2013 appropriations bills?

Mr. HAGEL. I support the President's commitment to a safe, secure, and effective nuclear deterrent as long as nuclear weapons exist. I believe that maintaining the triad and modernizing our nuclear forces and the nuclear weapons infrastructure are national security priorities. If confirmed, I will give sustained attention to these issues.

QUESTIONS SUBMITTED BY SENATOR KAY R. HAGAN

SEXUAL ASSAULT/DOMESTIC VIOLENCE

42. Senator HAGAN. Mr. Hagel, as you and I discussed earlier this week, the number of sexual assault and domestic violence cases reported in the military every year is appalling. Studies show that there are 3,200 reported cases every year, but even more astonishing is that the actual number is estimated at 19,000 cases. This means that somewhere around 80 percent of all cases go unreported.

A Government Accountability Office (GAO) report concluded that most victims stay silent because of "the belief that nothing would be done; fear of ostracism, harassment, or ridicule . . . or labeled trouble makers." That same report goes on to say that some victims go silent because they do the math: only 8 percent of cases that are investigated end in prosecution, compared with 40 percent for civilians arrested for sex crimes.

This year's NDAA included provisions to combat this problem, including enhanced education, training, and awareness for our troops and the leadership. While this is a positive step, just having a zero-tolerance policy and getting out the message is not always enough.

If confirmed, do you pledge to ensure the NDAA sexual assault provisions are implemented as rapidly as possible?

Mr. HAGEL. Yes.

43. Senator HAGAN. Mr. Hagel, how do you intend to further prevent sexual assault and domestic violence?

Mr. HAGEL. Sexual assault is a horrible crime and it cannot be tolerated, ignored, or condoned in DOD. If confirmed, I will be fully committed to combating this crime and determined in reducing sexual assault, with a goal of eliminating it from the military.

I know that the over the past year, the Department has developed and implemented several new policies and procedures to prevent the crime of sexual assault, support victims, strengthen investigations, and hold offenders appropriately accountable. I also know that these efforts are not enough.

The Department must continue its multi-disciplinary approach in combating sexual assault. Prevention efforts are important, so that the crimes do not happen in the first place. These efforts must ensure that every servicemember, from top to bottom in our military ranks, knows that dignity and respect are core values we must all live by.

44. Senator HAGAN. Mr. Hagel, how will you approach fostering an environment where victims feel safe to come forward to report these crimes?

Mr. HAGEL. I believe a first step in this area is an Air Force pilot program, implemented in January, which assigns an attorney to a victim of sexual assault who requests one to represent them. I believe this could be a very good way to increase accountability. It will improve victim confidence, increase the number of victims who are willing to report; thereby increasing the number of cases that can be investigated and the number of cases in which offenders can be held appropriately accountable. If confirmed, I will continue to study the impact of this pilot program and look for other initiatives that may be helpful.

45. Senator HAGAN. Mr. Hagel, how do intend to increase accountability at all levels—not only of the perpetrators, but also of their leadership?

Mr. HAGEL. Accountability is key and people who violate the standards of acceptable behavior must be held appropriately accountable for their actions. I applaud Secretary Panetta's decision last year to elevate the initial disposition of the most serious sexual assault cases to the level of colonel or Navy captain, or higher. Military commanders are essential to making sexual assault prevention and response efforts successful.

I also look forward to learning more about the Department's ongoing program to develop Special Victims Capabilities across each of the Services, a program legislated in the NDAA for Fiscal Year 2013, and which is under development in the Department in the form of special training and standardized procedures for investigators, prosecutors, paralegals, and victim witness liaisons. This program's objective is to enhance the quality of investigations and accountability in sexual assault cases. I fully support it.

CAMP LEJEUNE WATER CONTAMINATION

46. Senator HAGAN. Mr. Hagel, historic and recent public statements made by the leadership of the U.S. Marine Corps cite that at the time of the drinking water contamination period aboard Camp Lejeune, there were no regulatory standards governing the organic chemicals which fouled the water aboard the base. Yet, recent Department of the Navy and Marine Corps documents uncovered by former marines and their families affected by the contamination indicate there was indeed a Naval regulatory standard in place for total organics in potable water as early as 1963 (NAVMED P–5010–5 and BUMED 6240.3B and beginning in 1972, version C).

As Secretary of Defense, what steps would you take to ensure the Department of the Navy and Marine Corps are truthfully conveying pertinent facts, disseminating important developments to the Camp Lejeune community, and allowing the community a voice in the matter to ensure total transparency regarding this issue?

Mr. HAGEL. The health and well-being of our servicemembers, their families, and civilian employees is of the utmost importance to me. If I am confirmed, I will be committed to finding answers to the many questions surrounding the historic water quality issue at Camp Lejeune, including ensuring appropriate oversight of these efforts. I will work with the leadership of the Navy and Marine Corps to engage the proper experts and review all the facts pertaining to the Bureau of Medicine Instruction to which you refer, ensuring that accurate information is provided to all who believe they may have been exposed to contaminated water at Camp Lejeune. The Department will continue to understand the meaning of ongoing scientific efforts and provide comprehensive science-based answers to our servicemembers, their families, and civilian employees.

I applaud Congress' efforts to support families through the passage of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 and I pledge to aggressively support the Department of Veterans Affairs efforts to properly implement the legislation.

BIOFUELS

47. Senator HAGAN. Mr. Hagel, in August 2011, the Departments of the Navy, Agriculture, and Energy signed a Memorandum of Understanding (MOU) to invest $510 million to spur production of advanced aviation and marine biofuels under the Defense Production Act. The joint-MOU, where each Department contributes $170 million, requires substantial cost-sharing from private industry of at least a one-to-one match.

Critics of the MOU claim the Department of Energy (DOE) should be the only Government agency involved in the promotion of advanced biofuels. While DOE must certainly play an important role, I believe the Navy and the Department of Agriculture also need to be involved. From my perspective, leveraging the unique capabilities of each agency—in partnership with the private sector—exemplifies the type of innovative approach needed to solve our country's most vexing challenges.

As the end-user of this fuel, do you believe there are significant benefits of having the Navy participate in this initiative?

Mr. HAGEL. I have not reviewed all the details of this initiative; however, all of the Military Services require fuel to operate, so all, including the Navy, have an interest in promoting military energy security and have the potential to benefit from such an initiative. I agree that it is important for the Department to leverage the expertise of civilian agencies that have the lead or an interest in this area. The Defense Department has a long history of harnessing innovation to meet defense challenges in ways that can benefit the civilian economy, and there is potential for such gains in this case.

48. Senator HAGAN. Mr. Hagel, would you agree that leveraging the unique capabilities of these three agencies enhances the prospects for programmatic success?

Mr. HAGEL. See answer to Question #47.

49. Senator HAGAN. Mr. Hagel, in this budgetary environment, I understand that difficult decisions need to be made about funding defense programs. However, as the largest single consumer of fuel in the world, DOD uses approximately 120 million barrels of oil each year and spent over $17 billion in fiscal year 2011 on fuel alone. This dependency on a single source of energy jeopardized our military's readiness. When the price of oil goes up $1, it costs the Navy an additional $30 million and the entire DOD over $100 million. In 2011, the Navy was forced to pay an additional $500 million because the price of fuel was higher than budgeted. Costs overruns could force the military to curtail training and less urgent operations—resulting in increased risk to future missions.

Do you believe that developing a commercially viable biofuels industry will help DOD diversify its fuel sources, reduce the risk of energy volatility, and ultimately produce cost savings for the Navy?

Mr. HAGEL. I believe it is in the long-term energy security interests of the United States to promote a commercially viable biofuels industry. A commercially competitive industry could help to reduce market volatility and reduce risk. If confirmed, I will look into the role biofuels could play in increasing military capabilities and lowering costs and risks for the Navy and other military departments.

LITHIUM

50. Senator HAGAN. Mr. Hagel, DOD has indicated that sustaining domestic capacity of lithium metals is critical because of the military's reliance on rechargeable lithium batteries in the field and the importance of lithium to developing next generation batteries. Do you believe it is in our national security interest to secure domestic production of lithium metal and reduce our reliance on imports from China?

Mr. HAGEL. My understanding is the Department is examining a range of options to ensure adequate and sustainable supply of lithium metal. If confirmed, I am committed to ensuring the Department has access to lithium metals, using all authorities available.

51. Senator HAGAN. Mr. Hagel, will you consider using authorities under the Defense Product Act to accomplish this goal?

Mr. HAGEL. See answer to Question #50.

QUESTIONS SUBMITTED BY SENATOR JOE MANCHIN III

DOWNSIZING THE FORCE

52. Senator MANCHIN. Mr. Hagel, if you are confirmed as Secretary of Defense, you will oversee the military's largest personnel downsizing in a generation. This, I believe, is one of the most important tasks facing the next Secretary, especially with the high rate of veterans' unemployment. I am very concerned about telling servicemembers, many who deployed to Iraq and Afghanistan multiple times, their services are no longer needed as the force downsizes. If confirmed, what approach would you bring to overseeing this massive personnel drawdown?

Mr. HAGEL. The Department must take care of its people, not only while they are serving, but it is an obligation that continues through the transition to civilian life. We, as a Nation, owe it to them for the sacrifices they have made.

It is my understanding that the Department has worked with the Department of Veterans Affairs, Department of Labor, the Small Business Administration, and the Department of Education to redesign the Transition Assistance Program (TAP). The redesigned TAP curriculum contains a Department of Labor sponsored employment workshop, a Veterans Affairs benefits briefing and registrations, a financial planning workshop and Service-specific training to equip members with the tools needed to successfully pursue their post military goals. The Department is also working with other agencies to meet the mandates of the VOW to Hire Heroes Act.

If confirmed, I will look at the services available for our men and women, both those that continue to serve and those that transition to civilian life.

DOD AUDIT

53. Senator MANCHIN. Mr. Hagel, in your advance policy questions you provided the following statement regarding the Pentagon's audit objectives: "Yes. I support the effort and will maintain the Department's commitment to producing audit-ready financial statements by the congressional deadline of September 2017, with an audit beginning by the end of calendar year 2017." Will you do everything in your power to speed this process up?

Mr. HAGEL. Improving the Department's financial management capability is an important priority and, if confirmed, I will ensure that senior leaders throughout the Department are focused on this goal and hold them accountable. While I will push for this effort to be completed as soon as possible and by the dates we have set, the Department must also be careful not to take manual or "heroic" steps to achieve this goal in an inefficient manner. I understand Congress has, in fact, directed DOD not to follow such an approach.

MILITARY FAMILIES

54. Senator MANCHIN. Mr. Hagel, DOD will face difficult budgetary choices in the future. Priorities will need to be evaluated and some programs will face cancellation or reduction. After a decade of war it is not only our soldiers that feel the stress, but so do their families. How will you help ensure programs for military families continue to be a high priority for DOD?

Mr. HAGEL. I share the concern of our senior military leaders that fiscal constraints will affect the very necessary programs needed to support the families of our servicemembers. If confirmed, I will seek to prioritize funding for family readiness programs to ensure that the quality of support for our military families is not negatively affected by budget reductions while also identifying the most effective programs and best practices. If confirmed, I will work through a newly formed Task Force on Common Services for military families to seek to protect funding for family readiness programs.

U.S. ROLE IN THE PACIFIC

55. Senator MANCHIN. Mr. Hagel, there has been an increase in tension in the East China Sea around the Senkaku Islands in recent months. In your view, what is the role of the United States in territorial disputes in Asia?

Mr. HAGEL. I support the President's policy that while the United States does not take sides over competing claims, the United States opposes any and all forms of coercion to resolve disputes or apply pressure (including economic measures). In addition, I believe that the United States should continue to make clear that we will meet our Treaty commitments.

QUESTIONS SUBMITTED BY SENATOR JEANNE SHAHEEN

SEQUESTRATION

56. Senator SHAHEEN. Mr. Hagel, in your responses to the advance policy questions, you support Secretary Panetta's assessment of the damaging effects that sequestration would have on the entire DOD and defense industries. Please describe the negative impact to military families should Congress fail to reach an agreement.

Mr. HAGEL. Sequestration will reduce the operations and maintenance (O&M) funding that is used to train our troops, to run our bases, and to run many of our family support programs. While the Department is still finalizing its assessment of specific impacts, I believe the these cuts in O&M funding will likely force cuts in our civilian workforce that will lead to cuts in the hours, services, and staffing available at clinics, family support centers, libraries, and athletic facilities. Furthermore, I believe the Department has already concluded sequestration will force significant cuts in the maintenance of DOD facilities, which directly affects quality of life.

If confirmed I will make it a priority to minimize the impact of sequestration on our military families. Sustaining family support programs in these days of extreme budget uncertainties will be challenging, but it is an integral part of our military readiness. If confirmed, I will seek to minimize funding cuts to family support programs to the greatest extent possible.

57. Senator SHAHEEN. Mr. Hagel, please describe the negative impact to our defense industrial base should Congress fail to reach an agreement.

Mr. HAGEL. Sequestration would significantly curtail important industrial base capabilities and skills which, if lost, would be difficult, expensive, and perhaps even impossible to replace. My understanding is that the Department has worked diligently to preserve those truly unique industrial base assets. Sequestration would render these careful efforts largely ineffectual. I believe the Department is still assessing the impact on specific weapons programs and service support contracts, and that those impacts will vary from case to case, but each such program will be cut by about 10 percent.

WOMEN'S HEALTHCARE

58. Senator SHAHEEN. Mr. Hagel, there have been a number of positive steps taken over the last year with respect to eliminating inequalities facing women in our military. One of which was our effort to bring female servicemember reproductive health care in line with Federal standards, to ensure women in uniform have the same access to care as their civilian counterparts. I was encouraged that we were able to change this policy during last year's NDAA, and I look forward to its full implementation.

It is my understanding that the Surgeon's Generals of each of the Services will issue guidance to their Departments to ensure that doctors and nurses are aware of new medical options available and are prepared to advise their patients. I also understand that the Sexual Assault Prevention and Response Office will issue guidance to victim advocates to ensure they are aware of this policy change and are prepared to brief victims on the full range of medical options now available. Do you commit to implementing this measure, which is now law, to ensure that our service women have the same health care as the civilians they protect?

Mr. HAGEL. If confirmed, I am committed to ensuring that our female servicemembers are afforded the same reproductive health care options as women in the civilian population. I will work with the Services to guarantee that all medical personnel are aware of the new options and that every victim has all resources available. I assure you that I will fully implement all laws protecting women servicemembers' reproductive rights. My goal is to ensure the health care provided to our servicemembers remains world class and contemporary.

LESBIAN/BISEXUAL/GAY/TRANSGENDERED MILITARY FAMILIES

59. Senator SHAHEEN. Mr. Hagel, as the implementation of the repeal of Don't Ask, Don't Tell policy continues, concerns have been raised about remaining inequalities faced by Lesbian/Bisexual/Gay/Transgendered (LBGT) military families. We have a case in New Hampshire which demonstrates the pain and injustice inflicted by the Defense of Marriage Act (DOMA). Charlie Morgan is a chief warrant officer in the Army National Guard. She served her country in the Active Army, the Reserve and the Guard, and most recently, she was deployed to Kuwait. Unfortunately, she has been diagnosed with inoperable breast cancer and due to DOMA,

her spouse, Karen, is denied any survivor benefits, and she is prohibited from health coverage worth well in excess of $10,000 a year. She also cannot get a base pass that would let her escort her 4-year-old daughter to medical appointments on base. Though I recognize that certain restrictions on monetary benefits apply to LGBT families under DOMA, will you commit to ensuring that LGBT families are fully incorporated into military communities and social programs?

Mr. HAGEL. Yes. As I have said, I know firsthand the profound sacrifice our servicemembers and their families make. We must always take care of our people. That is why, if confirmed as Secretary of Defense, I will do everything possible to the extent permissible under current law to provide equal benefits to the families of all our servicemembers, as members of our military community.

SUBMARINES

60. Senator SHAHEEN. Mr. Hagel, recent operations in Libya, Somalia, and around the globe highlight the value submarines continue to bring to the fight in both our conventional and covert operations. Can you discuss the importance of our undersea warfare capability, particularly with respect to the capabilities the *Virginia*-class submarines bring to the Navy?

Mr. HAGEL. U.S. undersea warfare capabilities are unparalleled in the world and give us an asymmetric advantage against our adversaries in both peace and war. Our U.S. Navy dominates the undersea domain, using attack and guided missile submarines for a variety of clandestine missions, including intelligence, surveillance, and reconnaissance, indications and warning, and special operations forces insertion and recovery. Submarines operate covertly in places that overt units cannot, providing unequaled capability for intelligence collection.

Ballistic missile submarines, the most survivable leg of the nuclear triad, are vital to the national mission of strategic deterrence, and under New START will comprise an increasing percentage of our operationally deployed weapons.

To maintain our undersea dominance, we must continue a vigorous submarine building program. The *Virginia*-class program is the Navy's most successful shipbuilding program, consistently providing submarines ahead of schedule and under budget.

PACIFIC VERSUS ATLANTIC FOCUS

61. Senator SHAHEEN. Mr. Hagel, obviously, our strategic shift towards the Asia-Pacific region prioritizes assets in that area of responsibility (AOR). However, as recent operations in Libya and Mali, as well as challenges throughout the Mediterranean, the Middle East, and North Africa demonstrate, we must maintain the capability to quickly respond to contingencies on the Atlantic side as well. Considering the uncertain and complex world of threats we face, how important is it to maintain flexibility and balance to ensure that our shift does not leave us vulnerable on the Atlantic side of the country?

Mr. HAGEL. I agree that our military forces need to remain flexible, agile, and balanced in order to be ready for challenges around the world. I think that DOD recognizes the complexity and uncertainty of the global security environment and avoids predicting with certainty how the future will unfold. As outlined in the January 2012 Defense Strategic Guidance, the Department is developing an adaptable and technologically-advanced Joint Force capable of responding to a wide range of contingencies. Regardless of where U.S. military forces may be positioned or stationed, one of the key advantages of our military is that we can bring to bear effective capabilities virtually anywhere throughout the world to address the threats countering our interests.

ISRAEL

62. Senator SHAHEEN. Mr. Hagel, the Senate Armed Services Committee (SASC) has been a strong proponent of U.S.-Israeli cooperation on missile defense and has provided significant funding for cooperative efforts, like the Arrow system, David's Sling, and the Iron Dome. Last year, the SASC provided $211 million to help Israel procure additional Iron Dome defense systems in the NDAA for Fiscal Year 2013. What is your view on the importance of these cooperative programs?

Mr. HAGEL. I strongly support U.S.-Israel cooperative efforts on missile defense, including Iron Dome. U.S. cooperation with Israel, enabled by congressional support, has led to the development of one of the most comprehensive missile defense architectures in the world. Each of the Israeli programs—Iron Dome, David's Sling, and

Arrow—fill a critical requirement in a multi-layered architecture that has been designed to protect the Israeli populace from existing and emerging threats.

63. Senator SHAHEEN. Mr. Hagel, will you commit to continuing these programs?

Mr. HAGEL. Yes, if confirmed, I will seek to continue these programs and to expand them as appropriate. As we saw in Operation Pillar of Defense in Gaza, these programs are a lifesaving investment in Israel's future and our defense relationship.

SERVICEMEMBER REINTEGRATION

64. Senator SHAHEEN. Mr. Hagel, you noted in your response to the advance policy questions that you are committed to working with State and local governments as well as private and community organizations to support reintegration of returning servicemembers, particularly those with combat injuries. Several States have established successful programs designed to augment reintegration services provided through DOD's Yellow Ribbon Reintegration Program (YRRP). New Hampshire's Deployment Cycle Support program is an example of these efforts that combine State and local as well as public and private funds to provide comprehensive assistance to military families. What steps can DOD take to better support these State and local efforts to ensure their continued success?

Mr. HAGEL. I am very familiar with the congressionally-mandated YRRP established in the NDAA for Fiscal Year 2008 that assists National Guard and Reserve members as they transition between their military and civilian roles, providing servicemembers and their families with access to programs, services, resources, and referrals during all deployment phases.

I am also aware that there are several State programs that go beyond YRRP with strong networks of community-based service providers, and partnerships with State and local governments that are key in ensuring resources are readily available to servicemembers and their families when they need them.

I understand that one of the initiatives of the YRRP Center for Excellence includes evaluating State-based outreach and reintegration efforts to identify best practices in order to share those initiatives nationwide. Additionally, the Center for Excellence is evaluating and substantiating various Service curricula at YRRP events and post-event survey data to disseminate best practices. They are also creating on-line toolkits for use across all components at YRRP events.

If confirmed, I will review the Department's support to YRRP efforts within the Department and across the various State programs to ensure we are maximizing our combined efforts and sharing best practices as much as possible.

DEFENSE INDUSTRIAL BASE

65. Senator SHAHEEN. Mr. Hagel, it is critical that DOD and the Services have an overarching direction and comprehensive policy for maintaining the manufacturing and engineering capabilities that are necessary to ensure we have production lines for building ships, combat vehicles, and even engines and transmissions for our current and future weapons systems. What is your view of the status and health of the defense-related industrial base, and can you give your assurances that you will work to ensure these capabilities remain viable and competitive in the near- and long-term?

Mr. HAGEL. I am committed to a healthy industrial base, and I am concerned that changes in the defense market may impact that base. If confirmed, I will work to ensure critical defense industrial base capabilities remain viable and competitive in the near- and long-term. The Department is dependent on a strong industrial base for the wide range of products and services needed to support the missions of our forces, and to provide for the innovation and technical excellence that provides technological superiority.

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

AFGHANISTAN

66. Senator GILLIBRAND. Mr. Hagel, I was a cosponsor of the Afghan Women and Girls Security Promotion Act in the 112th Congress, both the standalone version and the bill in the form of an amendment that was included in the final version of the NDAA. I would like to know what actions you will take to follow the amendment's directive and execute as robust a report as possible on the efforts made by

the U.S. Government to ensure the security of Afghan women and girls during and after Afghanistan's transition process?

Mr. HAGEL. Promoting and protecting the security of Afghan women and girls has been a priority of both the Defense and State Departments in Afghanistan. If confirmed, I will continue to work with the State Department to monitor progress throughout the transition and provide Congress with information that is responsive to the NDAA.

67. Senator GILLIBRAND. Mr. Hagel, the Special Inspector General for Afghanistan Reconstruction (SIGAR) has reported that some of the $1 billion in fuel purchases from Russia and Turkmenistan were blended with Iranian oil. What measures are going to be put into place to ensure that we are not violating our own sanctions on Iran?

Mr. HAGEL. I believe the SIGAR reported that there may be Iranian oil in some products we have purchased. I understand that our contracts for fuel in Afghanistan, including contracts for fuel purchased in Russia and Turkmenistan, require certifications that Iran was not a source of the oil. If I am confirmed, I will ensure that we have appropriate processes in place to preclude the purchase of fuel that may have come from Iran and to enforce our own sanctions against Iran.

WOMEN IN THE MILITARY

68. Senator GILLIBRAND. Mr. Hagel, Secretary Panetta recently lifted the ban on women serving in direct combat roles. I applaud that decision and am happy to hear that you plan to continue its implementation, if confirmed. The military you served in with such distinction in many ways looks very different than the military of today. Today, women make up nearly 15 percent of the Armed Forces. More than 283,000 women have been deployed in Iraq and Afghanistan. More than 800 women have been wounded in Iraq and Afghanistan, and more than 140 women have died. Two women have earned Silver Star medals. Why do we need to wait until 2016 for the Services to complete their assessment when so many women are already serving on the front lines?

Mr. HAGEL. As I've said, I strongly support Secretary Panetta's decision to lift the ban on women serving in combat roles. While there are women serving on the front lines, the rescission of the Direct Combat Rule and Assignment Policy requires the Services to review the requirements and standards for all combat positions. It is my understanding that this process takes, at a minimum, 2 years in order to review tasks, develop testing, and validate the tests which will result in gender neutral standards.

69. Senator GILLIBRAND. Mr. Hagel, I understand and appreciate that you support the announcement made last week regarding the policy of opening combat roles to women. I wholeheartedly support this overdue change in policy as women already have been fighting and dying on the frontline. I just as strongly believe that military standards should not be lowered for women seeking these roles and we will see extraordinary women meeting those standards and strengthening our national security. I am concerned, however, about the potential for the goal posts being moved back, or arbitrary standards set, which would in effect keep combat roles closed to qualified women. How will you ensure this policy is implemented as intended and as rapidly as feasible?

Mr. HAGEL. I believe the military and civilian leadership are committed to implementing the rescission as quickly as possible and, if confirmed, I assure I will work to have it implemented expeditiously. I will ensure that all standards reflect legitimate requirements for combat roles. In short, if a female soldier has the full skills and capabilities required to perform in a position, I will make sure she does.

70. Senator GILLIBRAND. Mr. Hagel, we know that women are already participating, unofficially, with many combat units and special operations units. With the lifting of the combat exclusion ban, what will happen to the women already serving with ground combat troops?

Mr. HAGEL. It's my understanding that women who served or are serving in units under an exception to the ground combat exclusion do so in an official capacity. It's also my understanding that women currently serving with ground combat troops will continue to serve with ground combat troops.

71. Senator GILLIBRAND. Mr. Hagel, will their combat service now be recognized as such?

Mr. HAGEL. It's my understanding that women's service in combat is already being recognized. If confirmed, I expect we will continue to recognize their service and achievements based on the contributions they make toward mission accomplishment.

72. Senator GILLIBRAND. Mr. Hagel, will they be eligible to compete now for combat arms leadership positions?

Mr. HAGEL. On January 24, 2013, Secretary Panetta rescinded the 1994 Direct Ground Combat Definition and Assignment Rule and directed the integration of women into previously closed positions by January 1, 2016. If confirmed, I will continue implementation of that new policy. Within this policy I expect women will be able to compete for leadership positions where they are qualified and meet the standards.

73. Senator GILLIBRAND. Mr. Hagel, sexual assault is an appalling problem in our military that continues to threaten the military's core value of protecting all members of the Armed Forces. It has been speculated that lifting the direct ground combat exclusion for women will help mitigate the sexual assault problems in our military by eliminating gender classes in the military. Do you agree with this theory, and if so, will you use it as leverage to ensure combat roles are opened to women swiftly and equally across the Services?

Mr. HAGEL. I have not had sufficient time to study this particular theory. As I have previously stated, sexual assault has no place in our military or anywhere in our society and I will work tirelessly to resolve that issue holding all commanders fully accountable.

74. Senator GILLIBRAND. Mr. Hagel, lifting the combat exclusion ban has raised the question of whether women should be required to register for the Selective Service. Selective Service requirements are determined by law; would you support Congress' decision to include women in the mandatory registry for Selective Service at age 18?

Mr. HAGEL. This is an issue that concerns DOD, although it is not responsible for administering the Selective Service System. If confirmed, I will look forward to participating in any interagency discussion of the merits of extending selective service registration to women.

75. Senator GILLIBRAND. Mr. Hagel, we have been told many times that commanders will be held responsible if there is a climate in their units that contributes to sexual assault or harassment. But I am concerned that measurable mechanisms for holding leaders accountable in addressing sexual violence issues have not been devised. DOD needs to develop a process for more directly holding leaders accountable for enforcing DOD's sexual abuse and harassment policies. The Defense Advisory Committee on Women in the Services even recommends that effectiveness in combating sexual harassment and assault should be a part of individual performance evaluations of all servicemembers and not just leaders. Accountability seems to be lacking in many respects. Case in point: Right now there appears to be no one person assigned to oversee the implementation of Secretary Panetta's directives on sexual assault prevention and response.

When it comes to issues of sexual violence in the military, what do you believe is the best mechanism for evaluating leaders?

Mr. HAGEL. The men and women who are serving their country face many challenges both on and off the battlefield. They should never have to fear the threat of sexual assault from a fellow soldier or superior.

Accountability is always the most important tool for leader evaluation. One of the most effective mechanisms across all Services is the command climate assessment. This tool provides timely feedback as a modality to determine if leaders have reinforced a culture of mutual respect and created an atmosphere that reinforces that sexual assault has no place within our ranks. The results from the assessment are key indicators whether leaders are taking responsibility for good order, morale, and discipline.

76. Senator GILLIBRAND. Mr. Hagel, do you believe that effectiveness in combating sexual harassment and assault should be part of individual performance evaluations for commanders?

Mr. HAGEL. Accountability is always the most important tool for leader evaluation. One of the most effective mechanisms across all Services is the command climate assessment. This tool provides timely feedback as a modality to determine if leaders have reinforced a culture of mutual respect and created an atmosphere that

reinforces that sexual assault has no place within our ranks. The results from the assessment are key indicators whether leaders are taking responsibility for good order, morale, and discipline.

77. Senator GILLIBRAND. Mr. Hagel, in your opinion, what consequences should follow if a commander is found to be unresponsive or ineffective on this issue?

Mr. HAGEL. I will hold all commanders responsible for this issue.

In order to successfully address this issue, I will continue to advance the positive steps taken by Secretary Panetta to change the policies and the culture that has discouraged victims from speaking out and trusting that there are resources in place to support and protect them.

Among the initiatives that have already been taken by this administration, I feel strongly about efforts to raise the awareness of this issue and elevate its importance to the Department, including elevating disposition authority for the most serious cases, requiring commanders to conduct annual organizational climate assessments, and enhancing training programs for sexual assault prevention.

If confirmed, I will work closely with the Joint Chiefs of Staff to ensure that all of our commanders are responsive and establish appropriate repercussions for those commanders who do not fully support this goal.

WOMEN'S SECURITY

78. Senator GILLIBRAND. Mr. Hagel, on December 19, 2011, the United States released its new National Action Plan (NAP) on U.N. Security Council Resolution 1325 on Women Peace and Security (WPS). The plan released by the administration is the first ever U.S. national action plan and Executive Order to implement these goals to establish women as influential and active agents in the prevention and resolution of conflicts. On August 10, 2012, the United States released the first-ever U.S. Strategy to Prevent and Respond to Gender-based Violence Globally, and President Obama signed an accompanying Executive Order directing all relevant agencies to implement the Strategy. The Strategy underscores the U.S. Government's commitment to preventing and responding to gender-based violence.

We know that all too often violence against women is used as a tool of war, yet U.N. peacekeepers and regional forces are under-trained and under-equipped in addressing violence against women. What actions will you take to implement this Executive Order?

Mr. HAGEL. I understand that, in the first year of implementation, the Department made noteworthy progress on the NAP for WPS objectives, both internally and with a range of foreign defense partners. First and foremost was Secretary Panetta's decision to rescind the restriction on women in direct combat, a decision I applaud. Externally, in bilateral and multilateral engagements, I am told combatant commands and our Regional Centers are focused on building the capacity of partner militaries to promote and strengthen gender equality.

I understand that the Department is developing a DOD Instruction to institutionalize the NAP's priorities. If confirmed, I would continue this progress in implementing the NAP and ensure the Department continues to lead by example on WPS issues.

79. Senator GILLIBRAND. Mr. Hagel, are there assets, such as excess defense articles, that the United States can contribute to peacekeeping forces, such as those in the Congo, in order to specifically help women facing significant and constant threats of sexual violence?

Mr. HAGEL. If confirmed, I plan to fully support the Department's efforts to implement the U.S. Strategy to Prevent and Respond to Gender-based Violence Globally and associated Executive Order. In this context, training of peacekeepers is critical and I believe it is important that DOD peacekeeping training continue to include human rights training and targeted instruction on prevention of and response to sexual and gender based violence. If confirmed, I will also continue to leverage Department authority to provide excess defense articles to equip peacekeeping contingents, where appropriate.

CYBER

80. Senator GILLIBRAND. Mr. Hagel, in your responses to the advance policy questions, you have said that "recruiting, training, and retaining military and civilian personnel needed for cyber operations will be a challenge". One noted expert re-

cently told the press that of the 10,000 necessary top cyber personnel, DOD has or can recruit only 2,000.

Why don't we begin an aggressive program of recruiting National Guard and Reserve cyber experts—a cyber corps—which would leverage the training and hiring of the private tech sector? The additional benefit from using the Guard is their ability to operate both in the military and Homeland defense space so that they can address the spectrum of threats to our national interests.

Mr. HAGEL. I believe that the National Guard and Reserve are a tremendous resource of talent and of surge capacity for DOD, and these skilled personnel can contribute greatly to the cyber mission. We are already using Guard and Reserve personnel in this mission area. It will not only be critical to recruit the right talent, but we must take a strategic approach to leveraging our National Guard and Reserve Forces as part of our overall structure. If confirmed, I will ensure that we appropriately draw upon a broad pool of our Nation's cyber experts in support of our critical cyber mission.

81. Senator GILLIBRAND. Mr. Hagel, I also understand that the pipeline of cyber personnel has to start in early education in order to interest and educate the right number of future cyber warriors. Why don't we make Science, Technology, Engineering, and Mathematics (STEM) aptitude and interest a significant focus of our Reserve Officers' Training Corps (ROTC) selection?

Mr. HAGEL. The Reserve Officers' Training Corps (ROTC) is vital to training the exceptional officers upon which our military relies, including in cyber skill sets. I believe that we should explore many approaches to build the critical technical skills DOD needs, and this should include exploring STEM related incentives in our ROTC program.

NEW YORK INSTALLATIONS

82. Senator GILLIBRAND. Mr. Hagel, I represent New York, home to our Nation's number one terrorist target. In the NDAA for Fiscal Year 2013, I worked to ensure the second WMD civil support teams for both New York and Florida were authorized, and that funds have been appropriated. Both of these units are fully trained and ready to deploy in the event of a terrorist attack, yet DOD and the National Guard Bureau are trying to disestablish our second teams. While I recognize the need for cost savings, these teams cost so little and yet provide so much to our country. Given the importance of these teams to our national security, do I have your commitment to follow clear congressional direction, which has authorized and fully funded these teams?

Mr. HAGEL. I agree that WMD civil support teams are vital to our national security. I am not familiar with the funding for these teams, but I will look into this matter if confirmed.

83. Senator GILLIBRAND. Mr. Hagel, I understand that the Army must cut its forces, but it is taking only two of its eight Brigade Combat Teams (BCT) slated for reduction out of Europe, and the rest from Continental United States (CONUS). Will you consider further cuts outside the CONUS (OCONUS), perhaps using rotational units?

Mr. HAGEL. The additional BCT reductions must be made consistent with our global strategy and treaty obligations. The three remaining BCTs not stationed in the United States, one in Korea and two in Europe, provide vital forward presence, partnership opportunities, deterrence, and rapid response. I will certainly work with my staff and the Secretary of the Army and Chief of Staff of the Army to see what other options may be feasible and affordable while still providing the requisite reassurance to our allies.

84. Senator GILLIBRAND. Mr. Hagel, what metrics and methodology will DOD use in approaching reductions in overseas personnel and infrastructure, while concurrently taking actions which reduce force structure in the United States?

Mr. HAGEL. The Department will seek to balance posture reductions in a way that aligns with our national strategic interests. As we consider options, we will balance our strategic and operational priorities against the need to reduce costs.

85. Senator GILLIBRAND. Mr. Hagel, the Army has reiterated the importance of rotary wing aviation in Iraq and Afghanistan as a critical asset to reducing the amount of casualties during ground convoys because of improvised explosive devices

(IED). As the Army downsizes, do you see the number of Combat Aviation Brigades decreasing as well?

Mr. HAGEL. As it downsizes, the Army must maintain the proper balance amongst all of its capabilities—Ground Combat capabilities, Combat Support capabilities, Sustainment and Logistics capabilities, and Institutional capabilities. Army Aviation must be part of this balance. I don't know to what extent Aviation will be affected, but I will review with the Secretary of the Army and the Chief of Staff of the Army their plans for the Army drawdown and ensure that I and my staff continue to be comfortable with the Army's plan.

86. Senator GILLIBRAND. Mr. Hagel, we've seen from Air Force 2013 Force Structure proposal, a disconcerting strategy which shifts more flying missions and iron to the Active component, while placing the Air Guard with fewer assets. The Guard getting unmanned missions is a welcome development, but the reduced manning requirements and the ability of the Air Guard to provide support to Governors with fewer numbers of critical assets, such as C–130s, remains a concern. It may also place a chill on Air Guard recruiting given the decreasing opportunities for pilots. What is your strategy to maintain a strong balance in flying missions and assets for the Air Guard over the next 4 years and beyond?

Mr. HAGEL. Since its inception, the Air Force has relied on the Total Force—made up of the Active, Reserve, and Air Guard components. Over the past 2 decades, the Air Force has become a more integrated force, both operationally and organizationally, as all three components—Active, Reserve, and Air Guard—have trained, deployed, and conducted the full range of missions together. I understand the Air Force continually reevaluates the mix between Active and Reserve components through an institutionalized process that includes representatives from all three components. If confirmed, I intend to work with Air Force leadership to understand and evaluate this process myself.

87. Senator GILLIBRAND. Mr. Hagel, how will you assure that the Air National Guard has a greater voice in decisionmaking, rather than simply being handed decisions from the Air Force?

Mr. HAGEL. I believe the work currently under way between the Department and the Council of Governors to develop a mutually agreed upon consultative process will ensure that the concerns of States are taken into consideration in future National Guard force structure, basing and budgeting decisions. I intend to continue with this effort and am committed to working closely with the Council of Governors.

88. Senator GILLIBRAND. Mr. Hagel, with the downsizing of the military, and last year's request from the administration for Base Closure and Realignment (BRAC) authorization, I anticipate that we will be discussing a new round of domestic base closings in this year's posture hearings. How will the metrics rolled out by the Air Force and Army respectively, in the last year and a half, inform any BRAC decisions?

Mr. HAGEL. It is my understanding that BRAC recommendations must result from a process that meets the requirements of the specific BRAC legislation. Therefore, metrics developed outside the BRAC statutory process can be used only if authorized in the legislation.

89. Senator GILLIBRAND. Mr. Hagel, you have said that you view cyber threats as one of the top security threats to the United States. Yet last year the Air Force cut its cyber research budget, and in the coming year, there is a plan to make the research budget pay for the operating costs at the Air Force Research Lab in Rome, New York. I am very concerned that such steps point to a hollowing out of our cyber preparedness, rather than taking the threat seriously. I hope to work with you to reverse this trend. Even in a budget scarce environment, cyber research pays tremendous dividends. Can I count on your support for increased cybersecurity research?

Mr. HAGEL. In today's complex global environment, cyber threats pose an increasingly serious challenge to national security. DOD organizations, including the Air Force Research Lab, provide for the development of vital capabilities needed for both today's warfighter and for the future strategic environment. If confirmed, I will work with Congress and the Services to ensure that DOD continues to assess and invest in critical cybersecurity research activities.

COORDINATION WITH THE DEPARTMENT OF VETERANS AFFAIRS

90. Senator GILLIBRAND. Mr. Hagel, I am concerned about the transition our warriors face as they leave the DOD and enter the Department of Veterans Affairs (VA). While there have been improvements in the last few years, I am concerned there is still a gap. I am especially concerned about the issues our female warriors face as they make this transition, especially those who have been sexually assaulted while serving. I want to ensure they are getting the information, care, and assistance they need while not being revictimized by the system.

If confirmed, what are your plans for increasing coordination with the VA to ensure our troops, especially women, are getting the important transition information and assistance they need so that no one falls through the cracks?

Mr. HAGEL. I am committed to ensuring every servicemember receives the training, education, and credentials he or she needs to successfully transition to the civilian workforce. I believe we must embed servicemembers' preparation for transition throughout their military lifecycle. I understand that the Department has redesigned the Transition Assistance Program (TAP) to ensure all servicemembers are "career ready" upon separation. The redesigned TAP complies with the VOW to Hire Heroes Act of 2011 that mandates all servicemembers separating from title 10 Active Duty (including reservists and guardsmen) participate in the program to ensure they are better prepared when leaving the military for civilian life.

If confirmed, I will engage Department of Veterans Affairs Secretary Eric Shinseki in a specific dialogue on the unique issues facing the transition of our female servicemembers. I will also continue the practice of holding regular Secretarial-level meetings and will closely monitor the progress of the many important joint initiatives between the two Departments.

DIRECTED ENERGY

91. Senator GILLIBRAND. Mr. Hagel, the Center for Strategic and Budgetary Assessments recommended last year a much greater investment into directed energy weapons. While DOD has already spent billions of dollars over several decades on science and technology efforts related to directed energy, several recent demonstrations by the Navy using solid state lasers on surface ships indicate that we may be reaching the point where as a Nation we can begin to realize a return on the substantial investment and transition this capability from science and technology to development as a weapon system. I understand that shipboard directed energy weapons could provide an affordable solution to significant capability challenges associated with sustaining our forward presence in strategically critical areas such as the South China Seas, the Sea of Japan, and the Straits of Hormuz. What is your view of current DOD efforts to weaponize directed energy technologies?

Mr. HAGEL. I understand that the Department has embarked on a deliberate path to develop the technologies to weaponize Directed Energy. If confirmed, I will continue to push for directed energy and other emerging technologies through robust research and development to continuously improve the capabilities we will field for our forces.

92. Senator GILLIBRAND. Mr. Hagel, should the Navy formally consider initiating a development program of record for high energy solid state lasers to improve the affordability and capability of our surface ships?

Mr. HAGEL. I understand that the Navy has and will continue to assess the solid state laser research and development efforts to determine transition opportunities given the remaining technical risk, costs and capability limitations that must be addressed prior to establishing a program of record.

93. Senator GILLIBRAND. Mr. Hagel, should such a program, if undertaken, include contributions from willing and technically capable allies?

Mr. HAGEL. Yes.

ASIA PIVOT

94. Senator GILLIBRAND. Mr. Hagel, the President had announced an Asia pivot, and between North Korea's missile threats and China's increased aggressiveness with respect to its neighbors, we have a number of challenges to react to. But at a time of declining budgets, how would you balance this pivot against the continuing concerns in the Middle East and the growing threat in Africa?

Mr. HAGEL. As described in the 2012 Defense Strategic Guidance, the Department is rebalancing toward the Asia-Pacific while maintaining focus on the Middle-East. I think that the significant U.S. military presence and activities in Asia are a clear demonstration of the enduring U.S. commitment to the region and to addressing current and emerging challenges in the Asia-Pacific. Moreover, if confirmed as Secretary, I would take every step to maintain the ability of America to conduct successful combat operations in more than one region at a time, ensuring that we have the ability to meet threats around the world, as in the Middle East and North Africa, when they arise. Our global posture, engagement with allies and partners, and investment in flexible defense architectures for high-demand capabilities, such as ballistic missile defense, are of great importance.

95. Senator GILLIBRAND. Mr. Hagel, how would this impact decisions over weapon systems and force structure?

Mr. HAGEL. While rebalancing, it will be important for the Department to protect new capabilities and investments to respond to the changing character of warfare; to preserve lessons, capabilities, and expertise built over the past 10 years; and to maintain a technological edge to meet future challenges.

CUTTING FORCES/HOLLOW FORCE

96. Senator GILLIBRAND. Mr. Hagel, you have stated that a hollow force is one that has been rendered incapable of performing the mission that we expect it to conduct. With a hollow force, units do not have the resources, personnel, equipment, and training necessary to make them capable or ready to execute the defense strategies that secure our country. As the military draws down after a decade of war, what strategic approach would you implement to ensure we retain the appropriate balance of training, readiness, and modernization to prevent the force from becoming hollow?

Mr. HAGEL. I understand that last year the President approved the Department's Strategic Guidance which provided priorities as well as force sizing direction. This was designed to ensure the Department could meet the missions we foresee and respond to the unexpected in a balanced way. However, any dramatic changes to the resources of the Department, such as with sequestration, would force military and civilian leaders to reevaluate that strategy.

97. Senator GILLIBRAND. Mr. Hagel, as conventional warfare becomes more technology-based, how do you believe that we should retain talent, especially in the fields of information technology and cyber warfare when the technology sector is able to provide pay and benefits that far exceed what the Government can offer?

Mr. HAGEL. Maintaining personnel critical technical skills will be an increasingly important challenge for DOD. Although the private sector may be able to offer better pay and benefits in some cases, my experience with DOD personnel has shown me again and again not only their talent but their commitment to their national security mission. In order to recruit and retain these talented individuals in information technology and cyberspace, I will use every tool I have afforded by OPM. In addition to many opportunities that the private sector cannot offer, DOD can focus on new ways to recruit, train, and retain talented cyber professionals. These include scholarships, partnerships, ensuring that technical people stay in mission essential technical jobs, and working creatively with the National Guard and Reserve components. If confirmed, I will work with DOD and congressional leaders to address this challenge.

QUESTION SUBMITTED BY SENATORS KIRSTEN E. GILLIBRAND AND RICHARD BLUMENTHAL

AUTISM

98. Senator GILLIBRAND and Senator BLUMENTHAL. Mr. Hagel, we have worked very hard this year to pass a bipartisan, bicameral provision funding autism services under TRICARE. Unfortunately we only funded a 1-year project. We understand that you were also supportive of early intervention and treatment of autism. We'd like to work with you to find a way to permanently fund Tricare's coverage of autism services.

Mr. HAGEL. As I understand it, the TRICARE program provides medical benefits under the basic program and provides non-medical support benefits (including respite care) to Active Duty Families under the Extended Health Care Option (ECHO).

TRICARE has always covered medical benefits such as speech and physical therapy, to individuals with an Autism diagnosis under the medical benefit. In addition, TRICARE has implemented coverage of Applied Behavioral Analysis (ABA) as a medical benefit, and is reviewing additional provider treatment options for medical care. This medical care will be provided by authorized TRICARE providers who are licensed or certified to provide ABA therapy. If I am confirmed, I look forward to working with you on this important issue that affects so many families.

QUESTIONS SUBMITTED BY SENATOR RICHARD BLUMENTHAL

VIETNAM ERA VETERANS

99. Senator BLUMENTHAL. Mr. Hagel, an estimated 70,000 veterans who served in the Vietnam war suffered from undiagnosed at the time Post Traumatic Stress Disorder (PTSD) during their service and were given less-than-honorable discharges. I understand that less than 2 percent of those who have applied for discharge upgrades have been successful before the Army's records correction boards. In contrast, today's military personnel are properly and, if appropriate, given a medical discharge, which entitles them to disability compensation, medical care, and support. If confirmed, will you review the decisions and guidance of the Army records correction boards with regards to the denial of Vietnam veterans' requests for discharge upgrades?

Mr. HAGEL. Yes. I understand that the Boards for the Correction of Military Records all operate under procedures approved by the Secretary of Defense and if confirmed, I will ensure that those procedures protect all veterans suffering from PTSD.

MILITARY-TO-MILITARY RELATIONS

100. Senator BLUMENTHAL. Mr. Hagel, as a component of the Northern Distribution Network (NDN), Azerbaijan provides ground and naval transit for roughly 40 percent of the International Security Assistance Force (ISAF) coalition's supplies bound for Afghanistan. Azerbaijan has extended important over-flight clearance, landing, and refueling operations for U.S. and NATO flights to support ISAF. In 2012, more than 150 aeromedical evacuation flights of U.S. Air Mobility Command were flown over Azerbaijan, rushing more than 2,200 patients to a higher level of medical care. How do you assess current U.S.-Azerbaijan military-to-military relations and what will be your policy to expand this strategic partnership?

Mr. HAGEL. My assessment is that the U.S.-Azerbaijan defense relationship is strong—but still has room to grow. If confirmed, I will build on existing cooperation and ensure DOD continues to engage in regular consultations at high levels with Azerbaijani counterparts to identify areas where we can strengthen our cooperation and partnership. That growth will be based on shared interests and willingness to cooperate, available resources, and capacity to absorb new programs. I will also continue our engagement with Azerbaijan aimed at supporting Azerbaijan's defense reforms, its ability to interoperate with NATO, to deploy forces in support of coalition operations, and its capacity to address terrorism and other transnational threats and secure its maritime borders and energy infrastructure. I would look for the United States to be Azerbaijan's partner of choice and help Azerbaijan's defense establishment contribute to regional security and stability.

101. Senator BLUMENTHAL. Mr. Hagel, in September 2012, Secretary of Defense Leon Panetta invited the Chinese PLA to observe the Rim of the Pacific (RIMPAC) military exercise that will take place in 2014. In 2012, RIMPAC involved participants from more than 20 countries. If confirmed, would you consider extending a similar invitation to observe RIMPAC to Taiwan?

Mr. HAGEL. The United States is firm in its commitment to Taiwan's self-defense needs under the Taiwan Relations Act. That relationship includes defense exchanges and other interactions consistent with our unofficial relationship and as provided for in the Taiwan Relations Act. If confirmed, I will work to identify appropriate exchanges and interactions to assist Taiwan's self-defense capabilities, and contribute to peace and stability in the Taiwan Strait.

102. Senator BLUMENTHAL. Mr. Hagel, if confirmed as Secretary of Defense, what additional steps would you take to strengthen our military-to-military relationship with Israel?

Mr. HAGEL. If confirmed, I will consider what additional steps could further strengthen our military relationship with Israel, including but not limited to missile defense, intelligence sharing, counterterrorism, and maritime security. I know that over the past 4 years the administration has taken unprecedented steps to expand our cooperation with Israel. Today, with congressional support, the United States provides Israel over $3 billion annually in Foreign Military Financing (FMF), which is the backbone of our commitment to Israel's defense. This financial support is complemented by extensive military-to-military cooperation, including joint exercises. If confirmed, I will seek to ensure that we build on this cooperation and expand it into new areas as the United States and Israel address emerging threats at this time of historic change in the Middle East. I believe we have a tremendous opportunity for further expansion of our missile defense efforts as well as cooperation in areas like space and cyberspace.

The foundation for successful cooperation is the close personal relationships U.S. military and defense civilian leaders have with Israeli military and defense leadership. Secretary Gates and Secretary Panetta, as well as the Chairmen of the Joint Chiefs of Staff, have all developed very close relationships with their counterparts. Continuing with this tradition will be one of my highest priorities if I am confirmed. This will be vital to ensuring that we understand Israel's defense requirements, and to finding ways to address mutual threats that meet our common interests.

103. Senator BLUMENTHAL. Mr. Hagel, what role does Israel's participation in the Joint Strike Fighter (JSF) program have in maintaining Israel's qualitative military edge in the region?

Mr. HAGEL. I believe that the JSF will be a core component of Israel's qualitative military edge (QME). Israel's QME is predicated upon its ability to defend itself, by itself, from any and all threats in the region—whether the threat comes from state or non-state actors or a coalition of states. Air superiority is one of the most important components to Israel's QME, and the unique capabilities of the JSF will ensure Israeli air superiority for decades. Israel will be the only nation in the region with a fifth generation fighter aircraft, and Israel's JSF will be tailored to meet its specific security requirements.

RESERVE COMPONENT MOBILIZATION

104. Senator BLUMENTHAL. Mr. Hagel, following the September 11, 2001, terrorist attacks against the United States, President Bush issued a partial mobilization of the Reserve components, authorizing the involuntary mobilization of up to 1 million members of the National Guard and Reserves at any one time for repeated service of up to 2 years. National Guard units like the 143rd Military Police Company out of West Hartford and the 1048th Transportation Company out of Stratford have served in Afghanistan for repeated deployments. I know the sustainability of an operational reserve is something that concerns you. In 2007, you introduced an amendment limiting the deployment of servicemembers serving in Iraq to 12 months. While the National Guard and Reserve have served with distinction, the operational reserve has without question had impacts that need to be addressed here at home. What is your vision for maintaining readiness levels within the Reserve component without continued Overseas Contingency Operations (OCO) funding post-2014?

Mr. HAGEL. I appreciate Congress' efforts in the NDAA for Fiscal Year 2012 to increase authorities to fully use the Reserves in a planned and programmed manner. Without OCO, the required Reserve component readiness funding would need to be included in the Department's annual baseline budget to align resources with the Department's long-term mission needs.

105. Senator BLUMENTHAL. Mr. Hagel, what mobilization authority is appropriate to use as we continue our counterterrorism efforts with the Reserve component?

Mr. HAGEL. If confirmed, and in light of the new strategy, I will consider the question of additional mobilization authorities, but at the present time I believe that appropriate policies and procedures are in place and current laws are adequate.

QUESTIONS SUBMITTED BY SENATOR MAZIE K. HIRONO

U.S.-PACIFIC TIES

106. Senator HIRONO. Mr. Hagel, given the increasingly complex interrelationships of military, economic, political and diplomatic policies relevant to regional se-

curity issues, what is your view on the role for DOD institutes like Hawaii's Asia-Pacific Center for Security Studies (APCSS) in advancing some of the goals of the rebalance to the Pacific and also in accomplishing a U.S. Pacific Command (PACOM) objective of developing professional and personal ties among with our allies throughout the region? APCSS brings together military and civilian representatives of the United States and Asia-Pacific nations to address regional and global security issues through its comprehensive program of executive education and conferences.

Mr. HAGEL. APCSS contributes to advancing America's Pacific rebalance by enhancing professional and personal ties with partners throughout the region, strengthening defense institutional capacity, promoting critical thinking on regional security issues, and providing a venue for communication and exchange of ideas involving military and civilian participants. I agree that APCSS has a unique convening ability to bring together influential civilian and military decisionmakers from governments in the region with business and civil society leaders.

107. Senator HIRONO. Mr. Hagel, in your response to an advance policy question concerning additional steps the United States should take to defend against the North Korean ballistic missile threat, you state that the "United States should also seek to enhance bilateral and trilateral missile defense cooperation with our ROK [Republic of Korea] and Japanese allies particularly in the area of information sharing." Last year, the Korean public's opposition, inflamed by heightened tensions with Japan, largely led to the failure of the ROK Government to sign an agreement with Japan that would allow the two countries to exchange key military intelligence. If confirmed, what would you do to enhance bilateral and trilateral defense cooperation with these allies?

Mr. HAGEL. If confirmed, I will continue to explore ways to deepen our alliance cooperation with Japan and South Korea, emphasize and encourage trilateral cooperation, and, where possible, support efforts to strengthen ties between the two countries. I understand there are significant cooperative efforts already underway, including the Defense Trilateral Talks, which recently were conducted at the assistant Secretary level in Tokyo, and I would continue these initiatives, if confirmed. Deeper trilateral cooperation enhances our Alliance capabilities, sends a powerful message to the region, and serves to reinforce deterrence against possible aggression.

108. Senator HIRONO. Mr. Hagel, in your response to the advance policy question on the status of the U.S.-China relationship, you recognize the fact that "China is rapidly modernizing its military and increasingly asserting claims to territory". If confirmed, how should the United States respond to China's increasingly aggressive actions over the Senkaku Islands and what steps will you take to assure our Japanese allies of America's commitments to defend Japanese territory under Article V of the Treaty of Mutual Cooperation and Security.

Mr. HAGEL. If confirmed, I will continue our longstanding commitments to all of our Treaty allies, including Japan. My understanding is that the administration has made clear that while the United States takes no position on the sovereignty of the Senkaku Islands, our Treaty commitments apply to all territories under the administration of Japan. I would support continuing this policy and communicate it clearly to all parties involved in this issue. If confirmed, I also would continue U.S. efforts to promote the peaceful handling of the Senkaku Island dispute by all parties while at the same time ensuring that the United States maintains the ability to fulfill all of its security commitments.

109. Senator HIRONO. Mr. Hagel, in 2011, while I was attending the Asia-Pacific Economic Cooperation (APEC) summit in Hawaii, Secretary of State Hillary Clinton appeared at the East-West Center in Honolulu and gave an address titled "America's Pacific Century". In her remarks, she stated that the United States has "a strong relationship with Taiwan, an important security and economic partner . . . ." In what specific ways will you build on this existing foundation and further enhance this important relationship as Secretary of Defense?

Mr. HAGEL. The United States is firm in its commitment to Taiwan's self-defense needs under the Taiwan Relations Act. This could include the provision of defense articles and services, consistent with the Taiwan Relations Act, as well as training opportunities designed to improve Taiwan's self-defense capabilities.

110. Senator HIRONO. Mr. Hagel, what is your current assessment of our relationships with Japan, South Korea, Australia, the Philippines, and Taiwan? Please de-

scribe your goals should you be confirmed as Secretary of Defense for each of these relationships.

Mr. HAGEL. My understanding is that our relationships with these allies and partners remain extraordinarily strong, and, if confirmed, I would ensure that we continue to prioritize our critical alliances and partnerships in the Asia-Pacific region.

Japan is the linchpin of our presence in Asia. Japan is an increasingly critical partner in missile defense, humanitarian assistance and disaster relief, maritime security, and other important areas. If confirmed, I would continue the work of my predecessors to broaden and deepen this critical alliance to ensure that it is capable of responding to the security challenges of the 21st century.

The United States has a similarly robust relationship with the Republic of Korea (ROK). My understanding is that we have a comprehensive agenda aimed at facilitating the smooth transfer of wartime operational control in 2015, and ensuring the ROK Government has the capabilities necessary to defend the peninsula. If confirmed, I would continue these important efforts, and would also continue to stress the importance of trilateral ties between Japan, the ROK, and the United States.

The U.S.-Australia alliance is very strong, reflecting the enduring bonds forged through the sacrifices of United States and Australian forces in every major conflict of the last 100 years. The joint U.S.-Australia force posture initiatives in northern Australia reflect a reality we all recognize: security and prosperity of our two great nations is inextricably linked to the security and prosperity of the Asia-Pacific region. If confirmed, my goal would be to continue to invest in this critical relationship.

I understand that our alliance with the Philippines has matured substantially during the Obama and Aquino administrations. Over the past few years, our defense relationship has developed in many important dimensions. If confirmed, I would continue this trend by exploring options for increased rotational presence for U.S. forces in the Philippines while continuing to support the Philippines' development of a minimum credible defense capability.

The Taiwan Relations Act provides that the United States "will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability." That policy has contributed to peace and stability in the region for over 30 years and is consistent with longstanding U.S. policy, which calls for a peaceful resolution of the Taiwan issue in a manner acceptable to the people on both sides of the Taiwan Strait. If confirmed, I would work closely with Congress, the Commander of U.S. Pacific Command, and the Department's interagency partners to ensure the continued effective implementation of all of the relevant provisions of the Taiwan Relations Act.

WOMEN IN COMBAT

111. Senator HIRONO. Mr. Hagel, in light of DOD's recent announcement with regard to the role of women in combat, I'd like to ask about the priority you will give to developing implementation plans to move forward with the U.S. NAP on WPS released by the White House in December 2011. It is my understanding that the Department of State and USAID have released implementation plans building on the NAP.

If the White House plan envisions an active role in this regard by DOD, I would be interested in your vision for moving forward in this regard.

Mr. HAGEL. I understand that, in the first year of implementation, the Department made noteworthy progress on the NAP for WPS objectives both internally and with a range of foreign defense partners. First and foremost was Secretary Panetta's decision to rescind the restriction on women in direct combat, a decision I applaud. Externally, in bilateral and multilateral engagements, I am told combatant commands and our Regional Centers are focused on building the capacity of partner militaries to promote and strengthen gender equality.

I understand that the Department is developing a DOD Instruction to institutionalize the NAP's priorities. If confirmed, I would continue this progress in implementing the NAP and ensure the Department continues to lead by example on WPS issues.

FAMILY PROGRAMS

112. Senator HIRONO. Mr. Hagel, last year I attended a graduation ceremony at Pearl Harbor-Hickam Air Force Base. The graduates were 4-year-olds from military families involved in a YMCA [Young Men's Christian Association] program. These

kids reminded me that when our men and women in uniform are deployed, their families serve too. In the House of Representatives, I was the Co-Chair of the House Impact Aid Coalition. Impact Aid helps support local school districts that educate military-connected children. Please elaborate on how you will work to provide child care and educational opportunities to the children of military families.

Mr. HAGEL. I fully support the Impact Aid program, and these funds are primarily delivered through the Department of Education to local school districts. In addition, DOD has been providing hundreds of millions of dollars to local school districts through a congressionally-directed program to rebuild locally owned schools located on military bases that are falling into disrepair. More directly, DOD has spent billions of dollars on a multi-year program to rebuild Department owned schools that are in failing condition.

I believe that it is the duty of the Department to prepare military families to cope with the challenges that military service brings In order to build and sustain resilient military families, the Department must continue to focus on programs that enhance their social, financial, educational and psychological well-being.

I believe there are opportunities to improve the efficiency and accessibility of the resources and programs that the Department, other Federal agencies, State and local governments, and Department partners like the YMCA provide our servicemembers and their families. If confirmed, I will explore these opportunities and how we can better coordinate efforts to more effectively provide programs to our military families.

RECRUIT READINESS

113. Senator HIRONO. Mr. Hagel, recently, a group of retired generals and admirals called Mission Readiness found that 75 percent of young Americans ages 17 to 24 are unable to join the military, primarily because they are poorly educated, physically unfit, or involved in crime. As Secretary of Defense, how will you work with other Federal agencies to combat these problems and improve the pool of potential recruitments?

Mr. HAGEL. Today's enlistment qualification standards are well-defined, supported by years of experience, and have stood the test of time. They are driven by the need to provide the Services with men and women who are prepared to adapt to the rigors of military life and meet performance requirements. It is imperative we maintain the highest standards for these reasons.

If confirmed, I will work closely with organizations such as Mission Readiness, the National Prevention Council and the First Lady's office to address these issues. I will explore opportunities in the Department to pilot healthy initiatives at several military installations to serve as a model for the department, and the Nation.

ENERGY SECURITY

114. Senator HIRONO. Mr. Hagel, across the globe resource scarcity, political and social upheaval, and other factors are changing the nature of the threats our Nation faces. These new challenges are particularly pronounced when we consider the global energy markets on which we rely. Prices are set based on global demand—not U.S. strategic and operational concerns—and many of the source nations are not our closest allies. Do you view U.S. energy security as a vital component to our overall national security?

Mr. HAGEL. Energy security is central to national security. DOD can play a role in promoting U.S. energy security in two ways.

First, DOD can improve the energy security of military operations and defense facilities. The Department has a long history of harnessing innovation to meet defense challenges in ways that can benefit the civilian economy, and there is potential for such gains in this case.

Second and more broadly, a core mission for DOD is preventing conflict, through deterrence and forward presence, partnerships with other nations, and a range of other activities. The Department also plays a supporting part in whole-of-government efforts to build peace, stability, and prosperity around the world. I view the Department's shaping and prevention efforts as vital to our overall national security, given the complexity of current and emerging threats and challenges. In that context, energy security is both part of the challenge and the response for DOD.

115. Senator HIRONO. Mr. Hagel, what role, if any, do you believe that DOD has in supporting efforts to increase U.S. energy security?

Mr. HAGEL. See answer to Question #114.

116. Senator HIRONO. Mr. Hagel, Congress has included provisions in past NDAAs to give the Secretary of Defense the guidance, tools, and support for initiatives intended to improve the military's energy security and reduce fuel costs. These include section 526 of the Energy Independence and Security Act, establishment of an Office of Operational Energy Plans and Programs headed by an assistant secretary, and other provisions. If confirmed, do you intend to continue to encourage the Services to utilize these authorities to meet their operational and installation energy needs effectively?

Mr. HAGEL. Yes.

QUESTIONS SUBMITTED BY SENATOR TIM KAINE

ATLANTIC-PACIFIC MILITARY PRESENCE

117. Senator KAINE. Mr. Hagel, in 2012, DOD released its new strategy, noting a rebalance to Asia while also maintaining our commitments in the Middle East. This strategy is heavily dependent on the maritime forces of the Navy and the Marine Corps. What is your view on the necessity of maintaining our naval power projection in the Atlantic in order to maintain our presence in the Middle East, especially given the threat of Iran to the region?

Mr. HAGEL. Today, the United States must be able to project naval power globally, with a strategic emphasis on rebalancing to the Asia-Pacific region and maintaining presence in and around the Middle East. Our Atlantic fleet will continue to play a vital role in meeting our global demands. If confirmed, I would work with the Secretary of the Navy, the Chief of Naval Operations, the Commandant of the Marine Corps, and the Chairman of the Joint Chiefs of Staff to ensure a strong and sustainable Navy and Marine Corps that can prevail in light of current and projected challenges.

118. Senator KAINE. Mr. Hagel, please describe your view on our naval presence, given the current defense strategic guidance and ongoing conflicts in the Middle East and North Africa region.

Mr. HAGEL. Historically, the Nation has used globally deployable Naval forces to provide presence and power projection capabilities in multiple regions, often shifting between regions on short notice in response to emerging security threats. Naval presence will continue to be vital if we are to rebalance toward the Asia Pacific while maintaining our defense commitments in the Middle East and elsewhere. If confirmed, I would work with the Secretary of the Navy, the Chief of Naval Operations, the Commandant of the Marine Corps, and the Chairman of the Joint Chiefs of Staff to ensure a strong and sustainable Navy and Marine Corps that can prevail in light of current and projected challenges.

SHIPBUILDING

119. Senator KAINE. Mr. Hagel, State shipbuilding plans are critical to meet our strategic needs, as well as critical to maintain our defense industrial base and supply chain. Given the affordability challenges facing the defense industry, you have the responsibility to ensure that you set the course for our Navy's force structure and maintain the Nation's security, all while balancing cost and risk of shipbuilding efforts. Would you agree to work closely with me, with this committee, and with this Congress in addressing our shipbuilding needs?

Mr. HAGEL. Yes.

120. Senator KAINE. Mr. Hagel, will you remain committed to ensuring that the vessels we build for our sailors and marines are the finest this Nation can produce and that they meet military classifications for warships?

Mr. HAGEL. I am committed to ensuring that survivability shall be addressed on all new surface ship, combat systems and equipment designs, overhauls, conversions, and modernizations in order that the design is provided a balance of survivability performance, risk, and cost within program objectives.

121. Senator KAINE. Mr. Hagel, will you agree to analyze all avenues of optimal program management and cost control measures in shipbuilding in order to allow shipbuilders to optimize design and save taxpayers' dollars?

Mr. HAGEL. Yes.

DEFENSE INDUSTRIAL BASE

122. Senator KAINE. Mr. Hagel, numerous studies by the Defense Business Board, GAO, and others point to a need for increased collaboration between industry and DOD. This becomes ever more important as the need for efficiencies increases and the number of industry participants decreases. DOD must provide our servicemembers with the best equipment possible. Enhancing innovation for defense applications through the current acquisition system may be an ongoing challenge in this fiscal environment. How will DOD sustain and improve capabilities that have been developed through collaborative innovation with industry?

Mr. HAGEL. Industry is our partner in defending this Nation and I fully recognize the vital role it plays in our national security. If confirmed, I will assess our current programs regarding collaborative efforts with industry, particularly in the areas of research and development, to leverage the innovation of the private sector.

123. Senator KAINE. Mr. Hagel, what is your assessment of the health of the defense industrial base and areas that require more attention?

Mr. HAGEL. I believe in a strong, healthy industrial base, and I am concerned that changes in the defense market may impact that base. If confirmed, I will ensure the Department has a process to assess fragility of the capabilities needed provide our military with the best equipment in the world.

VETERAN ASSISTANCE

124. Senator KAINE. Mr. Hagel, you noted in your advance policy questions your commitment to improving the care veterans receive as they transition from Active Duty to civilian life. In the past few years, we have seen a high rate of unemployment among veterans, as well as increasing rates of suicide among this population. In your view, what are the most critical areas of improvement for veterans care?

Mr. HAGEL. This is a far ranging issue that will warrant significant attention from me, if confirmed. It is my understanding that our current focus areas are providing: a seamless transition of health information from DOD to the Department of Veterans Affairs, timely processing of disability claims, and transitional support such as employment assistance and related help. If confirmed, I will evaluate the entire domain of veteran's transition for effectiveness and where we need more improvement.

125. Senator KAINE. Mr. Hagel, what are the areas of potential collaboration among public and private sector entities?

Mr. HAGEL. I understand that there are numerous areas where public and private collaborations could advance solutions for some of our most pressing issues with veterans care. These include opportunities to collaborate in: scientific research; improving access to mental health care and piloting new and innovative models of care; ensuring that military training in medical triage and care provision translates to employment in the private sector through collaboration with professional organizations, certification bodies, and academic training programs (e.g., medics serving as EMTs); and developing evidenced-based care guidelines and treatment protocols for psychological health and Traumatic Brain Injury.

QUESTIONS SUBMITTED BY SENATOR ANGUS S. KING, JR.

CONCERN ABOUT THE INDUSTRIAL BASE

126. Senator KING. Mr. Hagel, last year, the Chief of Naval Operations (CNO), Admiral Jonathan Greenert, testified before this committee about the consequences of sequestration for shipbuilding. Admiral Greenert said that if sequestration kicks in, we will lose capabilities in some of our shipyards and we would be looking at a fleet of 230 ships compared to the current fleet of 285 ships. He went on to say, "I'm very concerned about an industrial base that would be able to adjust from sequestration. It would be very difficult to keep a shipbuilder that could be efficient in building the types of ships we need." In short, he described the very type of irreversible consequences that we must avoid. I am proud of the workers at Bath Iron Works in my home State, but this issue is larger than that because the six remaining shipyards that build Navy ships are truly strategic assets that once lost, cannot be restored in a timely manner. Do you agree with the CNO's assessment and share my alarm that sequestration will result in greater per unit costs, an unacceptable danger to our industrial base, and a smaller Navy fleet?

Mr. HAGEL. Yes, I agree that the industrial base is a strategic asset that needs to be protected and that sequestration may have irreversible impacts in the long term. Sequestration budget cuts would certainly reduce ship procurement and maintenance, impacting fleet size. Sequestration would also implement automatic spending cuts without regard for strategy or priorities, so the Navy would be forced into a position where they could not execute contract options that were negotiated to minimize unit costs and stabilize workload in the shipyards. If confirmed, I will work with Congress to avert sequestration and work with the Navy to protect the industrial base.

DDG–51 DESTROYER PROGRAM

127. Senator KING. Mr. Hagel, the enacted NDAA for Fiscal Year 2013 authorized a multi-year procurement of up to 10 DDG–51 destroyers during the next 5 years beginning in fiscal year 2013. The Appropriations Committees of both the House of Representatives and the Senate adopted fiscal year 2013 defense appropriations bills also included funding to support a 10-ship program. Multi-years present unique opportunities to procure required major defense systems more cost effectively than through annual procurements. I realize that enactment of the fiscal year 2013 defense appropriations legislation is required before the Navy can execute this vital multi-year procurement and achieve cost savings while also helping to stabilize our specialized shipbuilding industrial base. Will you let the leadership on both sides of the aisle in the Senate and the House of Representatives know how critical it is that we enact a fiscal year 2013 Defense Appropriations Bill?

Mr. HAGEL. If confirmed, I will certainly continue to stress to Congress the importance of receiving an enacted fiscal year 2013 Defense Appropriations Bill. A year-long CR reduces the Department's funding flexibility by spending money on last year's priorities not this year's—an untenable position. It also pushes the Department to use month-to-month contracts and prohibits doing "new starts" in military construction or acquisition programs.

BERRY AMENDMENT

128. Senator KING. Mr. Hagel, according to the Berry Amendment, DOD cannot procure clothing items unless they are produced in the United States. Congress first established this domestic preference for DOD procurement in 1941, and for decades the military branches complied by issuing American-made uniforms, including athletic footwear, for our troops. In recent years, however, DOD has circumvented this policy by issuing cash allowances to soldiers for their own purchase of training shoes.

New Balance makes a compliant athletic shoe. New Balance has 5,000 pairs of Berry-compliant footwear sitting on their shelves, as we speak. Next year, enforcing compliance with Berry would actually save money. Currently, the Navy gives a $68 cash allowance to recruits, and Berry-compliant shoes from New Balance cost $68. Next year, the allowance will increase to $74, but the Berry-compliant shoe cost will remain the same. That's a $6 savings per pair of running shoes.

Will you review this policy and work to assure that compliant gear is purchased and U.S. jobs are protected?

Mr. HAGEL. If confirmed, I will review the Department's policies pertaining to the athletic running shoes provided to military enlisted recruits and will ensure the Department meets its obligations under the Berry Amendment.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

TAIWAN RELATIONS

129. Senator INHOFE. Mr. Hagel, the 1979 Taiwan Relations Act and the Six Assurances of 1982 have contributed to the peace and stability of the Asia-Pacific region for the past 3 decades. With the military balance—including air superiority—gradually shifting in China's favor, what are your plans to implement the security commitment the United States has for Taiwan under this framework?

Mr. HAGEL. In my view, the increasing complexity and sophistication of the military threat to Taiwan from China means that Taiwan must devote greater attention to asymmetric concepts and innovative technologies to maximize Taiwan's strengths and advantages. If confirmed, I would work closely with Congress, throughout DOD, and with our interagency partners to ensure the continued effective implementation of all of the relevant provisions of the Taiwan Relations Act.

I believe that we should make available to Taiwan those defense articles and defense services which enable Taiwan to maintain a sufficient self-defense capability, today and into the future. If confirmed, I will look at what specific self-defense capabilities Taiwan needs in light of the security situation in the Taiwan Strait and the evolving military capabilities on the mainland.

130. Senator INHOFE. Mr. Hagel, as Taiwan is likely to retire some of its older fighter aircraft in the next 5 to 10 years, do you believe that sales of advanced aircraft are an important next step in this commitment?

Mr. HAGEL. See answer to Question #129.

EAST CHINA SEA

131. Senator INHOFE. Mr. Hagel, last August, Taiwan President Ma Ying-jeou proposed an East China Sea Peace Initiative to address the ongoing dispute between Japan and China over the Senkaku or Diaoyutai Islands. While Taiwan also claims sovereignty over the islands as part of the Republic of China, it "calls on all parties concerned to resolve disputes peacefully based on the U.N. Charter and relevant provisions in international law." In its proposal, Taiwan goes on to call on all parties to:

1. Refrain from taking any antagonistic actions;
2. Shelve controversies and not abandon dialogue;
3. Observe international law and resolve disputes through peaceful means;
4. Seek consensus on a code of conduct in the East China Sea; and
5. Establish a mechanism for cooperation on exploring and developing resources in the East China Sea.

Do you believe that such an initiative is a constructive and necessary step in resolving the dispute in a peaceful and comprehensive manner?

Mr. HAGEL. If confirmed, working with the Secretary of State and other interagency counterparts, I would carefully consider any initiative that seeks to reduce tensions and facilitate a diplomatic solution to the current tensions.

EAST ASIA

132. Senator INHOFE. Mr. Hagel, Myanmar has been invited as an observer to the Cobra Gold exercises in 2013. Do you believe inclusion of the Burmese military is timely?

Mr. HAGEL. I understand that plans call for two Burmese military officers to be included in the Cobra Gold Observer Program as a way to promote the Burmese military's exposure to the international community and international norms of behavior. I believe that this step is timely and sensible. I also agree with the current Department stance that future participation should be contingent on continued progress by the Government of Burma in consolidating democratic reforms, improving its human rights record, promoting national reconciliation, and suspending military ties to North Korea.

133. Senator INHOFE. Mr. Hagel, do you envision that the Burmese will be brought into security partnerships with the United States bilaterally or through multilateral arrangements with regional militaries?

Mr. HAGEL. I support the administration's approach of cautious and calibrated engagement with the Burmese military through bilateral and multilateral arrangements. If confirmed, I will consult with Congress regarding the scope and scale of bilateral engagement. I also agree with the current policy that a normalization of defense relations with Burma can only occur if the Government of Burma continues its efforts to democratize, improves its human rights record, implements national reconciliation efforts with its various ethnic groups, and suspends military ties to North Korea. I also support robust multilateral engagement of the United States with the Association of Southeast Asian Nations (ASEAN) and its ASEAN Defense Ministers Meeting-Plus (ADMM+) efforts, of which Burma is a member and will be chair in 2014.

134. Senator INHOFE. Mr. Hagel, will a reduction of DOD's budget impact security cooperation and regional security in East Asia?

Mr. HAGEL. As the President has stated, the United States is a Pacific power with enduring interests in the peace and security of the region. If confirmed, I will work to uphold and prioritize our security commitments in the Asia-Pacific region. How-

ever, sequestration's effects would be disastrous for the Department and would necessitate a review of the new defense strategy.

135. Senator INHOFE. Mr. Hagel, will budget cuts impact our ability to perform humanitarian relief missions or participate in military exercises like Thailand's Cobra Gold?

Mr. HAGEL. If confirmed, I would continue ongoing efforts to ensure that the United States remains the security partner of choice in the Asia-Pacific region. However, sequestration would necessitate a reevaluation of the U.S. defense strategy and any further reductions could require adjustments to overall implementation of the strategy.

IRAN

136. Senator INHOFE. Mr. Hagel, the Iranian regime continues to threaten neighbors—our allies in the region like Azerbaijan. There were news reports throughout the past year that Azerbaijan's security services arrested several activists belonging to the Iranian intelligence service and Hezbollah. These operatives were suspected of planning terrorist attacks against foreigners in the capital Baku, including the U.S. and Israeli embassies. The United States has long-term interests in the Caspian region and the South Caucasus. Azerbaijan and the United States cooperate in countering terrorism, nuclear proliferation and narcotics trafficking, and promoting security in the wider Caspian region and beyond. As a key component to the NDN, Azerbaijan provides ground and naval transit for roughly 40 percent of the ISAF coalition's supplies bound for Afghanistan. Azerbaijan expressed its commitment to support U.S. and NATO efforts in stabilizing Afghanistan beyond 2014 and is among first eight non-NATO potential operational partners. Azerbaijan has been extending important over-flight clearance, landing, and refueling operations for U.S. and NATO flights to support ISAF. In 2012, more than 150 aero-medical evacuation flights of U.S. Air Mobility Command have flown over Azerbaijan, rushing more than 2,200 patients to a higher level of medical care. The United States has also energy interests in the region and our energy companies have interests in exploring Caspian Sea oil resources and deliver them westwards to provide for energy security to our European allies.

If confirmed, what do you think DOD should do to strengthen the security of our regional allies, like Azerbaijan, that face pressure and open threats from Iran on a daily basis, and what are the areas you think we should look into to expand security and defense cooperation with Azerbaijan to ensure it has adequate means to defend its territory?

Mr. HAGEL. I have deep concerns about Iran's destabilizing activities and recognize the many shared interests between the United States and Azerbaijan. If confirmed, I would continue the Defense Department's high level engagement with its counterparts in Azerbaijan. In particular, I would seek to strengthen existing areas of partnership and identify new areas of cooperation in support of Azerbaijan's defense reforms, its ability to interoperate with NATO and deploy to coalition operations, its capacity to address terrorism and other transnational threats and to secure its maritime borders and energy infrastructure. I would look for the United States to be Azerbaijan's partner of choice and help Azerbaijan's defense establishment contribute to regional security and stability, such as by continuing to encourage Azerbaijan's significant support to international efforts in Afghanistan.

MILITARY SUICIDES

137. Senator INHOFE. Mr. Hagel, I am very concerned about the significant rise in military suicides. According to the most current published DOD Suicide Event Report, 301 suicides occurred among military servicemembers in 2011. DOD recently reported 349 suicides in 2012—more than the total number of deaths incurred in combat. Do you believe DOD is doing all it can to prevent the tragic number of suicides in the Military Services?

Mr. HAGEL. The Department is doing all that it can given the complex nature of suicide and society's limited base of knowledge in this realm. Suicide among our Nation's military is clearly tragic and will require solutions that are informed by evidence of effectiveness. There is some proof that peer support and call lines help. There is also a need to continue the focus on resilience building and leadership education.

138. Senator INHOFE. Mr. Hagel, what will you do to get this problem fixed?

Mr. HAGEL. If confirmed, I am committed to seeing that programs that focus on resiliency and leadership education continue and are further evaluated with additional research. Furthermore, I understand that the Department is in the process of drafting its first comprehensive suicide prevention program policy. It would be a top priority to review and implement this program policy as soon as it is ready.

139. Senator INHOFE. Mr. Hagel, is DOD fully funding the Services' suicide prevention programs and research programs that inform us about effective prevention strategies?

Mr. HAGEL. I am not currently familiar with the details of our research program spending in this area, but I share the views of the leadership of the Army and the entire Department that this is a top priority. If confirmed, I will review these research programs for efficiency and effectiveness in identifying strategies to prevent suicides and will work to ensure that sufficient funding is available for this important effort. As with other programs, sequestration could have a damaging impact on our efforts in this area.

140. Senator INHOFE. Mr. Hagel, if confirmed, how will you continue to fund these efforts under sequestration and a year-long Continuing Resolution?

Mr. HAGEL. The impact of sequestration combined with a year-long Continuing Resolution will present the Department with very serious funding challenges. I am deeply concerned about the significant rise in military suicides and am firmly committed to ensuring that the Department have the funds necessary to provide high-quality behavioral health care to servicemembers and their families. But protecting these vital personnel programs will require sacrifices in other important areas.

IMPACT OF SEQUESTRATION ON THE DEFENSE HEALTH PROGRAM AND FAMILY SUPPORT PROGRAMS

141. Senator INHOFE. Mr. Hagel, in your advance policy questions you agreed with the Joint Chiefs when they said that a full-year Continuing Resolution and sequestration would "damage our readiness, our people, and our military families." Additionally, you stated: "Sustaining family programs in the current fiscally constrained environment will be challenging, but it is of vital importance."

Under sequestration, do you agree that morale will suffer and beneficiaries may not be able to get the health care and support services they need?

Mr. HAGEL. I share the concern of our senior military leaders that the morale of the force will be affected in ways that are unpredictable if sequester goes into effect and disrupts our training, readiness, and family support programs. If confirmed, I will attempt to ensure that reductions do not break faith with our troops and they continue to receive the health care and support services they need.

142. Senator INHOFE. Mr. Hagel, if confirmed, will you ensure that defense budget cuts will not hinder or harm the extraordinary care and support that our wounded warriors and their families receive?

Mr. HAGEL. I want to make it clear that if confirmed I will make it a priority to minimize the impact of sequestration on our wounded warriors and their families. However, sequestration provides no exemption for military health care funding, and across the board cuts to those programs are required by law if sequester takes place. If confirmed, I will seek to protect funding for wounded warrior care to the greatest extent possible, subject to those constraints.

BUDGET

143. Senator INHOFE. Mr. Hagel, during a series of video interviews with the Financial Times on August 29, 2011, you were asked about the prospect of sequestration and its impact on DOD. When asked about the impact of an automatic $600 billion cut to DOD (beyond the $487 billion already proposed by the President in April 2011), you appear to disagree with Secretary Panetta's assessment that such cuts would be devastating. Instead you stated that you feel DOD is "bloated" and that "the Pentagon needs to be pared down".

In an exchange with Senator Blunt at your confirmation hearing, my colleague asked you to provide some specific examples of what you were referring to when you identified the DOD budget as being "bloated." During the hearing, you failed to provide any specificity, so please do so now of where you believe defense spending is excessive and what accounts and programs you believe should be cut.

Mr. HAGEL. I have never said that I support sequestration. I do not nor have I ever supported sequestration. I support the 2011 Budget Control Act. I stand by my view that inefficiency and waste exists in DOD that could and should be reduced or eliminated. The record shows, in my view, that both the Department's leadership and Congress have expressed similar views. In his May 2010 speech at the Eisenhower library, then-Secretary Gates launched an effort to cut inefficiency and waste in the Department that had grown up over the previous decade of rising budgets.

As he noted at the time, inefficiency is not just about money. He cited in that speech a "top-heavy hierarchy" in DOD that was out of step with the 21st century. Following that speech, the Department began reducing unneeded senior executive and general officer positions to reduce layers of management.

In the Department's next two budget submissions for fiscal year 2011 and fiscal year 2012, they produced separate justification books, which the Committee has on file, detailing plans to cut inefficiency and lower-priority programs by $178 billion and then another $60 billion, respectively. I believe many of those reductions, in areas such as information technology, smarter acquisition, streamlined management, and reorganizations, are underway but not yet fully realized.

Notwithstanding these efforts by the Department, Congress was able to find additional savings and reduced defense spending below the level requested by the Department in both of these fiscal years by approximately $20 billion per year.

143a. Senator INHOFE. Mr. Hagel, do you believe military resources should drive strategy or should strategy drive resources?

Mr. HAGEL. I believe strategy should drive our resource decisions, but our strategy must also be realistic and resource-informed.

144. Senator INHOFE. Mr. Hagel, do you believe that DOD should pursue a National Security Strategy that assumes a relatively high degree of risk for our military?

Mr. HAGEL. I believe the Department has developed a strategy that meets the challenges of the current and future security environment that both minimizes risk and complies with the fiscal constraints imposed by the Budget Control Act (BCA). I also believe that by ending the wars in Iraq and Afghanistan, and rebalancing to a strategic posture that modernizes alliances, builds partner capacity and maintains a ready, agile and responsive force, we reduce the risk to our military.

145. Senator INHOFE. Mr. Hagel, if it is determined that the reductions being proposed need to be revised and that additional resources are necessary to meet our national security needs, do you believe you would have the flexibility to advocate for a decrease in the $487 billion reduction to defense budgets if you determined a significant adverse impact to national security?

Mr. HAGEL. If confirmed, I will continue to work with OMB and Congress to seek the resources necessary to provide the military capabilities the defense of our Nation requires. However, the mechanism of sequestration enacted in the Budget Control Act and the lack of a full year appropriation are my immediate concerns as they would severely limit the Department's flexibility to ensure the military has the funds it requires to fulfill its mission.

146. Senator INHOFE. Mr. Hagel, over the past 4 years this administration has pursued the systematic disarming of U.S. military power under the guise of defense budget cuts in order to maintain significantly higher levels of funding for non-security-related domestic programs. In a letter I sent to Secretary Panetta earlier this month, I reiterated that we are in full agreement that any additional cuts to defense spending, especially those of the magnitude of sequestration, would be unacceptable and will result in serious and lasting harm to the capabilities and readiness of our military. Do you agree that sequestration would have lasting harm to the capabilities and readiness of our military?

Mr. HAGEL. The combined impacts of a Continuing Resolution and Sequestration will have a devastating impact on our readiness, especially given that we have a shorter period of time and limited flexibility to manage where the reductions are taken. Based on my assessment to date, sequestration would harm military readiness and disrupt each and every investment program. Some of the more notable impacts of sequester would be reduced global activities, less training which would decrease readiness, disruption of investment programs, limits on military construction, and forced furloughs and hiring freezes for civilian workers.

147. Senator INHOFE. Mr. Hagel, do you agree that averting sequestration should be our highest priority?

Mr. HAGEL. Adverting sequestration, as well as providing the Department a fiscal year 2013 appropriations bill, should be Congress' highest priority.

148. Senator INHOFE. Mr. Hagel, do you agree that Congress and the administration have a shared responsibility in averting sequestration?

Mr. HAGEL. The ability to avoid sequestration and to pass a full-year appropriations bill for DOD is within the power of Congress. It is my desire that Congress and the administration reach an agreement on a balanced package of deficit reductions that leads to detriggering of sequestration and regular appropriation bills.

CYBERSECURITY

149. Senator INHOFE. Mr. Hagel, in your advance policy questions you stated that it is "your understanding that the Department of Homeland Security (DHS) has the lead for domestic cybersecurity." Cyberspace perhaps more so than any other domain is not bound and has little regard to geographical boundaries. When it comes to the defense of the Homeland from a foreign attack what role do you believe DOD should play?

Mr. HAGEL. DOD has the responsibility to defend, deter, and when directed by the President, take action to defend the United States, its allies, and its interests in cyberspace as in all domains. I agree that threats in cyberspace can cross both physical boundaries and particular departmental responsibilities, and, therefore, believe it is critical for the Department to work closely with both the public and private sectors. To support DOD national security responsibilities, I believe that the Department must maintain a close partnership with DHS.

149a. Senator INHOFE. Do you believe DOD should be the principal U.S. Government agency responsible for protecting the United States against foreign cyber-attacks to the Homeland?

Mr. HAGEL. It is my understanding that DOD has the mission to defend the Nation in cyberspace and that DHS should be the lead for coordinating the cybersecurity of U.S. critical infrastructure. I support these roles and relationship.

150. Senator INHOFE. Mr. Hagel, I understand there is some confusion over the role DHS would play in such an attack on the Homeland in cyberspace. Do you believe that DHS should have anything more than a supporting role to DOD in a cyberattack against the Homeland?

Mr. HAGEL. I understand that DOD has the mission to defend the Nation in cyberspace, and that this includes a close partnership with DHS in its role of leading efforts for the cybersecurity of U.S. critical infrastructure, and non-DOD unclassified government networks. I believe that DHS plays a vital role in securing unclassified Federal civilian government networks and working with owners and operators of critical infrastructure to secure their networks through risk assessment, mitigation, incident response capabilities, and sharing cyber threat and vulnerability information. DOD supports DHS in its domestic role.

151. Senator INHOFE. Mr. Hagel, who, in your opinion, should be that principal agency with the responsibility of coordinating the defense of the Homeland from a foreign cyberattack and the response?

Mr. HAGEL. I support the current administration approach, in which DOD has the responsibility to defend, deter, and, when directed by the President, take action to defend the United States, its allies, and its interests in cyberspace as in all domains. I also support DOD's partnership with DHS in its role leading efforts for the cybersecurity of U.S. critical infrastructure.

152. Senator INHOFE. Mr. Hagel, capabilities-wise, do you agree that DOD and the National Security Agency have the most comprehensive set of resources to defend the Nation from a foreign cyberattack?

Mr. HAGEL. Yes. At the same time, I believe that DOD should work closely with other departments and agencies that have unique responsibilities, capabilities, and expertise, such as DHS and the Federal Bureau of Investigation.

153. Senator INHOFE. Mr. Hagel, do you agree that establishing bureaucracies and duplicative efforts at DHS would be unwise?

Mr. HAGEL. I agree that departments and agencies should not set up unnecessary bureaucracies or duplicative efforts. In the cyber domain, I believe that DOD and DHS should continue to team together to address cyber threats, understanding that

each has specific roles and missions, and that DOD has the mission to defend the Nation in cyberspace.

154. Senator INHOFE. Mr. Hagel, a recent Wall Street Journal article titled "Banks seek U.S. Help on Iran Cybersecurity" states that "major U.S. banks are pressing for government action to block or squelch what Washington officials say is an intensifying Iranian campaign of cyberattacks against American financial institutions." The article asserts that some of the financial institutions are concerned by the lack of U.S. Government response arguing that the banks "can't be expected to fend off attacks from a foreign government." According to the article, "U.S. officials have been weighing options, including whether to retaliate against Iran."

What role do you believe DOD should play in events such as the recent/ongoing Iranian attacks on the financial sector and do you believe there is an offensive role DOD should be able to utilize via cyberspace?

Mr. HAGEL. Although I am not aware of the specific details of these events, DOD plays a critical role in a whole-of-government effort to address threats to both our national and economic security. The President has made clear that the United States will respond to hostile acts in cyberspace as we would any other threat to our country, and that the United States reserves the right to use all necessary means, including military means as a last resort, to defend our Nation and our interests. If confirmed, I will ensure that the Department develops the necessary cyber capabilities to defend and, if directed by the President, conduct offensive operations.

155. Senator INHOFE. Mr. Hagel, I was concerned to read in your advance policy questions that you seem to believe that we are deterring and dissuading our adversaries in cyberspace. In a letter sent to Senator McCain last year by General Alexander, the Commander of U.S. Cyber Command, he asked a similar question to which Gen. Alexander simply stated "No . . . much remains to be done across both the public and private sector."

Do you agree with General Alexander's assessment? If not, why not?

Mr. HAGEL. I do believe that the United States has successfully deterred major cyber attacks. However, I agree with General Alexander that there is much more to be done to protect the Nation from cyber threats. If confirmed, I am committed to continuing DOD efforts to strengthen the Department's cyber capabilities and support cybersecurity efforts across the public and private sector. One such opportunity would be to pass legislation that allows for increased information sharing on cyber threats and the development of critical infrastructure cybersecurity standards in partnership with the private sector.

156. Senator INHOFE. Mr. Hagel, what role do you believe offensive cyber capabilities should play in cyber deterrence?

Mr. HAGEL. I believe that an important element of deterrence is to develop and maintain a wide variety of capabilities, including cyber capabilities, that can impose costs on a potential adversary. If confirmed, I will ensure that DOD provides the President with a broad range of military options.

157. Senator INHOFE. Mr. Hagel, do you believe the mission to defend the Homeland will require both offensive and defensive cyber forces and tools?

Mr. HAGEL. Yes. I believe the Department must provide a wide range of credible capabilities in all domains, both offensive and defensive, to defend the Nation.

NATIONAL MISSILE DEFENSE

158. Senator INHOFE. Mr. Hagel, do you still support the Missile Defense Act of 1999?

Mr. HAGEL. Yes, I co-sponsored the National Missile Defense Act of 1999, and I continue to support the law.

159. Senator INHOFE. Mr. Hagel, do you agree that protection of the United States from the threat of ballistic missile attack is a critical national security priority?

Mr. HAGEL. Yes.

160. Senator INHOFE. Mr. Hagel, do you agree it is necessary to modernize and expand our national missile defense, formally known as the GMD system, to keep pace with the growing threat?

Mr. HAGEL. I support the continued modernization, and expansion if necessary, of the GMD system and the other missile defense efforts that can contribute to the protection of the homeland in the future.

MISSILE DEFENSE IN EUROPE

161. Senator INHOFE. Mr. Hagel, do you believe the deployment of SM–3 interceptors in Poland and Romania, as currently planned, is provocative for the Russians?

Mr. HAGEL. While the Russians have argued that the later phases of the European Phased Adaptive Approach (EPAA) could undermine their strategic deterrent, the United States has repeatedly stated that the EPAA is not directed at Russia and will not have the capability to undermine Russia's ICBM forces. I agree with this view.

162. Senator INHOFE. Mr. Hagel, do you support President Obama's commitment to deploy SM–3 missiles in Romania and Poland as currently planned?

Mr. HAGEL. I support the President's approach to missile defense in Europe, including the deployment of the Aegis Ashore sites in Romania and Poland as currently planned. If confirmed, I will ensure the Department continues to support the implementation of the European Phased Adaptive Approach.

163. Senator INHOFE. Mr. Hagel, do you believe the United States should provide legal assurances to Russia that would limit U.S. missile defense capabilities?

Mr. HAGEL. The President is on record as saying, and I agree, that the United States cannot accept any limits on its BMD systems.

164. Senator INHOFE. Mr. Hagel, do you agree to inform this committee about ongoing discussions with the Russians concerning potential limits to U.S. missile defense capabilities or cooperation with Russia in missile defense?

Mr. HAGEL. If confirmed, I will keep Congress apprised as required by the 2013 NDAA.

NUCLEAR WEAPONS

165. Senator INHOFE. Mr. Hagel, do you support modernization of the nuclear triad and the nuclear weapons complex, as per the stated intent of the President in his Message to the Senate on the New START treaty?

Mr. HAGEL. I support the President's commitment to a safe, secure, and effective nuclear deterrent as long as nuclear weapons exist. I believe that modernizing nuclear forces and infrastructure is critical and should be a national priority. I also believe that there is a continuing need to sustain the skilled workforce that underpins deterrence capabilities.

166. Senator INHOFE. Mr. Hagel, do you agree that restoring NNSA's production infrastructure is necessary to allow excess warheads to be retired along with other potential stockpile reductions to the nondeployed stockpile over time?

Mr. HAGEL. I believe that modernizing the nuclear weapons production infrastructure is very important, and that doing so is necessary to reducing the stockpile hedge over time.

167. Senator INHOFE. Mr. Hagel, do you believe it is important to have the capacity to surge production in the event of significant geopolitical surprise?

Mr. HAGEL. I believe that a modernized nuclear weapons infrastructure that would allow production of additional warheads is important to hedge against significant, unforeseen changes in the international security situation.

168. Senator INHOFE. Mr. Hagel, what do you believe should be the proper role of DOD in determining the annual funding requests for NNSA Weapons Activities?

Mr. HAGEL. I understand that the Nuclear Weapons Council (NWC) provides a statutory forum wherein the Department of Energy's National Nuclear Security Administration and DOD come together to make programmatic and funding decisions and, as appropriate, recommendations for the Secretaries to coordinate requirements and expenditures. If confirmed, I look forward to working with the NWC and the Secretary of Energy to best coordinate our requirements in a fiscally responsible manner to continue to meet the Nation's security needs.

ARMS CONTROL COMPLIANCE

169. Senator INHOFE. Mr. Hagel, do you agree that any outstanding nuclear weapons treaty compliance concerns should be addressed before the United States pursues further nuclear arms reduction negotiations with Russia?

Mr. HAGEL. Compliance with legal obligations is central to the effectiveness of arms control treaties, and concerns about non-compliance must be addressed. If confirmed, I will ensure that DOD works with the Department of State and other interagency partners in assessing and responding to compliance concerns. While resolution of such issues with Russia is clearly important, I do not believe that discussions of possible further nuclear arms reductions need await resolution of all compliance issues.

DOD FINANCIAL MANAGEMENT SYSTEM

170. Senator INHOFE. Mr. Hagel, are you committed to modernizing DOD's financial management systems?

Mr. HAGEL. Yes. I understand that implementation of modern, integrated business systems is well underway and I will continue to monitor and support these efforts. They must contribute to improved efficiency and must also sustain the quality and fidelity of financial information that we need to manage with.

171. Senator INHOFE. Mr. Hagel, if confirmed, would you emphasize financial management improvement and audit readiness as a top priority?

Mr. HAGEL. Improving the Department's financial management capability is an important priority and if confirmed, I will ensure that senior leaders are focused on this goal and hold them accountable.

BUDGET CUTS AND OPERATIONAL READINESS

172. Senator INHOFE. Mr. Hagel, does the fiscal year 2013 defense budget of $525.3 billion with $88.5 in OCO funding, affect DOD's ability to "respond to every contingency" as you highlighted in your opening statement?

Mr. HAGEL. Yes, the Department's ability to respond to contingencies is directly related to the funding it receives which is translated into military capabilities. I believe the Department can implement the administration's present strategy within the budget it has requested. That said, if sequestration occurs, the Department would need to significantly revise the defense strategy and, in all probability, would need to make some hard choices about which of our current national defense capabilities we could afford to retain.

AGING MILITARY EQUIPMENT

173. Senator INHOFE. Mr. Hagel, the Chief of Staff of the Army, and the Commandant of the Marine Corps have stated that they need at least 2 years of OCO funding after withdrawal from Iraq and Afghanistan in order to reset their equipment. If confirmed, will you be prepared to continue requesting OCO funding until all equipment has been reset?

Mr. HAGEL. Yes. I believe that it will require considerable time to repair equipment returning from operations in Afghanistan because of the nature of the repairs and difficulty of removing the equipment from Afghanistan.

END STRENGTH REDUCTIONS

174. Senator INHOFE. Mr. Hagel, do the planned reductions to Army and Marine Corps end strengths affect DOD's ability to "respond to every contingency" as you highlighted in your opening statement?

Mr. HAGEL. Current reductions in the Army and Marine Corps are being carefully managed in order to balance risk with the right mix of capabilities necessary to fulfill all of the missions required by the Defense Strategic Guidance. Currently, reductions are predicated on the U.S. Central Command (CENTCOM) plans to continue off-ramping forces heading to Afghanistan. This risk we can manage. However, I am very concerned about the risk to the Nation given the possibility of sequestration and the potential for a full year Continuing Resolution. If not resolved, the fiscal situation could have significant impact on the ability of the Department to do what is required by the Defense Strategic Guidance. It is not the planned cuts to the

Army and Marine Corps that cause significant risk, but rather the ones that we may be forced to make due to the uncertain fiscal environment.

DEFENSE BUDGET PRIORITIES

175. Senator INHOFE. Mr. Hagel, during your testimony you stated that, if confirmed, you will confine the dollars we are going to spend in the defense budget for defense purposes, in support of the warfighter. Do we also have your assurance that you will submit a budget that reflects this commitment?

Mr. HAGEL. I believe a fundamental foundation of any defense budget submission is to provide the best support we can to our warfighters and ensure their capabilities, readiness and agility are sustained. If confirmed, I will uphold this commitment.

INDUSTRIAL BASE

176. Senator INHOFE. Mr. Hagel, what is your definition of the industrial base?

Mr. HAGEL. The defense industrial base is a diverse and dynamic set of companies that provide both products and services, directly and indirectly, to national security agencies, including the military. The defense industrial base includes companies of all shapes and sizes from some of the world's largest public companies to small businesses.

177. Senator INHOFE. Mr. Hagel, if confirmed, what will be your approach to preserving the industrial base?

Mr. HAGEL. If confirmed, I will ensure the Department continually assesses the health of the industrial base. I will work closely with industry and Congress and will be prepared to act to preserve needed skills and manufacturing capabilities, as resources permit.

ACQUISITION REFORM

178. Senator INHOFE. Mr. Hagel, it seems that every time we have a change in administrations or the Secretaries of Defense, another acquisition study is commissioned, usually ignoring the 300 plus studies that have already produced a report. If confirmed, what will be your approach to ensuring the acquisition system produces affordable capabilities that are responsive to the needs of the warfighter?

Mr. HAGEL. I understand the Department has undertaken a series of "Better Buying Power" initiatives as a broadbased collection of comprehensive, detailed, initiatives to improve acquisition practices and ensure the Department is procuring affordable, technically achievable capabilities on cost and schedule. If confirmed, I will examine these initiatives to ensure that they adequately address the problems with the Department's acquisition system.

GREEN AGENDA

179. Senator INHOFE. Mr. Hagel, following up on your testimony, you stated in response to questions posed by the committee on your priorities for defense investments in energy technologies that "my broad priorities for defense energy investments will be those that: increase military capabilities, provide more mission success, and lower total cost."

With the budget cuts DOD is facing, how will your priorities impact DOD's current plan to invest $9 billion over the next 5 years on energy technology investments and an additional $4 billion for renewable energy facility projects?

Mr. HAGEL. I have not yet reviewed the Department's budget related to energy technologies. If confirmed, I will ensure that investments in the operational energy area drive enhanced military capabilities, facilitate mission effectiveness, and lower costs.

180. Senator INHOFE. Mr. Hagel, if confirmed, what criteria would you establish to focus investments on your priorities?

Mr. HAGEL. If confirmed, my main criteria will be to ensure that DOD investments enhance readiness and warfighting effectiveness and increase our national security.

181. Senator INHOFE. Mr. Hagel, do you believe that defense funds should be used to develop a commercial biofuels refinery?

Mr. HAGEL. The Nation's long-term energy security would benefit from a competitive, domestic renewable fuels industry; as a major consumer of liquid fuels, the Department would benefit, as well. That said, I am not yet in a position to comment on the trade-offs between the value of this investment and the other priorities of the Department.

182. Senator INHOFE. Mr. Hagel, do you believe that critical operations and maintenance funds intended for the training, equipping, and readiness of our Armed Forces should be used to pay for alternate fuels that exceed the cost of traditional fossil fuels?

Mr. HAGEL. I believe the Department's primary operational energy goal should be to ensure operational military readiness. I understand that most of the Department's investments in alternate fuels since 2003 have been for the purpose of ensuring that military platforms can operate on a wide range of fuels, providing useful military flexibility if and when they become commercially available and cost competitive with petroleum products.

183. Senator INHOFE. Mr. Hagel, will you pledge to work with Congress to ensure that all investments and purchases of renewable energy technologies and alternate fuels are supported by specific congressional authorizations for that purpose?

Mr. HAGEL. If confirmed, I will ensure that the Department's energy investments comply with congressional authorizations.

184. Senator INHOFE. Mr. Hagel, according to a recent report by a major oil and gas company, the United States will be energy self-sufficient in 2030. Other reports by respected organizations have agreed. Do you agree that the United States could become energy independent in the next 20 years?

Mr. HAGEL. I am greatly encouraged by the recent developments in the U.S. energy sector and the benefits for our economy.

185. Senator INHOFE. Mr. Hagel, how do you foresee this impacting U.S. foreign policy?

Mr. HAGEL. Reducing the Nation's dependence on foreign oil is an important national security imperative. That said, because oil prices are set on a global market and will be for the foreseeable future, the stability of global oil markets will continue to be important for the U.S. economy.

U.S. AFRICA COMMAND

186. Senator INHOFE. Mr. Hagel, the outgoing Secretary of Defense has been a strong supporter of U.S. Africa Command (AFRICOM) and critical engagement and operations ongoing throughout the continent of Africa. AFRICOM has less than 5,000 boots on the African continent to cover 54 countries and over 12 million square miles. Its forces are completely shared with U.S. European Command (EUCOM). How will the United States be able to adequately support AFRICOM operations given the cuts in EUCOM personnel, coupled with additional cuts in DOD funding?

Mr. HAGEL. I believe that our low-cost, small-footprint presence and operations in Africa are appropriate to promoting our interests and addressing threats to us and our partners. U.S. forces are managed globally to address ongoing needs anywhere, so forces that operate in and around Africa extend beyond those assigned to EUCOM. Moreover, since the attacks on our diplomatic facilities in Benghazi, I understand that the Department has undergone a rigorous evaluation of our military posture across the region, to including assessing EUCOM and AFRICOM force posture. If confirmed, I would continue to ensure that we appropriately manage the allocation of U.S. military forces across the globe, including in Africa, to ensure we are best positioning ourselves on any given day for contingencies that may arise.

187. Senator INHOFE. Mr. Hagel, the President's new strategy calls for a "rebalancing" of resources to the Asia Pacific theater, maintaining focus on the Middle East, and "evolving" force posture in Europe. Do you believe the President's new Asia-focused strategy puts our operations at high risk for Africa and South America?

Mr. HAGEL. I agree with the Defense Department's new strategy and move to rebalance to the Asia-Pacific region while maintaining focus on challenges in the Middle East. The strategy also makes it clear that we will still have interests we need

to protect in other regions of the world and that we will do so through continued partnership, rotational presence, and smaller foot-print activities. If confirmed, I will make sure that we are always mindful of how we address threats, manage risk, and promote our interests in all parts of the world , and what role the U.S. military and DOD play in that as part of an overall U.S. effort. However, we may have to seek different approaches to pursuing our interests in these other regions if the size of our overall defense budget declines further.

188. Senator INHOFE. Mr. Hagel, the headquarters for AFRICOM is in Stuttgart, Germany. Would you consider moving AFRICOM out of Germany and somewhere in Africa?

Mr. HAGEL. I understand the Department has just completed a study that compares the costs and benefits of moving the AFRICOM headquarters. In the end Secretary Panetta considered both cost and operational factors and decided to keep the headquarters in Stuttgart, Germany. When assessing possible relocation to the African continent the Department considered the difficulties in determining a representative country on such a diverse continent, diplomatic challenges, high costs of infrastructure, security concerns and mobility and access challenges. It was decided that a move to the African continent was not feasible at this time.

BUDGET CUTS AND OPERATIONAL READINESS

189. Senator INHOFE. Mr. Hagel, you stated in responses to questions posed by the committee in regard to the Joint Chief's concerns about a hollow force that "the concerns the Joint Chiefs have expressed about readiness come from a variety of factors, including the challenges of recovering from 10 years of operational stress, of transitioning to a broader range of operations, and of doing all of this in the face of fiscal austerity and budget uncertainty." How do you plan to monitor risk and the potential mismatch between constrained resources and demands of operational plans?

Mr. HAGEL. I am deeply impressed by the caliber and capabilities of our military forces. It is vitally important that they be ready to respond to the Nation's needs, and I am concerned that further budget cuts will negatively affect readiness. If confirmed, I will get regular updates by the Joint Chiefs on where we must devote the Department's attention and resources to ensure the readiness of the force.

190. Senator INHOFE. Mr. Hagel, do you believe there currently exists a mismatch between readiness requirements and military strategy when assessing the resources available? Please explain.

Mr. HAGEL. Maintaining ready forces is a priority. If confirmed, I will work with the Joint Chiefs to better understand the basis of their assessment and how we can most effectively address the readiness challenges our military faces.

My sense is that the concerns the Joint Chiefs have expressed about readiness come from a variety of factors, including the challenges of recovering from 10 years of operational stress, of transitioning to a broader range of operations, and of doing all of this in the face of fiscal austerity and budget uncertainty. If confirmed, I will carefully monitor how all of these factors are posing risks to readiness and will work closely with the military and civilian leadership of the Department to mitigate those risks to the greatest extent possible.

191. Senator INHOFE. Mr. Hagel, as to the mitigation of risk of a hollow force, do you believe the President will provide you the discretion to request higher defense budgets than are currently proposed by the administration over the next 10 years?

Mr. HAGEL. I will always give the President my most honest and informed opinion about all necessary requirements for America's national security.

I understand the administration has developed Strategic Guidance consistent with the funding limits of the budget control act. Any changes to those limits, such as sequestration, will cause a dramatic change in the force and require a different strategy or different resources. Additionally, unexpected demands for forces will likely result in a request for additional funding, as they always have.

GEOGRAPHIC RISK POSED BY THE REVISED MILITARY STRATEGY

192. Senator INHOFE. Mr. Hagel, in your response to the committee on a question regarding the revised military strategy announced by the President in the wake of the administration's decision to cut defense budgets by $487 billion over 10 years, you state: "By emphasizing the Asia-Pacific while also focusing on the Middle East,

rebalancing will necessarily accept risk in other areas given the resource-constrained environment." How do you believe the President's military strategy is taking risks in regions other than Asia and the Middle East?

Mr. HAGEL. By prioritizing resources for Asia and the Middle East, the current defense strategy accepts some risk in terms of the military's ability to address security challenges elsewhere. I believe this risk is manageable at the levels of defense spending provided for in the Budget Control Act. Regardless of where U.S. military forces may be positioned or stationed, one of the key advantages of our military is that we can bring to bear effective capabilities where needed to address threats to our interests. If confirmed, I would work with the Chairman of the Joint Chiefs of Staff and the Services to ensure that readiness is one of our top priorities, so that our forces are ready to respond to the full range of contingencies that may threaten our key interests.

193. Senator INHOFE. Mr. Hagel, what specifically are the risks for Africa and South America?

Mr. HAGEL. In Africa, partner states accept a greater share of the burden to counter the growing capacity of violent extremist organizations and ensure regional stability. While we believe this African-led approach manages the threats to U.S. interests, the limited defense capacities of most African states and the modest investments in the African security sector are a source of risk. In South America, transnational criminal organizations undermine peace and security across the region and into the United States. As in Africa, partner states in South America will accept a greater share of the burden to address transnational criminal organizations.

194. Senator INHOFE. Mr. Hagel, why do you believe this risk is necessary?

Mr. HAGEL. Not all problems are best met with military tools. Many of our national security objectives around the world, and notably in Africa and South America, are best secured through diplomacy and economic development. I believe DOD's current strategic approach balances the risk of overwhelming these two regions with U.S. military presence with the need to be ready to respond to crises that may emerge there, using globally agile forces.

195. Senator INHOFE. Mr. Hagel, what do you believe was lacking in our military strategy for Asia that required a rebalancing?

Mr. HAGEL. As the United States draws down from more than a decade of war in Afghanistan, we face an inflection point allowing for a transition from fighting today's wars to preparing for tomorrow's challenges. The President has been clear that U.S. economic and security interests are inextricably tied to the Asia-Pacific. The emerging economic and political dynamism in the Asia-Pacific requires strong and continuous U.S. commitment and the rebalance is a whole-of-government effort to renew and deepen U.S. engagement throughout the region. The rebalance will inform the allocation of activities and resources to the Asia-Pacific, where the Department will contribute to peace and prosperity in the region. If confirmed, I will continue the Department's efforts and activities to seek greater engagement with allies and partners to build capacity for security cooperation, build mutual trust, understanding, and norms among countries in the region.

196. Senator INHOFE. Mr. Hagel, what does rebalancing mean for the U.S. military effort in the Asia-Pacific region in terms of force structure changes, additional or modified military capabilities, and defense budget modifications?

Mr. HAGEL. If confirmed, I will focus on strengthening our relationships, building the capacity of key allies and partners, as well as maintaining the United States' ability to deter conflict and respond to any potential contingencies in the Asia-Pacific region. The rebalance renews emphasis on air and naval forces while maintaining distributed ground forces. The rebalance also requires the Department to develop new capabilities in order to maintain a technological edge, our freedom of action, and ability to project power in the region. I would work closely with the Joint Chiefs of Staff, Services, and Office of the Secretary of Defense leadership to assess any additional changes in resources, force structure, equipment, and training.

197. Senator INHOFE. Mr. Hagel, the January 2012 Defense Strategic Guidance says that "our posture in Europe must evolve." What is your assessment of the specific programs and strategic efforts that DOD is executing, or has planned, to evolve our posture in Europe?

Mr. HAGEL. I support the Department's current approach to posture in Europe and its emphasis on maintaining our Article 5 commitments to Allied security and

promoting enhanced capacity and interoperability for coalition operations. For instance, I strongly support ongoing efforts related to the European Phased Adaptive Approach, the establishment of an aviation detachment in Poland, and enhanced training and exercises with European allies and partners through rotational deployments from the United States. All of these efforts introduce more modern capabilities appropriate for future challenges and demonstrate our commitment to NATO and the strength of the Alliance.

198. Senator INHOFE. Mr. Hagel, how do you believe our evolving force posture in Europe will affect our commitment to NATO?

Mr. HAGEL. The Department's evolving defense posture in Europe focuses on enhancing interoperability and training and introducing modern capabilities more appropriate for future challenges. These evolutions demonstrate our commitment to NATO and the strength of the Alliance. Regardless of the rebalance, NATO is already adapting to meet new and emerging threats, to acquire the core enabling capabilities needed to respond to the full range of contingencies, and to better align U.S. and NATO training and education efforts in order to solidify and maintain the gains realized from having operated together in Afghanistan. As Secretary Panetta has said, "Europe is our security partner of choice for military operations and diplomacy around the world." Our investment in Europe is, therefore, crucial.

IRAN MINISTRY SUPPORT

199. Senator INHOFE. Mr. Hagel, Iran's Foreign Ministry was quoted as being hopeful your appointment would improve relations between Tehran and the United States "We hope that practical changes will be created in the U.S. foreign policy and the U.S. officials' approach will change to respect the Nations' rights. We hope that the U.S. officials will favor peace instead of warmongering and recognize the rights of nations instead of interfering in the countries' internal affairs."

You stated in October 2009 that "President Obama's approach to achieving a Middle East peace is connected to other vital regional and global issues—like helping forge an emerging Arab consensus on peace, combating terrorism, and future relationships with Iran and Syria. These issues are all in the long-term interests of Israel, the U.S., the Middle East, and the world."

In describing the President's approach, what specifically were you referring to regarding future relationships with Iran and Syria?

Mr. HAGEL. While I cannot speak to the motivations of the Iranian Foreign Ministry spokesperson behind making those statements, there should be no doubt that I fully support and—if confirmed—will faithfully execute the President's multi-vector strategy towards Iran. This strategy has included tough-minded diplomacy, crippling sanctions, and serious contingency planning with the objective of preventing Iran from acquiring a nuclear weapon.

My comments in 2009 reflected my support for the President's use of diplomacy as an effective tool of statecraft. This approach allowed the United States to test the intentions of the regimes in Iran and Syria, expose them before the world, and when they failed to seize the opportunities presented to them, build a global coalition against them.

200. Senator INHOFE. Mr. Hagel, how would these relationships with these two terrorist regimes be in the long-term interests of Israel and the United States?

Mr. HAGEL. Much has changed since 2009 in Iran and Syria. With that in mind, I believe that only after there is a change in regime in Syria and serious changes in the regime's behavior in Tehran, can we conceivably think about long-term relationships with these two countries that could be beneficial to the interests of the United States and the State of Israel. At the same time, I think the United States should continue to reach out to the people of Syria and Iran—as the best long-term investment for our and Israel's interests. Both societies are tremendously important to the stability of a region that is of great interest to the United States.

201. Senator INHOFE. Mr. Hagel, how would you assess the success of the President's approach to date in the region?

Mr. HAGEL. I think the President's approach to the region has had some great success during the first term. President Obama responsibly drew down our presence in Iraq, crippled al Qaeda, isolated and weakened Iran, strongly supported the security of the State of Israel, and focused on transforming our relationship with peoples of the region, while advancing our core interests. That said, much remains to be

done during the second term, and—if confirmed—I look forward to advancing our interests in the vitally important region of the Middle East.

NORTH KOREA

202. Senator INHOFE. Mr. Hagel, you wrote that "Kim Jon Il's government is a genuinely rogue regime whose nuclear ambitions and capacity for mischief have been more or less contained, though imperfectly, through the U.N. and a mature diplomatic structure that includes the United States, Russia, China, Japan and South Korea."

Given North Korea's ballistic missile launch in December and recent threats to conduct further nuclear testing, do you still think that the diplomatic structure is effectively containing North Korean nuclear ambitions?

Mr. HAGEL. North Korea's December Taepo Dong II missile launch and recent threats to conduct a third nuclear test underscore the growing North Korean threat to international peace and security. U.S. diplomatic efforts following the December missile launch, particularly with China, resulted in U.N. Security Council Resolution 2087, which affirms the international community's opposition to North Korea's provocations. The tightened sanctions in the resolution will help impede the growth of North Korea's weapons of mass destruction program. If confirmed, I will continue to ensure our military provides the deterrence and defense necessary to protect our allies and our interests. This posture is also the best way to create conditions where diplomacy has the best possible prospects to succeed.

203. Senator INHOFE. Mr. Hagel, do you see the future force structure of U.S. forces in Korea decreasing below the current size?

Mr. HAGEL. To secure peace and stability on the Korean Peninsula and in Northeast Asia, it is important that the United States and the Republic of Korea (ROK) maintain a robust combined defense posture. If confirmed, I will work with ROK leadership to ensure that the United States maintains an appropriately sized and ready force to respond to evolving threats in the region.

204. Senator INHOFE. Mr. Hagel, do you think any capabilities need to be added to our force structure in the Asia-Pacific theater to ensure regional stability in light of increased North Korean belligerence?

Mr. HAGEL. If confirmed, I will maintain the U.S. commitment to the defense of the ROK using globally available U.S. forces and capabilities that can be deployed to augment the combined defense in case of crisis. If confirmed, I would ensure that we have the capabilities necessary to deter, and, if necessary, defeat, North Korean aggression.

TAIWAN

205. Senator INHOFE. Mr. Hagel, tensions in the Asia-Pacific have increased significantly due to more aggressive posturing of China in places like Scarborough Reef and the Senkaku Islands as China continues to pursue increased military capabilities. Do you fully support the Taiwan Relations Act of 1979?

Mr. HAGEL. I fully support the Taiwan Relations Act. In my view, the increasing complexity and sophistication of the military threat to Taiwan from China increasingly means that Taiwan must devote greater attention to asymmetric concepts and innovative technologies to maximize Taiwan's strengths and advantages. If confirmed, I would work closely with Congress, the Commander of U.S. Pacific Command, and our interagency partners to ensure the continued effective implementation of all of the relevant provisions of the Taiwan Relations Act.

206. Senator INHOFE. Mr. Hagel, do you support the sale of F–16C/Ds to Taiwan, why or why not?

Mr. HAGEL. With respect to advanced fighter sales, I believe that we should make available to Taiwan those military capabilities that would allow the Taiwan Armed Forces to execute its missions effectively not only for today, but well into the future. If confirmed, I will look at what specific capabilities those are—or should be—in light of the security situation in the Taiwan Strait and the evolving military capabilities on the mainland. In addition, if confirmed, I will work with the Commander of U.S. Pacific Command to identify appropriate military training and exercise opportunities that will advance U.S. interests, enhance Taiwan's defense capabilities, and contribute to peace and stability in the Taiwan Strait.

207. Senator INHOFE. Mr. Hagel, would you support the sale of F–35s to Taiwan?
Mr. HAGEL. See answer to Question #206.

208. Senator INHOFE. Mr. Hagel, how would you strengthen the U.S. security relations with Taiwan?
Mr. HAGEL. I agree that the Taiwan Relations Act has contributed to peace and stability in the region for over 30 years. In my view, the increasing complexity and sophistication of the military threat to Taiwan from China means that Taiwan must devote greater attention to asymmetric concepts and innovative technologies to maximize Taiwan's strengths and advantages. If confirmed, I would work closely with Congress, the Commander, PACOM, and our interagency partners to ensure the continued effective implementation of all of the relevant provisions of the Taiwan Relations Act. I believe that we should make available to Taiwan military capabilities that would allow the Taiwan Armed Forces to execute its missions effectively not only for today, but well into the future. If confirmed, I will look at what specific capabilities those are—or should be—in light of the security situation in the Taiwan Strait and the evolving military capabilities on the mainland. In addition, if confirmed, I will work with the Commander, PACOM to identify appropriate military training and exercise opportunities that will advance U.S. interests, enhance Taiwan's defense capabilities, and contribute to peace and stability in the Taiwan Strait.

209. Senator INHOFE. Mr. Hagel, does the United States need to maintain a two carrier presence in the Pacific at all times and can this be done if sequestration goes into effect?
Mr. HAGEL. If confirmed, I will work with the Secretary of the Navy, Joint Chiefs of Staff, and U.S. Pacific Command to ensure that we allocate our naval resources at the level of presence necessary to support our strategic goals, striking a balance between carrier presence in the Pacific Ocean and other regions. The current budget uncertainty, combined with ongoing high demand in the Gulf, has made sustaining two carriers in the Pacific challenging; further significant cuts in the defense budget would make it, extraordinarily difficult especially if preserving other U.S. interests—particularly Gulf presence.

SUPPORT FOR ISRAELI SECURITY AND REGIONAL STABILITY

210. Senator INHOFE. Mr. Hagel, given the high demand and low density of our missile defense assets globally, do you support the allocation of a TPY–2 radar and a BMD-capable ship to the defense of Israel?
Mr. HAGEL. I support strong missile defense cooperation with Israel, including the deployment of the U.S. TPY–2 radar and operational cooperation and support, including ship-based. In addition, the United States and Israel have a long history of cooperative research and development on missile defense. If confirmed, I will continue to support a robust missile defense cooperative relationship with Israel.

IRAN

211. Senator INHOFE. Mr. Hagel, will a two-carrier presence in the Gulf be sustainable given expected severe defense budget cuts?
Mr. HAGEL. I believe that it is critical that the U.S. military maintain a robust presence in the region to counter Iran, reassure our partners, and build partner capacity. Our carrier presence is a key element of this presence. If confirmed, I will work with the combatant commanders to revalidate our posture and ensure it best addresses the threats, challenges, and opportunities in the region to preserve all options for the President while balancing other national security needs. Current budget uncertainty and further significant cuts in the defense budget would make sustaining this critical Gulf presence, and preserving other U.S. interests, extraordinarily difficult.

212. Senator INHOFE. Mr. Hagel, do we have enough missile defense assets in the Middle East to adequately protect our partners and allies from an Iranian ballistic missile attack?
Mr. HAGEL. I believe the phased adaptive approach takes the appropriate steps to protect our interests in the region. If confirmed, I will make it a priority to assess the adequacy of our missile defense posture in the Middle East to protect our deployed forces, allies, and partners from attack, and will seek adjustments as appropriate. I will also work to strengthen our cooperative relationships in the Middle

East, and encourage our partners to continue to make investments in missile defense.

LISTENING TO COMMANDERS ON THE GROUND

213. Senator INHOFE. Mr. Hagel, our commanders on the ground in both Iraq and Afghanistan asked for a surge to achieve national security objectives – and you disagreed with both of them.

How much weight will you give your combat commanders on the ground when you make future decisions or recommendations to the President?

Mr. HAGEL. If confirmed, I would of course place great weight on the assessments and recommendations of combatant commanders and theater commanders on how best to achieve our military and national security objectives in their theater. If confirmed, it would be my responsibility to weigh their recommendations against global risk and force posture, and to offer that judgment to the President alongside theirs. If confirmed, I will honor the principles, enshrined in law, that allow the Chairman and the Joint Chiefs of Staff to voice their best military advice to the President. I will continue to foster an environment that welcomes critical thinking and diversity of views from theater commanders, combatant commanders, and the Joint Chiefs of Staff, as better and wiser strategic choices will result.

RUSSIA RESET

214. Senator INHOFE. Mr. Hagel, the administration has made major efforts towards resetting our relationship with Russia. However, on major issues such as Syria, Russia remains uncooperative. What is your assessment of the reset with Russia with respect to military-to-military relations?

Mr. HAGEL. Although we do not see eye-to-eye with Russia on every issue, there are many areas of cooperation that have been positive, including transit into and out of Afghanistan, support on sanctions against Iran, and increased transparency on military reform and modernization.

215. Senator INHOFE. Mr. Hagel, what areas do you see for future increased military cooperation with Russia?

Mr. HAGEL. The enhanced bilateral military relationship we have developed with Russia under the reset is worthwhile. If confirmed, I would seek to continue it, while considering what adjustments may be needed. My understanding is that DOD has been pursuing several areas of increased cooperation with Russia, with a focus on developing transparency by providing a reliable and predictable channel of communications between our militaries. If confirmed, I would seek to increase U.S. consultations with Russia on its internal defense reform efforts, such as modern military recruitment, compensation and benefits systems, and developing noncommissioned officers. Assisting the Russian military to enact reforms in these areas will help make it a more confident, secure and stable organization. If confirmed, I would also seek to pursue cooperation with Russia on strategic issues critical to both of our Nations, such as counterterrorism and missile defense.

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

AFGHANISTAN

216. Senator MCCAIN. Mr. Hagel, in an interview with the Financial Times on August 29, 2011, you are quoted as saying, "I disagreed with President Obama, his decision to surge in Afghanistan, as I did with President Bush on the surge in Iraq." Do you unequivocally stand by your statement that you disagreed with President Obama's decision to surge troops in Afghanistan?

Mr. HAGEL. I did disagree with President Obama's decision to surge troops to Afghanistan. Notwithstanding any past differences in view, if confirmed, I will work with our military commanders and Joint Chiefs to ensure that President Obama has the best possible advice in developing and implementing a strategy that best protects our national interests.

217. Senator MCCAIN. Mr. Hagel, do you advocate the full withdrawal of U.S. forces by the end of 2014?

Mr. HAGEL. I support the President's plan to transition full security responsibility to the Afghan National Security Forces by the end of 2014, and to retain an enduring commitment in the future. As the President has stated, a residual force after

2014 would focus on two primary missions: to deny safe haven to al Qaeda and its affiliates; and to train, advise, and assist the Afghan forces so they can maintain their own security. I further support the President's position that any residual U.S. force would have to be at the invitation of the Afghan Government and would need to be guaranteed certain legal protections, which will be negotiated under the Bilateral Security Agreement.

SYRIA

218. Senator MCCAIN. Mr. Hagel, more than 60,000 Syrians have been killed in some 22 months of conflict between the rebels and the Assad regime. You are quoted in an August 29, 2011, interview with the Financial Times, as saying, "I think Syria, the outcome there has far more important consequences for America's national interests than Libya." Should the United States provide at least the same level of support to anti-Assad forces as we provided to anti-Qaddafi forces?

Mr. HAGEL. I continue to believe that the United States has significant national security stakes in the outcome in Syria. I believe that the steps taken by the administration to date, including political, diplomatic and economic pressure, as well as assisting the unarmed opposition, have been appropriate. If confirmed I will support the President's ongoing reassessment of the continuously changing dynamics on the ground in Syria, to determine what additional steps may be appropriate.

219. Senator MCCAIN. Mr. Hagel, are U.S. forces capable of executing, without operational support from international partners, no fly zones in Syria?

Mr. HAGEL. While I have not been briefed in detail on U.S. capabilities for such a mission, I am confident that the U.S. military could enforce a no-fly zone over Syria. However, because Syria has an advanced air defense network, I understand that such a mission could involve a significant number of and risk to U.S. forces.

220. Senator MCCAIN. Mr. Hagel, do you believe the United States should deny Assad his use of air power?

Mr. HAGEL. The President has said Assad must go, and a democratic political transition should remain our goal. If confirmed, I will support the current focus on weakening the Assad regime through political, diplomatic, and economic pressure, as well as assisting the unarmed opposition. Regarding any additional options, military and non-military, if confirmed, I will support the President's continuing reassessment of what additional steps may be appropriate.

221. Senator MCCAIN. Mr. Hagel, do you believe the United States should provide arms, intelligence, or other military support to Syrian rebels?

Mr. HAGEL. I do not believe that providing lethal support to the armed opposition at this time would improve the terrible situation in Syria; however, this question should continue to be re-evaluated over time. The Syrian people are in urgent need of assistance during this difficult period, and the United States is helping to address those basic needs by providing medical assistance, humanitarian assistance, and political support on the international stage.

IRAQ

222. Senator MCCAIN. Mr. Hagel, do you regard the 2007 Iraq surge as a mistake?

Mr. HAGEL. When former President Bush announced his decision to surge troops to Iraq in 2007, I was against it. I thought the Bush administration had not defined a clear end state for the war in Iraq, and under these circumstances I did not believe that adding more U.S. troops was worth the likely cost in American lives. It is now clear that a combination of steps including the surge, improved counter-terrorism techniques, and the Anbar Awakening, contributed to reducing violence in Iraq. The cost of the surge in American lives was almost 1,200 dead and thousands wounded. What is still not clear, however, is what role the surge played relative to the other steps that we took, or what would have happened if we had not undertaken the surge; those are questions for historians.

223. Senator MCCAIN. Mr. Hagel, could the other factors that contributed to the stability of Iraq circa 2007, such as the Anbar Awakening, have succeeded without the surge?

Mr. HAGEL. The Anbar Awakening was an important development—along with the Shia militant ceasefire—that was a result of the decision of the Iraqi people to take back their country from extremist forces. Many of the Anbar Awakening tribes

fought alongside our troops, and they should be commended for their efforts. Over 100,000 young Sunis were paid by the United States between $350 and $500 per month of helping us. Our troops benefited from the Awakening and in turn the Awakening forces were further bolstered by the support offered by our troops. But ultimately, it is difficult to make a judgment on the causal relationship between the surge and the Anbar Awakening. Again, this will be a question best reserved for history to make an ultimate judgment.

224. Senator MCCAIN. Mr. Hagel, you advocated the complete withdrawal of all U.S. forces from Iraq by 2011, rather than negotiating an agreement for an enduring presence of U.S. forces. The President ultimately did exactly what you recommended—reportedly against the advice of his military leaders. Do you believe that Iraq is more stable and better off today as a result?

Mr. HAGEL. Yes, I fully supported the withdrawal of all U.S. combat forces from Iraq by December 2011 in accordance with the November 2008 U.S.-Iraq Security Agreement. It was the right decision and it gave the Iraqis the chance to take full ownership and responsibility for their country. Iraq is better off today because of it. The drawdown has allowed us to chart a new path in our strategic partnership with a sovereign Iraq based on mutual interests and mutual respect.

While Iraq is a better place today, it is clear that Iraq has a long way to go to move beyond a history of violence and instability. Iraq continues to face security challenges, but our focus must be on the future. A normalized relationship between our two countries, based on mutual respect and mutual interests, is the best way to advance U.S., Iraqi, and regional interests. If confirmed, I will continue Secretary Panetta's work to strengthen our military-to-military relationship with Iraq, and further its re-integration into the region.

DOD BUDGET

225. Senator MCCAIN. Mr. Hagel, if additional resources are necessary to meet our national security needs, would you advocate for a restoration of some of the $487 billion the President plans to cut from future defense budgets?

Mr. HAGEL. If confirmed, I will work with the President, OMB, and Congress to provide the military capability necessary to defend our Nation. I recognize that the Budget Control Act of 2011 requires that to be done within constrained resources. I believe we can defend the Nation within those limits. If confirmed, I would expect to consult with the President and Congress as circumstances change. However, I do believe that if significant multi-year reductions in funding take place (such as those required by sequestration), the Department would need to revise the defense strategy.

226. Mr. Hagel, do you agree with former Secretary of Defense Robert Gates that a 10 percent, or approximately $50 billion, cut to defense spending in 1 year "operationally would be catastrophic"?

Mr. HAGEL. As both Secretaries Gates and Panetta repeatedly stated, sequestration—both the size and the arbitrary manner of these cuts—would be devastating to the Department. It would harm military readiness and disrupt each and every investment program. Based on my assessment to date, I share their concern. I urge Congress to eliminate the sequester threat permanently and pass a balanced deficit-reduction plan.

FORCE STRUCTURE AND END STRENGTH

227. Senator MCCAIN. Mr. Hagel, do you support the President's plan to reduce military force structure over the next few years, including reducing Army end strength to approximately 490,000 soldiers by 2017?

Mr. HAGEL. If confirmed, I will be committed to maintaining the best Army in the world—capable and ready—an Army that will support the mission requirements associated with our defense strategy. In the future our Army will not be sized for large-scale, long-duration stability operations, but instead have the agility to respond where the Nation needs it. I support an Army that is sized according to the defense strategy and the mission requirements that support that strategy.

228. Senator MCCAIN. Mr. Hagel, given our poor track record of predicting future requirements for ground forces, what do you believe to be the justification for reducing the size of the Army and Marine Corps so dramatically?

Mr. HAGEL. Our force structure and end strength levels should support the overall national security and defense strategies. The defense strategy places emphasis on a smaller, leaner force that is agile, flexible, and ready to deploy quickly; not a force that is sized for large, protracted stability operations. You are right that we have a poor track record in predicting the future. But we have shown that we can rapidly grow our ground forces, if necessary. We also plan to preserve readiness in our Reserve Forces.

229. Senator MCCAIN. Mr. Hagel, the President has exempted military personnel accounts from cuts related to budget sequestration. Do you agree that cutting training and equipment funding without proportional cuts to military personnel accounts will lead to a hollow force?

Mr. HAGEL. In general, I agree that we must maintain the right balance of end-strength, modernization, and training to guard against a hollow force. However, in the case of the blunt instrument of sequestration, I support the President's exemption of military personnel accounts in fiscal year 2013 due to the fact that across-the-board reductions would be inadvisable for the morale of the force and not cost-effective.

230. Senator MCCAIN. Mr. Hagel, in the context of overall budget reductions, not specifically budget sequestration, would you recommend curtailing civilian personnel by amounts proportional to cuts made to the military personnel accounts?

Mr. HAGEL. I understand that Secretary Panetta has directed an internal scrub to see where savings can be made in civilian personnel accounts. To me this is a prudent review, and something the Department should do continuously. However, it is not clear that a reduction of a certain percentage of uniform personnel can be met with a corresponding reduction in civilian personnel. The two serve different functions, and in some cases, for example cyber efforts, we foresee a growth in civilian personnel. But if confirmed, this is an area I intend to look at closely.

231. Senator MCCAIN. Mr. Hagel, do you intend to comply with section 955 of the NDAA for Fiscal Year 2013, which directs savings in civilian personnel and service contractor workforces of DOD?

Mr. HAGEL. If I am confirmed, I will ensure the Department complies with section 955.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

GULF REGION MILITARY POSTURE

232. Senator CHAMBLISS. Mr. Hagel, in hindsight it appears your assessment was wrong on both the effectiveness of the Iraq surge and on our method of withdrawal. Some argue that our departure from Iraq and our subsequent disengagement have opened the door to greater Iranian influence in Iraq and strengthened Teheran's position in the Middle East. What alterations, if any, are necessary to our military force posture in the Gulf Region to deter Iranian regional ambitions and support international diplomatic efforts to stop Iran's effort to acquire nuclear weapons?

Mr. HAGEL. In my view, our military posture in the Middle East region remains strong and is a critical component of the President's multi-vector strategy to ensure Iran does not acquire a nuclear weapon. If confirmed, I will continue to work with the Joint Chiefs and the CENTCOM Commander to ensure that the Department is fully prepared and adequately postured for any military contingencies in this critically important region, particularly with respect to Iran and the President's firm commitment to prevent it from acquiring a nuclear weapon.

MILITARY READINESS DEPOTS

233. Senator CHAMBLISS. Mr. Hagel, Georgia is home to two of our critical defense depots—Warner Robins Air Logistics Complex and Marine Corps Logistics Base-Albany. One sequestration scenario directs the Military Services to cancel vital 3rd and 4th quarter depot-level maintenance activities. This will have an immediate and lasting impact on military readiness and make it difficult to recover a force that has seen combat for the better part of 2 decades. Furthermore, thousands of highly-skilled workers would lose their jobs; and thousands of hours would be lost for flight time, drive time, and repairs that would ensure our military's equipment is ready when the Nation calls upon them. Describe in detail how you will ensure that de-

pots accomplish their mission and not lose the continuity that is vital to the success of our force readiness if sequestration occurs.

Mr. HAGEL. The work done by the skilled workforce at our defense depots is critical to the Defense Department. I agree with Secretary Panetta that the effects of sequestration will be devastating and will lead to a decline in military readiness. If confirmed, I will work with the Secretaries of the Military Departments, Joint Chiefs, and Military Services to sustain readiness as best we can. However, this will be extremely difficult given the impact of sequestration, especially when combined with the effects of a year-long Continuing Resolution. If sequestration occurs, it will likely not be possible to keep our depots fully operating, and this will impact our future readiness.

GENERAL/FLAG OFFICER REFORM

234. Senator CHAMBLISS. Mr. Hagel, historically, during military draw-downs, enlisted personnel percentages take the brunt of the attrition while a disproportionate amount of general and flag officers remain in place. It seems we have an excessive number of general officers in the ranks. If confirmed, will you take a closer look at the number of general/flag officer authorizations in the military and the size of their support staffs?

Mr. HAGEL. I understand that the Track Four Efficiency Study, initiated by Secretary Gates and continued by Secretary Panetta, identified both Service and joint general and flag officer positions for elimination, realignment, or reduction. Execution of these modifications is planned to continue over the next 2 years.

If confirmed, I would support continued efforts to ensure we maintain the appropriate level of leadership across our joint force, seeking efficiencies as mission and force structure changes allow.

DOD FINANCIAL ACCOUNTABILITY

235. Senator CHAMBLISS. Mr. Hagel, in the current fiscal environment it is imperative that we maintain proper financial accountability in DOD. DOD is required to have an auditable financial statement by 2017, an objective that Secretary Panetta accelerated to 2014. What specific steps would you take for DOD to reach this goal by that date?

Mr. HAGEL. I agree financial management improvement is an important priority and support the Department's current plan to have the budgetary statement ready for audit by 2014 and the full set of statements ready by 2017. If confirmed, I intend to review the Department's progress with my senior leadership team on a regular basis and work through them to remove any institutional barriers to achieving this goal.

POST-2014 AFGHAN BILATERAL SECURITY AGREEMENT

236. Senator CHAMBLISS. Mr. Hagel, under the strategic partnership agreement signed by the United States and Afghanistan in May 2012, both countries are obligated to negotiate a bilateral security agreement within 1 year. The talks will set conditions for U.S. forces in Afghanistan after 2014 as part of a train, advise, and assist mission. Oversight is key for this process to be successful. We owe it to our military forces to have an organized, methodical plan in order to not squander the incredible effort expended by the United States in Afghanistan. Will you ensure that Congress is involved in the development process with the bilateral security agreement so that the administration is not planning in a potentially disastrous vacuum?

Mr. HAGEL. I agree on the importance of the Bilateral Security Agreement (BSA) for setting the parameters for our forces in Afghanistan after 2014 and with the need to maintain regular communication with Congress as the BSA negotiations proceed. If confirmed, I will support the administration's sustained engagement with Congress throughout the Bilateral Security Agreement negotiation process.

237. Senator CHAMBLISS. Mr. Hagel, from your viewpoint, what conditions need to be set in a post-2014 Afghanistan with U.S. and coalition involvement for the Afghanistan Government to continue to be successful?

Mr. HAGEL. I believe that improvements in security conditions, enabled by continued development of the Afghan National Security Forces, will continue to be critical. Good governance, including sustained efforts to end corruption, is also important to ensure that security gains result in sustainable Afghan self-reliance and governance. Regional peace and deepened cooperation between Afghanistan and its neigh-

bors will also be important for long-term success. If confirmed, I will monitor conditions in and around Afghanistan closely and will continue to assess progress in consultation with commanders on the ground and the Joint Chiefs, to ensure that we are helping to set the conditions for continued success in Afghanistan beyond 2014.

QUESTIONS SUBMITTED BY SENATOR ROGER F. WICKER

USE OF MILITARY FORCE

238. Senator WICKER. Mr. Hagel, in your responses to the advance policy questions, you state that one of the key lessons learned from the Iraq war is the need to think more carefully before using military force, especially regarding the need to plan for all phases of operations before beginning a preemptive conflict.

You have stated repeatedly that the United States should keep all options on the table, to include the use of preemptive military force, to prevent Iran from obtaining nuclear weapons. Some military theorists argue that such an attack, even if successful, has the potential to result in a variety of reactions from Iran, including direct attacks on U.S. and allied military forces, attempts to interrupt the flow of commerce through the Strait of Hormuz, and the use of Iranian special operations forces and proxies to conduct destabilizing operations in vulnerable regional countries. Arguably, the second and third order effects of such an attack would be far more widespread than those resulting from the U.S. invasion of Iraq in 2003.

You also noted in your answers to the advance policy questions that you do not feel knowledgeable enough about how the U.S. military has implemented the lessons learned in Iraq and Afghanistan to make recommendations on additional changes. Why do you believe an attack on Iran is now a viable option, whereas in 2006, you felt differently?

Mr. HAGEL. I am fully committed to the President's policy of preventing Iran from obtaining a nuclear weapon, and believe all options should be on the table to achieve that goal. A military attack on Iran would most likely have significant consequences, as you have described. But as I've also said, the military option should be the last option considered. However, a nuclear-armed Iran would have far-reaching and unacceptable consequences on regional stability, and on the security of the United States.

239. Senator WICKER. Mr. Hagel, do you feel the U.S. military is adequately prepared to deal with the repercussions from a strike against Iranian nuclear facilities? If not, what changes would need to be implemented?

Mr. HAGEL. While I do not currently have access to the information needed to answer this question, I have great confidence that General Mattis, the Joint Chiefs, and Secretary Panetta have ensured that the U.S. military is prepared to deal with any repercussions from a strike against Iranian nuclear facilities. If confirmed, I will work with the CENTCOM Commander to refine planning as necessary over time, to ensure that our forces remain ready to take any actions the President directs and to defend themselves and the United States.

240. Senator WICKER. Mr. Hagel, how would you engage regional partners to limit the potential destabilizing effects of a strike on Iranian nuclear facilities?

Mr. HAGEL. If confirmed, I will continue to promote and advance the Department's military-to-military and defense relations with our key partners in the region. These relationships are critical to advance U.S. strategic interests, including preventing Iran from acquiring a nuclear weapon, supporting the security of the State of Israel, and building the capacity of partner nations to meet common challenges and address future contingencies, if required.

241. Senator WICKER. Mr. Hagel, do you believe you possess the requisite knowledge about the state of the U.S. military and our allies and that you are ready now, given the current state of affairs with Iran, North Korea, and China, to effectively advise the President on the employment of U.S. military forces towards achieving U.S. strategic objectives?

Mr. HAGEL. Yes. If confirmed, advising the President regarding the employment of military forces will be my most important duty. I believe I currently have the judgment and experience necessary to advise the President on such matters and have a clear understanding of the role of our military and alliances in achieving national security objectives. If confirmed, I will ensure that my first priority and responsibility is to match this prior experience with deeper knowledge of the current plans and capabilities of our military.

U.S. SHIPBUILDING INDUSTRY

242. Senator WICKER. Mr. Hagel, if confirmed, would you agree to work closely with this committee and with this Congress in addressing the urgent need to increase our shipbuilding rates?
Mr. HAGEL. Yes.

243. Senator WICKER. Mr. Hagel, if confirmed, will you remain committed to ensuring that the vessels we build for our sailors and marines are the finest this Nation can produce and that you will never agree to procuring vessels that do not meet the current military classifications for warships?
Mr. HAGEL. If confirmed, I am committed to ensuring the Navy's fleet is appropriately sized and possesses the capabilities necessary to fulfill its role in defending U.S. interests both in peace and wartime. Recognizing the challenges faced within the Department of Navy to build and maintain an affordable and balanced fleet, I am committed to ensuring that survivability shall be addressed on all new surface ships, combat systems and equipment designs, overhauls, conversions, and modernizations in order that the design is provided a balance of survivability performance, risk, and cost within program objectives.

244. Senator WICKER. Mr. Hagel, if confirmed, will you agree to analyze all avenues of cost reduction in shipbuilding, including multi-year procurements, block buys of material for multiple ships, and level loading the funding profiles to allow shipbuilders to optimize design and material procurement prior to the start of construction?
Mr. HAGEL. Yes.

245. Senator WICKER. Mr. Hagel, can you provide a rationale for the Defense Logistics Agency's (DLA) move toward a proposed noncommercial model?
Mr. HAGEL. I don't have insight into the specifics of what the DLA proposed model is; however, it is my understanding that the DLA is looking at ways to strengthen its relationships with suppliers to mitigate contract risks. If confirmed, I will be able to look into the details of the specific objectives and actions.

246. Senator WICKER. Mr. Hagel, what additional oversight would such a model provide to ensure the prevention of waste, fraud, and abuse?
Mr. HAGEL. At this time I don't have insight into the DLA model. However I believe it is important that we have transparent contracting practices that reduce risk and prevent fraud, waste, and abuse.

TAIWAN AND U.S.-CHINA RELATIONS

247. Senator WICKER. Mr. Hagel, during an official visit to China in September 2012, Secretary of Defense Leon Panetta extended an invitation to his Chinese counterpart, General Liang Guanglie on the People's Liberation Army's (PLA) participation in the biennial RIMPAC in 2014. RIMPAC is the world's largest international maritime warfare exercise, which in 2012 involved over 40 ships and submarines, more than 200 aircraft, and 25,000 personnel from more than 20 countries from the Pan Pacific region.
The Taiwan Strait has long been a potential flashpoint in the region. Taiwan, one of America's important strategic allies in the region, has been constantly under the threat of a growing PLA. If the PLA is to be invited to RIMPAC, I believe we should consider involving Taiwan as well. Would you consider inviting Taiwan's navy to participate in RIMPAC?
Mr. HAGEL. The United States is firm in its commitment to Taiwan's self-defense needs under the Taiwan Relations Act. That relationship includes defense exchanges and other interactions consistent with our unofficial relationship and as provided for in the Taiwan Relations Act. If confirmed, I will work to identify appropriate exchanges and interactions to assist Taiwan's defense capabilities, and contribute to peace and stability in the Taiwan Strait.

248. Senator WICKER. Mr. Hagel, the 1979 Taiwan Relations Act and the Six Assurances of 1982 have contributed to the peace and stability of the Asia-Pacific region for the past 3 decades. With the military balance—including air superiority—gradually shifting in China's favor, what are your plans to implement the security commitment the United States has for Taiwan under this framework?
Mr. HAGEL. In my view, the increasing complexity and sophistication of the military threat to Taiwan from China means that Taiwan must devote greater attention

to asymmetric concepts and innovative technologies to maximize Taiwan's strengths and advantages. If confirmed, I would work closely with Congress, throughout DOD, and with our interagency partners to ensure the continued effective implementation of all of the relevant provisions of the Taiwan Relations Act.

249. Senator WICKER. Mr. Hagel, as Taiwan is likely to retire some of its older fighter aircraft in the next 5 to 10 years, do you believe that sales of advanced aircraft and submarines are an important next step in this commitment?

Mr. HAGEL. I believe that we should make available to Taiwan those defense articles and defense services which enable Taiwan to maintain a sufficient self-defense capability, today and into the future. If confirmed, I will look at what specific capabilities those are—or should be—in light of the security situation in the Taiwan Strait and the evolving military capabilities on the mainland.

EXPORT CONTROL REFORM

250. Senator WICKER. Mr. Hagel, during his tenure as Secretary of Defense, Robert Gates championed export control reform. Specifically, he called for streamlining the foreign military sales, release, and disclosure processes. It is vital that our partners and allies have more certainty of timelines for delivery of critical defense articles and services; however, this is not always the case when our processes get bogged down. Is this something you will also champion if confirmed as Secretary of Defense?

Mr. HAGEL. I fully support the reform efforts because I believe they are absolutely necessary to meet 21st century national security challenges. Secretary Gates played a key role in setting the administration's export control reform objectives: a single list, a single licensing agency, a single primary enforcement coordination agency, and a single U.S. Government-wide information technology licensing system. The administration has made progress in this reform effort, but the work continues. DOD has been fully engaged in revising the U.S. Munitions List and I understand that it plans to continue to focus on completing this important work with our interagency partners to produce a list that is more transparent and predictable for government and industry and which focuses on protecting the most important technologies.

I also fully support ongoing efforts within the Department to streamline and improve U.S. technology security and foreign disclosure processes so that decisions are made in a timely fashion and enable us to focus on the protection of the technologies that are most important, while providing important capabilities to our allies and partners. Finally, if confirmed, I would support implementation of the steps that the Department has taken to continue to improve the Foreign Military Sales process.

ENERGY CERTIFICATION

251. Senator WICKER. Mr. Hagel, section 2830 of the Military Construction Authorization Act for fiscal year 2012 requires DOD to submit to Congress a report on the cost effectiveness of certain green building standards. Part of the report by DOD found that the adoption of Leadership in Energy and Environmental Design certifications by certain departments of DOD is not the most cost effective practice for energy and water savings. As Secretary of Defense, what policies would you implement to ensure that DOD's green building policies meet the military's primary missions of energy and water savings and do not arbitrarily discriminate against American products such as domestic wood?

Mr. HAGEL. While I am not completely familiar with the different green building standards that are available, I do think we need to adhere to the general philosophy of minimizing life-cycle costs and incorporating features in building construction that result in reduced operating costs and lower utility bills. I will support policies to this effect. I will not support policies that arbitrarily discriminate against American products.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

MEDIUM EXTENDED AIR DEFENSE SYSTEM

252. Senator AYOTTE. Mr. Hagel, section 221 of the NDAA for Fiscal Year 2013 prohibits the use of any funding for Medium Extended Air Defense System (MEADS). Are you aware of this provision?

Mr. HAGEL. Yes.

253. Senator AYOTTE. Mr. Hagel, if confirmed, will you ensure that DOD fully complies with this law?

Mr. HAGEL. If confirmed, I will ensure that the Department fully complies with this law.

254. Senator AYOTTE. Mr. Hagel, how much fiscal year 2012 MEADS funding remains unobligated and how much has been obligated/expended for MEADS under the terms of the Continuing Resolution?

Mr. HAGEL. It is my understanding that of the $390 million in the U.S. fiscal year 2012 funding provided to the NATO management office for MEADS, a total of $335 million has been fully obligated to fund data analysis, archiving the technology and design, capturing performance results, formal contract closeout; and if necessary for termination liabilities for contracts and/or subcontracts. $55 million of fiscal year 2012 funding was also provided to the U.S. Army for management and oversight of sensitive technologies in MEADS. The Department is consulting with our partners, Germany and Italy, in order to complete as much of the remaining design and development effort as possible while allowing for contract closeout. I understand that $210 million of the total fiscal year 2012 funds has been expended as of February 1, 2013. No fiscal year 2013 funds are authorized and none have been obligated or expended under the CR.

255. Senator AYOTTE. Mr. Hagel, for what purpose were these funds obligated?

Mr. HAGEL. See answer to Question #254.

JOINT LAND ATTACK CRUISE MISSILE DEFENSE ELEVATED NETTED SENSOR SYSTEM

256. Senator AYOTTE. Mr. Hagel, can you provide an update on the deployment status of Joint Land Attack Cruise Missile Defense Elevated Netted Sensor System (JLENS)?

Mr. HAGEL. I understand JLENS is still in development, and that the Department recently completed a study on JLENS location and operational use. It is my understanding a JLENS deployment site was selected and planning is underway for preparing the site. If confirmed, I will review the status of these preparations with the Secretary of the Army and the Commander of U.S. Northern Command.

257. Senator AYOTTE. Mr. Hagel, if confirmed, will you commit to ensuring that JLENS will be deployed in a timely fashion?

Mr. HAGEL. See answer to Question #256.

258. Senator AYOTTE. Mr. Hagel, what combatant commands have a validated requirement for JLENS or have expressed an interest in JLENS?

Mr. HAGEL. It is my understanding that because of the unique capabilities of JLENS to detect a range of air threats, CENTCOM, U.S. Southern Command, U.S. Pacific Command, and U.S. Northern Command have expressed interest in this capability.

F–35 JOINT STRIKE FIGHTER

259. Senator AYOTTE. Mr. Hagel, what is your assessment of China and Russia's development of fifth generation fighters?

Mr. HAGEL. I have not reviewed the breadth of the programs in detail, but both China and Russia are pursuing advanced fighter aircraft. We are examining ways to respond to these efforts to upgrade their capabilities.

260. Senator AYOTTE. Mr. Hagel, do you believe the F–35 JSF is necessary in an increasingly contested operating environment?

Mr. HAGEL. My view is we cannot let any nation achieve parity with the United States in our ability to control the air. I understand the F–35 will bring advanced capability to the warfighters in a contested environment and ensure the United States can act in our national interest around the globe.

261. Senator AYOTTE. Mr. Hagel, if confirmed, will you continue the development and procurement of the fifth generation JSF, including the Marine Corps variant?

Mr. HAGEL. If confirmed, I will review the F–35 program, to include the Marine Corps variant, to ensure the aircraft are delivered with the capability we need and at a cost we can afford.

BALLISTIC MISSILE THREATS

262. Senator AYOTTE. Mr. Hagel, analysts have estimated that Iran may be capable of striking the CONUS with a ballistic missile by 2015. Do you agree with this assessment?

Mr. HAGEL. It is clear that Iran continues to pursue longer-range missiles and develop technology that could allow Iran to deploy an ICBM in the future. I believe that U.S. missile defenses must be prepared to defend the United States today and in the future against any potential threat posed by countries like Iran and North Korea.

263. Senator AYOTTE. Mr. Hagel, in light of this analysis, Congress included section 221 in the NDAA for Fiscal Year 2013. This section requires the Secretary of Defense to conduct a study that evaluates three possible additional locations in the United States, including two on the east coast, for future deployment of an interceptor to protect the Homeland against missile threats from countries such as North Korea and Iran. Are you aware of this reporting requirement?

Mr. HAGEL. Yes.

264. Senator AYOTTE. Mr. Hagel, if confirmed, do you pledge to have the results of this study delivered to Congress within the timeframe outlined in section 221, as required by law?

Mr. HAGEL. If confirmed, I will work to ensure that the study is delivered on time and that Congress remains informed about the Department's decisions about how to best protect the U.S. Homeland from this threat.

SUBMARINE REQUIREMENTS

265. Senator AYOTTE. Mr. Hagel, do you believe the Virginia payload module will mitigate some of the anticipated gap in undersea strike volume?

Mr. HAGEL. Yes, although I understand that the cost to include this capability in the *Virginia*-class is a challenge to available shipbuilding resources.

266. Senator AYOTTE. Mr. Hagel, what percent of combatant commander attack submarine requirements were met by the Navy in 2012?

Mr. HAGEL. I have been informed that the Navy has met approximately 60 percent of the combatant commanders' total attack submarine requirements and 100 percent of the Secretary of Defense-approved Global Force Management Allocation Plan adjudicated requirement for Navy support since 2010. The Global Force Management process allows Navy to meet the combatant commanders' highest priority needs as determined by the Secretary of Defense and Chairman of the Joint Chiefs of Staff.

267. Senator AYOTTE. Mr. Hagel, do you support Congress' intent to build two *Virginia*-class submarines in 2014?

Mr. HAGEL. Submarines are critically important to our strategy and future; therefore, resources permitting, I would support plans to build two *Virginia*-class submarines in 2014.

ELECTRONIC WARFARE

268. Senator AYOTTE. Mr. Hagel, what is your view on the future of electronic warfare/electronic attack?

Mr. HAGEL. I believe the Electronic Warfare/Electronic Attack (EW/EA) will play an increasingly important role in future military operations. It is both an enabler of U.S. operations and a capability that potential adversaries will exploit to counter the longstanding U.S. technological edge in weapon systems. Potential adversaries are pursuing more advanced battlefield systems, including EW/EA, to deny U.S. power projection capabilities and curtail our ability to maneuver, conduct precision strikes, and communicate effectively in a conflict scenario. Continued U.S. investment in EW/EA will be critical to ensuring that the United States can achieve its operational objectives in a timely manner and with a minimum of losses; EW/EA systems will also contribute to the deterrent effect that highly capable U.S. forces exert on potential adversaries.

269. Senator AYOTTE. Mr. Hagel, do you believe it still plays a vital role in our national security?

Mr. HAGEL. See answer to Question #268.

U.S.-RUSSIAN RELATIONS

270. Senator AYOTTE. Mr. Hagel, do you agree that the United States should not initiate negotiations with Russia for a new arms treaty unless and until we can confirm that Russia is fully honoring existing arms treaties with the United States?

Mr. HAGEL. Compliance with legal obligations is central to the effectiveness of arms control treaties, and concerns about non-compliance must be addressed. If confirmed, I will ensure that DOD works with the Department of State and other interagency partners in assessing and responding to any compliance concerns. While resolution of such issues with Russia is clearly important, I do not believe that discussions of possible further nuclear arms reductions need await resolution of all compliance issues.

271. Senator AYOTTE. Mr. Hagel, is Russia fully honoring all existing arms treaties with the United States?

Mr. HAGEL. I do not believe that the Russian Federation is fully honoring all of its obligations under existing arms control treaties. For example, Russia ceased implementing the Conventional Armed Forces in Europe Treaty in 2007.

PATRIOT MISSILE SYSTEM

272. Senator AYOTTE. Mr. Hagel, section 226 of the NDAA for Fiscal Year 2013 requires the Secretary of the Army to submit a prioritized plan to Congress for the modernization of the Patriot missile system. Are you aware of this requirement?

Mr. HAGEL. Yes.

273. Senator AYOTTE. Mr. Hagel, if confirmed, will you ensure that the Army delivers this plan within the timeframe outlined in section 226, as required by law?

Mr. HAGEL. If confirmed, I will work with the Secretary of the Army to ensure the Army delivers this plan as required by law.

OVERSEAS CEMETERIES

274. Senator AYOTTE. Mr. Hagel, are you aware that section 2857 in the NDAA for Fiscal Year 2013 requires DOD to designate a Federal or private agency to maintain base cemeteries before closing overseas military bases?

Mr. HAGEL. Yes.

275. Senator AYOTTE. Mr. Hagel, if confirmed, will you ensure that this provision is adhered to, as required by law?

Mr. HAGEL. If confirmed, I will carry out the direction given to the Department in the NDAA for Fiscal Year 2013.

MENTAL HEALTH SERVICES

276. Senator AYOTTE. Mr. Hagel, are you aware that section 206 in the NDAA for Fiscal Year 2013 authorizes a DOD program to enhance DOD's research, treatment, education, and outreach initiatives focused on addressing the mental health needs of members of the National Guard and Reserve members?

Mr. HAGEL. Yes.

277. Senator AYOTTE. Mr. Hagel, do you share my belief that DOD must address these needs?

Mr. HAGEL. Yes. I am deeply concerned about the mental health issues faced by our servicemembers and their families. If confirmed, I will be committed to providing the highest quality of mental health care and will comply with the provision in the NDAA for Fiscal Year 2013.

BUDGET AUDITABILITY

278. Senator AYOTTE. Mr. Hagel, section 1005 in the NDAA for Fiscal Year 2013 that requires DOD to complete a full statement of budget resources by 2014, with the ultimate goal to be full auditability by 2017. Are you aware of this requirement?

Mr. HAGEL. Yes. I understand that those commitments in our current plans have been included in the NDAA for Fiscal Year 2013.

279. Senator AYOTTE. Mr. Hagel, if confirmed, do you commit to meeting this statutory requirement and to doing all that you can to promote good financial stewardship and financial transparency at DOD?

Mr. HAGEL. I agree financial management improvement is an important priority and support the Department's current plan to have the budgetary statement ready for audit by 2014 and the full set of statements ready by 2017. If confirmed, I will be committed to achieving this goal and will ensure that senior leaders remain focused on this goal and hold them accountable.

WOMEN IN SELECTIVE SERVICE

280. Mr. Hagel, would you support requiring women to register for the Selective Service? Please explain your response.

Mr. HAGEL. I strongly believe all Americans should be able to serve in our Armed Forces to their maximum abilities. The Selective Service Act is administered by an agency outside of DOD. If I am confirmed, I will look forward to participating in any interagency consideration of selective service registration that may occur. We currently have an All-Volunteer Force that is the finest military in the world. I do not want to suggest that it would be necessary or advisable to restore the draft.

PROSTHESES FOR SERVICEMEMBERS

281. Senator AYOTTE. Mr. Hagel, are the prostheses that our servicemembers are receiving after a severe injury the most advanced available on the U.S. market?

Mr. HAGEL. The care and support provided to our wounded, ill, and injured are key focus areas for the Department. I understand that the Department supports, along with the Department of Veterans Affairs, an Extremity Injury and Amputation Center of Excellence and that the standard and quality of care regarding prosthetics meets or exceeds what is provided in the private sector. I also understand that the Department supports a variety of research to ensure cutting edge technology is incorporated into addressing the issues for servicemembers with extremity amputations. This includes advanced research into tissue engineering and transplantation. If confirmed, I will continue to support these collective efforts to improve care.

282. Senator AYOTTE. Mr. Hagel, if not, what actions are being taken to gain access to these prostheses for our servicemembers?

Mr. HAGEL. See answer to Question #281.

NATIONAL GUARD YOUTH CHALLENGE PROGRAM

283. Senator AYOTTE. Mr. Hagel, the National Guard Youth Challenge Program (NGYCP) works to intervene in and reclaim the lives of at-risk youth by enhancing their skills, education, and self-discipline. The program has distinguished itself as an effective intervention in the lives of troubled young men and women. Over 110,000 students have graduated from 33 programs nationwide and a majority of these graduates earn their GED and are actively employed following graduation.

The outstanding success enjoyed by the NGYCP is largely a result of the leadership and unique advantages the National Guard brings to the program. The program has also been successful because of the National Guard's emphasis on quality training for the staff.

A 2012 RAND Corporation study highlighted the value of continued investment in the NGYCP. According to the report, the program earned $2.66 in social benefit from students graduating and becoming productive citizens for every $1 spent. Yet, only two cents of that original investment was spent on training the program staff.

Based on the critical role training has played in this essential program's success, if confirmed, do you commit to examining funding for the NGYCP staff training to determine how it has changed over time and whether it is sufficient to maintain the quality of the program?

Mr. HAGEL. I understand that training plays a large part in the success of the 100,000 cadets who have successfully completed this program. The Department continues to review ways in which to further improve the NGYCP's performance nationwide, including staff training. If confirmed, I will work closely with Reserve component leaders to evaluate funding for training and other resources.

GUARD AND RESERVES

284. Senator AYOTTE. Mr. Hagel, what is your view of the appropriate role of the Chief of the National Guard Bureau as a member of the Joint Chiefs of Staff?

Mr. HAGEL. The Chief of the National Guard Bureau serves as a full member of the Joint Chiefs of Staff and as the principal advisor to the Secretary of Defense, through the Chairman of the Joint Chiefs of Staff, on matters involving non-Federalized National Guard forces.

285. Senator AYOTTE. Mr. Hagel, what is your assessment of the Reserve and how it will fit into this new strategy of smaller, more lethal forces rotating into and out of many locations of strategic interest?

Mr. HAGEL. The Reserve components have served with distinction over more than a decade of war and continue to be a relevant and cost effective part of the Total Force. In a time of declining budgets and complex contingencies, I believe that the Department will continue to call on both Active and Reserve components to accomplish the domestic and overseas requirements of the new strategy. We are still in the process of finding the proper Active component/Reserve component mix that will most effectively accomplish our new strategy in a constrained fiscal environment.

286. Senator AYOTTE. Mr. Hagel, what is your understanding of the appropriate size and makeup of the Reserve components in light of the current defense strategy and our constrained defense budget?

Mr. HAGEL. The Services each have different requirements for their Reserve Force in their role as force providers. The Service internal force management processes will continue to refine the size and capabilities of each Reserve component to accommodate changes to the defense strategy and reduced budget.

287. Senator AYOTTE. Mr. Hagel, what is your assessment of advances made in improving Reserve and Guard component mobilization and demobilization procedures, and in what areas do problems still exist?

Mr. HAGEL. The Department has made great improvements to the mobilization and demobilization procedures over the past decade. Over 850,000 Reserve and National Guard members have been effectively mobilized to support contingency and support operations. If confirmed, I would expect the Services to continue to review procedures in order to keep faith with our Reserve component members, their families, and civilian employers and make necessary adjustments as needs are identified.

288. Senator AYOTTE. Mr. Hagel, what do you consider to be the most significant enduring challenges to the enabling of an operational reserve aimed at ensuring Reserve component and Guard readiness for future mobilization requirements?

Mr. HAGEL. The Reserve components currently serve in an operational capacity-available, trained, and equipped for predictable routine deployments. With the projected defense budget, the most significant enduring challenge will be sufficient funding to sustain the operational experience of the Reserve components gained over the past decade of utilization.

289. Senator AYOTTE. Mr. Hagel, do you see a need to modify current statutory authorities for the mobilization of members of the National Guard and Reserves or to further enhance their ability to perform various national security missions?

Mr. HAGEL. At the present time I believe that appropriate authorities are in place to access the National Guard and Reserves across their full spectrum of mission assignments.

290. Senator AYOTTE. Mr. Hagel, when will dwell time objectives be met for the Reserve components?

Mr. HAGEL. I understand the vast majority of dwell time goals for the Reserve components are currently being met. As we continue the draw-down in Afghanistan these numbers should continue to improve and it is expected that dwell time objectives will be fully met during the last stages of operations there.

291. Senator AYOTTE. Mr. Hagel, what effect would an inability to meet dwell time objectives have on your decision to implement the planned end strength reductions?

Mr. HAGEL. The ability to meet dwell time objectives will be one of the many factors taken into account when determining proper end strength requirements to meet our emerging strategy. Meeting dwell time objectives is an important factor in keep-

ing faith with our All-Volunteer Force and their families but cannot be the sole factor when considering planned end strength requirements.

292. Senator AYOTTE. Mr. Hagel, what is your understanding and assessment of the current size and structure of the Army's Reserve component?

Mr. HAGEL. The Army Reserve component is currently organized with 350,200 soldiers in the Army National Guard and 205,000 soldiers in the Army Reserve. Any changes to the size or force structure capabilities for the Army Reserve components will be analyzed within the Total Force requirements of the Army and will reflect the projected changes in budget and defense strategy.

293. Senator AYOTTE. Mr. Hagel, if confirmed, what size or force structure changes, if any, would you propose for either the Army Reserve or the Army National Guard?

Mr. HAGEL. See answer to Question #292.

INVOLUNTARY SEPARATION

294. Senator AYOTTE. Mr. Hagel, are you aware of section 525 in the NDAA for Fiscal Year 2013 conference report regarding reports on involuntary separation of members of the Armed Forces?

Mr. HAGEL. Yes.

295. Senator AYOTTE. Mr. Hagel, if confirmed, will you comply with this law?

Mr. HAGEL. If confirmed, I will make certain the Department complies with the provisions of NDAA for Fiscal Year 2013.

SIZE OF THE NAVY

296. Senator AYOTTE. Mr. Hagel, are you aware of section 1015 of the NDAA for Fiscal Year 2013 conference report related to the size of the Navy?

Mr. HAGEL. Yes, I am aware of the reporting requirement in the NDAA for Fiscal Year 2013 related to the size of the Navy. My understanding is that the Navy has complied with the law and submitted the report to Congress on 1 February 2013. The report was submitted as an unclassified document, and additional information about the Force Structure Assessment was also submitted in a classified document.

297. Senator AYOTTE. Mr. Hagel, if confirmed, will you comply with this law?

Mr. HAGEL. See answer to Question #296.

GLOBAL ZERO REPORT

298. Senator AYOTTE. Mr. Hagel, what specific portions of the May 2012 Global Zero report that you authored do you believe should not be implemented?

Mr. HAGEL. In the Global Zero report we took a longer term view of what might be possible under different circumstances, and the report's illustrative reductions to nuclear forces were just that—intended to provide a stimulus to national debate about how many nuclear weapons are enough and to illustrate a possible pathway forward. If confirmed, I will focus on implementing the recommendations of the 2010 NPR, while also considering what additional steps may be appropriate, and will consult with Congress on the way forward.

QUESTIONS SUBMITTED BY SENATOR LINDSEY GRAHAM

ISRAEL

299. Senator GRAHAM. Mr. Hagel, you were one of four Senators not to sign a bipartisan letter (dated October 12, 2000, circulated by Senate Majority Leader Trent Lott and Senator Tom Daschle) to President Clinton expressing the Senate's solidarity with the State of Israel, at a time when both Palestine Liberation Organization (PLO) Chairman Arafat and the Palestinian Authority failed to restrain or comment on violence by Palestinians in violation of the peace process. If you had a chance to reconsider your decision, would you now choose to sign the letter?

Mr. HAGEL. With respect to this specific October 2000 letter, I wholeheartedly agreed with the objectives at the time—expressing solidarity with Israel at a time of crisis—as I do today. Yet, as the AIPAC Press release of October 13, 2000 states,

I was unable to be reached by the deadline in order to sign the letter. The October 13, 2000 press release explicitly states that while two Senators refused to sign the letter (Senators Abraham (MI) and Byrd (WV)), "Senators Hagel and Gregg (NH) could not be reached" by the deadline.

Although the circumstances and leaders have changed significantly since the letter you referenced was sent in 2000, I continue to support the substance of the letter—expressing solidarity with Israel at a time of crisis—and I will continue to express this solidarity and support as I work with my Israeli counterparts if confirmed as Secretary of Defense. The President has said we have Israel's back, and I agree.

As my record in the Senate, my public speeches, and writings in my book demonstrate, I have always been a strong supporter of the U.S.-Israel relationship and of Israel's right to defend itself. Additionally, I was a cosponsor of and voted in favor of a number of pieces of legislation condemning terrorism against Israel, including the Palestinian Anti-Terrorism Act of 2006. The Palestinian Anti-Terrorism Act of 2006 not only condemned Palestinian terrorism, but also placed restrictions on U.S. assistance to the Palestinian Authority (PA) unless the PA, and all components within it, accepted the quartet principles of renouncing violence, abiding by previous agreements, and recognizing Israel's right to exist.

NATIONAL GUARD

300. Senator GRAHAM. Mr. Hagel, the Reserve Forces Policy Board recently issued a report on the fully burdened and lifecycle cost of military personnel and found that a Reserve component member (National Guard or Reserve) when not activated is one-third the cost of an Active component servicemember. In an era of declining budgets, how do you envision leveraging the cost-effectiveness of the National Guard and Reserve Forces to meet our Nation's security needs?

Mr. HAGEL. The highly cost effective National Guard and Reserve have served the Nation well both in peacetime and war. During the last 12 years their service has been particularly admirable both overseas and in reacting to many emergencies here at home. Although I have not analyzed the Reserve Forces Policy Board report you cite, I do believe the Guard and Reserve are less costly in a part time status, and clearly provide highly trained ready assets with a high degree of long-term cost efficiency to significantly help sustain the All-Volunteer Force. If confirmed, it would be my intention to maintain a strong Guard and Reserve, and to take advantage of their skills and efficiencies as we structure an affordable military force in an era of challenging budgets.

QUESTIONS SUBMITTED BY SENATOR DAVID VITTER

TAIWAN RELATIONS

301. Senator VITTER. Mr. Hagel, the 1979 Taiwan Relations Act and the Six Assurances of 1982 have contributed to the peace and stability of the Asia-Pacific region for the past 3 decades. With the military balance—including air superiority—gradually shifting in China's favor, what are your plans to implement the security commitment the United States has for Taiwan under this framework?

Mr. HAGEL. I agree that the Taiwan Relations Act has contributed to peace and stability in the region for over 30 years. In my view, the increasing complexity and sophistication of the military threat to Taiwan from China means that Taiwan must devote greater attention to asymmetric concepts and innovative technologies to maximize Taiwan's strengths and advantages. If confirmed, I would work closely with Congress, throughout DOD, and with our interagency partners to ensure the continued effective implementation of all of the relevant provisions of the Taiwan Relations Act.

302. Senator VITTER. Mr. Hagel, as Taiwan is likely to retire some of its older fighter aircraft in the next 5 to 10 years, do you believe that sales of advanced aircraft are an important next step in this commitment?

Mr. HAGEL. If confirmed, I will look at what specific capabilities will help Taiwan meet its self-defense needs in light of the security situation in the Taiwan Strait and the evolving military capabilities on the mainland.

303. Senator VITTER. Mr. Hagel, Secretary Leon Panetta previously extended an invitation to China to be part of RIMPAC last year. Do you believe that as one of the U.S. strategic partners in the region it is important to include Taiwan into the RIMPAC exercises? If so, what is your plan to implement this?

Mr. HAGEL. The United States is firm in its commitment to Taiwan's self-defense needs under the Taiwan Relations Act. That relationship includes defense exchanges and other interactions consistent with our unofficial relationship and as provided for in the Taiwan Relations Act. If confirmed, I will work to identify appropriate exchanges and interactions to assist Taiwan's defense capabilities, and contribute to peace and stability in the Taiwan Strait.

MILITARY STRATEGY

304. Senator VITTER. Mr. Hagel, our military leaders have stated that the United States and its military is at a strategic crossroads marked by significant challenges. We have done a remarkable job over the last 12 years at catching up to an enemy that we were largely unprepared for: political Islam and those radical Islamists who seek to impose their ideology in order to rule others—to govern political, social, and civic life, as well as religious life. However, we are currently facing a damaging sequester, additional proposed Navy, Army, and Air Force cuts, while engaging in a shift of U.S. strategy towards Asia that seeks to downplay the difficulty associated with the Middle East and Africa. The report calls for a scaling back of stability operations while suggesting that operations carried out using special operations units and drone strikes be increased or sustained. How do you see the military maintaining its joint readiness training aspects as it draws down from two wars when our strategy appears to be heading down a dangerous road?

Mr. HAGEL. Maintaining ready forces is a priority. If confirmed, I will work with the Joint Chiefs to better understand the basis of their assessment and how we can most effectively address the readiness challenges our military faces.

My sense is that the concerns the Joint Chiefs have expressed about readiness come from a variety of factors, including the challenges of recovering from 10 years of operational stress, of transitioning to a broader range of operations, and of doing all of this in the face of fiscal austerity and budget uncertainty. If confirmed, I will carefully monitor how all of these factors are posing risks to readiness and will work closely with the military and civilian leadership of the Department to mitigate those risks to the greatest extent possible.

305. Senator VITTER. Mr. Hagel, what impact do you think current force posturing will have on our ability to deploy to address potential threats that are posed by North Korea, Iran, and around the globe?

Mr. HAGEL. As described in the 2012 Defense Strategic Guidance, the Department is rebalancing toward the Asia-Pacific while maintaining focus on the Middle-East. I think that the significant U.S. military presence and activities in Asia are a clear demonstration of the enduring U.S. commitment to the region and to addressing current and emerging challenges in the Asia-Pacific. Moreover, if confirmed as Secretary, I would take every step to maintain the ability of America to conduct successful combat operations in more than one region at a time, ensuring that we have the ability to meet threats around the world, as in the Middle East and North Africa, when they arise. Our global posture, engagement with allies and partners, and investment in flexible defense architectures for high-demand capabilities, such as ballistic missile defense, are of great importance.

North Korea's December Taepo Dong II missile launch and recent threats to conduct a third nuclear test underscore the growing North Korean threat to international peace and security. U.S. diplomatic efforts following the December missile launch, particularly with China, resulted in U.N. Security Council Resolution 2087, which affirms the international community's opposition to North Korea's provocations. The tightened sanctions in the resolution will help impede the growth of North Korea's weapons of mass destruction program. If confirmed, I will continue to ensure our military provides the deterrence and defense necessary to protect our allies and our interests. This posture is also the best way to create conditions where diplomacy has the best possible prospects to succeed.

With respect to Iran, I believe that it is critical that the U.S. military maintain a robust presence in the region to counter Iran, reassure our partners, and build partner capacity. Our carrier presence is a key element of this presence. If confirmed, I will work with the combatant commanders to revalidate our posture and ensure it best addresses the threats, challenges, and opportunities in the region to preserve all options for the President while balancing other national security needs.

306. Senator VITTER. Mr. Hagel, you stated in responses to advance policy questions in regard to the Joint Chief's concerns about a hollow force that: "the concerns the Joint Chiefs have expressed about readiness come from a variety of factors, in-

cluding the challenges of recovering from 10 years of operational stress of transitioning to a broader range of operations, and of doing all of this in the face of fiscal austerity and budget uncertainty."

Successfully meeting our national security strategic objectives with a smaller, overall force will require us to improve our focus on training our servicemembers from the separate branches effectively. Last year General Ray Odierno, USA, Chief of Staff of the Army spoke to this committee about the importance of a joint force that is flexible and adaptive to the challenges of the new environment. Could you please provide assurances that vital training will not be walked away from, training such as Joint Readiness Training Centers where the Air Force and Army conduct training operations that hugely effect fundamental joint operations?

Mr. HAGEL. Maintaining ready forces is of highest priority, especially in a world of ever changing challenges and threats. If confirmed, I will work with the Joint Chiefs to better understand the basis of their assessment and how we can most effectively address the readiness challenges our military faces. The highest yield training exercises will be revisited frequently to ensure that our forces remain flexible and adaptive to meet our new challenges.

307. Senator VITTER. Mr. Hagel, how do you plan to monitor risk and the potential mismatch between constrained resources and demands of operational plans?

Mr. HAGEL. I am deeply impressed by the caliber and capabilities of our military forces. It is vitally important that they be ready to respond to the Nation's needs, and I am concerned that further budget cuts will negatively affect readiness. If confirmed, I will get regular updates by the Joint Chiefs on where we must devote the Department's attention and resources to ensure the readiness of the force.

NUCLEAR DETERRENT

308. Senator VITTER. Mr. Hagel, in the Global Zero report, within the context of rebalancing nuclear deterrence you state, "new opportunities will emerge for cooperation with allies and other countries with common security interests." In your 2008 book you stated that, "the world needs to establish a new global consensus on nuclear disarmament and nonproliferation . . . as the world's largest nuclear power the United States has a responsibility to lead in that effort . . . " and that "we must once again convince the world that America has the clear intention of fulfilling the nuclear disarmament commitments that we have made."

There are nine nuclear powers who are out there and a number of others who are pursuing nuclear capabilities. Do you believe the elimination of the U.S. nuclear triad or Global Strike Command as an independent command will increase the security of the United States and lead to a more peaceful world?

Mr. HAGEL. I believe in the President's long-term vision of a world without nuclear weapons. It is a vision shared by nearly every President since Eisenhower, including Ronald Reagan. I also support the President's commitment that the United States will not disarm unilaterally. If confirmed, I look forward to leading DOD in supporting the President's objectives to reduce the number of nuclear weapons and their roles in national security policy and to create the conditions that will allow others to join with us in this process. Our efforts to modernize the nuclear deterrent and build a responsive infrastructure go hand-in-hand with efforts to reduce the world's nuclear dangers. The United States must have a safe, secure, and effective nuclear deterrent so long as nuclear weapons remain. If confirmed, I will work to ensure the needed leadership focus on this issue and that institutional excellence for nuclear deterrence remains a part of the President's comprehensive approach to nuclear security.

309. Senator VITTER. Mr. Hagel, the Global Zero report would seriously limit B–52s and U.S. nuclear deterrent. Please share your thoughts on how you balance your previous position with your statements that you support our nuclear deterrents.

Mr. HAGEL. In the Global Zero report we took a longer term view of what might be possible under different circumstances. The report's illustrative reductions to nuclear forces were just that—intended to provide a stimulus to national debate about how many nuclear weapons are enough and to illustrate a possible pathway forward. If confirmed, I will focus on implementing the recommendations of the 2010 NPR, while also considering what additional steps may be appropriate, and will consult with Congress on the way forward.

QUESTIONS SUBMITTED BY SENATOR ROY BLUNT

JOINT PROFESSIONAL MILITARY EDUCATION

310. Senator BLUNT. Mr. Hagel, do you believe Joint Professional Military Education (JPME) helps ensure that the individual Services and other agencies that play a role in national security cooperate effectively?

Mr. HAGEL. I believe JPME, as established under the Goldwater-Nichols Act, has been central to strengthening and integrating the Joint Force. It is my understanding that the JPME system is fundamentally designed to foster cooperation and jointness among the members of the different Services. I also understand that members of the interagency, as well as international partners, attend JPME. As the last decade of war has shown, jointness among our servicemembers and their civilian partners is critical to success.

311. Senator BLUNT. Mr. Hagel, if so, what would you do as Secretary of Defense to continue to expand and improve our JPME culture and programs?

Mr. HAGEL. I am not yet familiar with the scope of current JPME programs. If confirmed, I will work with civilian and military leadership to assess the effectiveness of these programs and propose any changes that are deemed necessary.

DEFENSE BUDGET AND NATIONAL MILITARY STRATEGY

312. Senator BLUNT. Mr. Hagel, given the potential severe cuts that could be imposed upon the defense budget due to sequestration, how will you put a process in place to ensure a strategy-driven QDR process that produces recommendations "fully independent of the budget"?

Mr. HAGEL. If confirmed, I will work with the Department's leadership team to ensure that the QDR starts with an assessment of the opportunities and challenges that the Nation faces in the emerging global security environment, and then identifies priorities based on our national security interests for defense policy and force planning. The assessment of threats, risks, and opportunities, along with the identification of national security interests, would be undertaken fully independent of the budget. Prioritization of objectives and identification of approaches would follow and be resources informed in order to ensure they are realistic and appropriate.

CYBER SECURITY

313. Senator BLUNT. Mr. Hagel, what should be the DOD's role in protecting the United States against foreign cyber-attacks to the Homeland?

Mr. HAGEL. DOD has the mission to defend the Nation in cyberspace and to support a whole-of-government effort to address cyber threats. I support this approach. This mission includes a close partnership with DHS in its role of leading efforts for the cybersecurity of U.S. critical infrastructure, and non-DOD unclassified government networks.

314. Senator BLUNT. Mr. Hagel, what should be the DOD's role in protecting the United States against Iranian attacks on the financial sector?

Mr. HAGEL. While I cannot speak to the details of any specific attacks, I believe that DOD should contribute its capabilities to support a whole-of-government effort to address cyber (and other) threats to U.S. national and economic security. The President has made clear that the United States will respond to hostile acts in cyberspace as we would any other threat to our country, and that the United States reserves the right to use all necessary means, including military means as a last resort, to defend our Nation and our interests. I support this approach.

315. Senator BLUNT. Mr. Hagel, are we adequately deterring our adversaries in cyberspace?

Mr. HAGEL. I believe that a number of important steps have been taken to deter malicious activity in cyberspace, but that the United States must do more to protect public and private networks from cyber threats. DOD should continue to develop its cyber capabilities and expertise, and it should work closely with its public, private, and international partners to deter and discourage malicious behavior. I also believe that legislation providing for increased information sharing on cyber threats and the development of critical infrastructure cybersecurity standards, in partnership with the private sector, would help reduce vulnerabilities and protect our national and economic security.

316. Senator BLUNT. Mr. Hagel, are you worried that America's use of cyberwarfare capabilities—such as the famous STUXNET attack on Iran—is setting a dangerous precedent for others?

Mr. HAGEL. I am not able to comment on STUXNET or who was responsible for it, but I do think that the increased frequency of disruptive cyber activities is a clear national security concern. Recent such examples of destructive attacks, such as the Shamoon virus that virtually destroyed 30,000 computers at Saudi Arabian State Oil Company Aramco, are a significant escalation in the cyber threat.

317. Senator BLUNT. Mr. Hagel, given our growing dependence on computer networks, should we pursue some sort of a global regime to limit this danger?

Mr. HAGEL. I agree with the President that longstanding norms guiding state behavior, including the law of armed conflict, also apply in cyberspace. I also believe we should continue to press for the development of international cyberspace norms that build upon common principles for responsible state behavior.

TAIWAN

318. Senator BLUNT. Mr. Hagel, in accordance with the Taiwan Relations Act, the 113th Congress will likely advance commercial relations with and foster future defense sales to Taiwan. However, as China's naval, air, and missile capabilities increase, defending Taiwan will become increasingly difficult. Please describe your security commitments to Taiwan as they relate to the sale of advanced aircraft to the Taiwan Government.

Mr. HAGEL. I believe that the Taiwan Relations Act has contributed to peace and stability in the region for over 30 years. In my view, the increasing complexity and sophistication of the military threat to Taiwan from China means that Taiwan must devote greater attention to asymmetric concepts and innovative technologies to maximize Taiwan's strengths and advantages. If confirmed, I would work closely with Congress, throughout DOD, and with our interagency partners to ensure the continued effective implementation of all of the relevant provisions of the Taiwan Relations Act. If confirmed, I will look at what specific capabilities self-defense capabilities Taiwan needs in light of the security situation in the Taiwan Strait and the evolving military capabilities on the mainland.

U.S. POLICY IN THE CAUCASUS

319. Senator BLUNT. Mr. Hagel, how do you assess U.S.-Azerbaijan relations and what will be your policy to expand this strategic partnership?

Mr. HAGEL. I recognize the many shared interests and current cooperation between the United States and Azerbaijan across the foreign policy, economics, energy, and cultural spheres. In particular, the U.S.-Azerbaijan defense relationship is strong, with room to grow. I understand that DOD engages in regular consultations at high levels with Azerbaijani counterparts to identify areas where we can strengthen our cooperation and partnership.

If confirmed, I would continue this senior level engagement with Azerbaijan and continue the Department's commitment to supporting Azerbaijan's defense reforms, ability to interoperate with NATO and deploy to coalition operations, and capacity to address terrorism and other transnational threats and secure its maritime borders and energy infrastructure. I would look for the United States to be Azerbaijan's partner of choice and help Azerbaijan's defense establishment contribute to regional security and stability, such as with Azerbaijan's significant support to international efforts in Afghanistan.

320. Senator BLUNT. Mr. Hagel, how should the United States respond to the continued presence of Russian military forces inside internationally-recognized Georgian territory?

Mr. HAGEL. I believe that the United States should continue to support Georgia's territorial integrity within its internationally recognized borders, and remain steadfast in non-recognition of the occupied territories of Abkhazia and South Ossetia. We should continue to object to Russia's occupation and militarization of Georgian territory. If confirmed, I would speak out in support of Georgia's territorial integrity and to call on Russia to fulfill its obligations under the 2008 ceasefire agreement, including withdrawal of its forces to pre-conflict positions and free access for humanitarian assistance. I would continue to support the U.S. role as an active participant in the Geneva discussions, working with the co-chairs and others in pursuit of a resolution to the conflict.

We should continue to fully support Georgia's sovereignty and territorial integrity as we seek to work on practical steps with Russia to promote stability and security on the ground and ultimately, a peaceful resolution of the conflict.

321. Senator BLUNT. Mr. Hagel, how do you assess the current U.S. military relationship with countries in the Caucasus region, specifically Georgia, Armenia, and Azerbaijan?

Mr. HAGEL. I believe DOD has fostered strong relations with Georgia, Armenia, and Azerbaijan to strengthen each nation's political independence and contributions to broader regional security and stability. I understand that there are regular senior level consultations with each of these partners, in support of defense reforms, interoperability with NATO and support to coalition operations, and building capacity to address the range of transnational threats in the region. I believe that these defense partnerships have produced notable successes, including the significant contributions made by each country to NATO operations. In Afghanistan, Georgia has deployed two battalions of soldiers. Armenia and Azerbaijan have each supplied a company to the NATO International Security Assistance Force (ISAF). Georgia and Azerbaijan provide key transit access into the Afghanistan theater. In Kosovo, Armenia has deployed a platoon of soldiers under U.S. command to the NATO Kosovo Force (KFOR).

Our defense partnerships should take into account the many political and security challenges the region faces, among them the Nagorno-Karabakh conflict and the occupied territories in Georgia. We should design our engagement deliberately so that it carefully contributes to regional stability rather than enflaming existing tensions.

322. Senator BLUNT. Mr. Hagel, should the United States deepen its military ties with these nations?

Mr. HAGEL. The United States has a shared interest with Georgia, Armenia, and Azerbaijan to partner on the development of each nation as a contributor of security and stability to the broader region. If confirmed, I would continue to engage these nations and seek areas to deepen these partnerships in ways appropriate to our shared interests, political will, available resources, and capacity to absorb new capabilities and missions.

323. Senator BLUNT. Mr. Hagel, how will these ties impact U.S. relations with Russia?

Mr. HAGEL. It is prudent to give consideration to how improved ties with one country might affect the broader region. If confirmed, I would support DOD efforts to seek and provide transparency in our defense cooperative relations in the region. I would look for Department engagement to be guided by principles that strive to enhance regional security, the strengthening of responsible defense reforms, and adherence to the rule of law. These principles must also strengthen sovereignty and independence-the United States should continue to emphasize its desire to cooperate and assist, not to dominate or impose. If confirmed, I would support engagement with key states throughout the region, including Russia, and strive to ensure all recognize that U.S. cooperation with one is not at the expense of the cooperation with or security of another.

324. Senator BLUNT. Mr. Hagel, do you believe that NATO should expand?

Mr. HAGEL. I support the administration position that NATO's door remains open.

325. Senator BLUNT. Mr. Hagel, please describe how U.S. defense policies can ensure the sovereignty and political independence of our regional partners such as Azerbaijan and Armenia.

Mr. HAGEL. The objective of our relations with Azerbaijan and Armenia should be to strengthen each nation's political independence and contributions to broader regional security and stability. We should continue to seek regional stability through our bilateral and multilateral engagement. DOD has an important role to play in those regards, supporting overall U.S. engagement objectives.

U.S. AFRICA COMMAND

326. Senator BLUNT. Mr. Hagel, undoubtedly, radical fundamentalism and terrorism continues to spread in Northern Africa. What is U.S. Africa Command's (AFRICOM) role in responding to and preventing the spread of terrorism in Mali, Nigeria, Somalia, Libya, and now Egypt?

Mr. HAGEL. Countering terrorism in Africa, just as elsewhere in the world, is a multi-faceted problem requiring a whole-of-government solution. DOD contributes to the counterterrorism mission in Africa primarily by strengthening the defense capabilities of African states and regional organizations, and by working to support African-led operations, such as the African Union Mission in Somalia. AFRICOM is responsible for implementing DOD's counterterrorism and partner capacity-building missions throughout the African continent through military-military exchanges, exercises, and security cooperation on the African continent. When directed, AFRICOM is also prepared to conduct military operations in order to deter and defeat terrorism and other transnational threats, and to provide a security environment conducive to good governance and development.

MOVEMENT OF TROOPS TO AUSTRALIA

327. Senator BLUNT. Mr. Hagel, please describe the nature, purpose, and strategic importance of our "permanent and constant" commitment to a U.S. military presence in Australia as it relates to countering China's influence and reasserting U.S. interests in the region.

Mr. HAGEL. In 2010, the Prime Minister of Australia and President Obama agreed to establish a rotational U.S. Marine Corps presence in northern Australia. The first rotation of approximately 200 U.S. marines took place from April through September 2012. In addition, closer cooperation between the Royal Australian Air Force and the U.S. Air Force has resulted in increased rotations of U.S. aircraft through northern Australia. These two initiatives further enhance the capabilities of both countries by increasing opportunities for combined training and enabling more effective pursuit of common interests in the Asia-Pacific region. Building on the interoperability developed through joint operations over the past decade in Iraq and Afghanistan, these initiatives will help us deepen that interoperability long after the wars are over. The United States will not build any U.S. bases in Australia. U.S. forces will rotate in and out of Darwin and will be co-located with Australian forces on existing Australian military bases.

Our military cooperation with Australia helps the United States rebalance toward the Asia-Pacific region and specifically supports efforts to become more geographically distributed and operationally resilient in the Pacific. U.S.-Australian force posture initiatives are not aimed at any one country. I believe that the U.S. rotational presence in northern Australia and our strong alliance with Australia will lead to further cooperation with a variety of nations. The United States sees many shared regional challenges in the Asia-Pacific, including responding to natural disasters, countering extremism, ensuring freedom of navigation, and enhancing regional stability.

SATELLITE AND RADIO SYSTEMS

328. Senator BLUNT. Mr. Hagel, DOD's satellite and radio systems are essential to our national security. However, some of the spectrum that DOD currently controls is well-suited for use for commercial mobile broadband services. In fact, the 1755–1780 MHz band, which DOD holds the license for, is particularly well suited for mobile broadband because it is already being used for this purpose internationally. Additionally, the administration has a stated priority, as part of the National Broadband Plan, of making more spectrum available for auction to commercial providers for consumer use. Ostensibly, this plan would include both the reallocation of some broadcast spectrum and of some spectrum licenses held by government users. Can you provide the cost estimate for relocating DOD operations off of the 1755–1780 MHz band?

Mr. HAGEL. I understand that DOD and the other Federal agencies are working through National Telecommunication and Information Agency's (NTIA) established processes to support the President's goal to make 500 MHz available for commercial mobile broadband use. As part of that process, the Department has conducted a detailed study of the cost and operational feasibility of reallocation of the entire 1,755–1,850 MHz band, which is used by the Department to meet mission requirements. The NTIA has reported that it would cost nearly $13 billion for DOD to vacate the entire 95 MHz, and $18 billion to cover non-Department systems as well, and that alternate spectrum and adequate time to transition to that alternate spectrum would need to be provided. If I am confirmed, I will direct the Department to consult with NTIA about whether it would be useful for the NTIA to initiate a detailed study of vacating just the lower 25 MHz.

BASE REALIGNMENT AND CLOSURE COMMISSION

329. Senator BLUNT. Mr. Hagel, what is your position on the establishment of a new BRAC Commission to oversee additional domestic base closures?

Mr. HAGEL. I understand Congress did not accept that the administration's proposal for two rounds of BRAC. However, I think it is necessary for the Department to examine its infrastructure and eliminate excess. While the BRAC process is not perfect, it is the best process identified to date, and I believe a fair and comprehensive way to right-size the Department's domestic footprint. If confirmed, I would have to look at the need for BRAC in the future and would work with Congress on any such proposal.

TACTICAL AVIATION COMPETITION

330. Senator BLUNT. Mr. Hagel, DOD faces an upcoming challenge to maintain a competitive and innovative defense industrial base to meet the Nation's tactical aviation needs. The fiscal year 2013 President's budget demonstrates a near-term shift to a single manufacturer for tactical aircraft. This outcome will have significant consequences: with a single-source option for tactical aircraft programs, DOD will lose vital competition that can help drive down costs, leading to potentially more expensive, less capable systems; investment in innovative technology and engineering for tomorrow's capabilities will suffer without a balanced, diverse tactical aviation base; and a limited manufacturing capability will struggle to be flexible to cope with changing demand and there will be no way to manage risk for future developing programs. Today, the F/A–18 program provides DOD with a highly capable, affordable, and available manufacturing line that promotes competition and drives innovation into tactical aviation. It is the only current American tactical aircraft that can fill operational gaps or address the Navy's tactical aviation shortfall. All F/A–18 aircraft—the F/A–18E/F Block II Super Hornet and EA–18G Growler—continue to be delivered on-cost and ahead of schedule. Can you please discuss the importance of maintaining competition in tactical aviation production?

Mr. HAGEL. I recognize that competition in all acquisition programs, including tactical aviation production, is key to affordability, to innovation, and to a strong industrial base. I intend to fully support the continuation of appropriate competition.

331. Senator BLUNT. Mr. Hagel, if confirmed as Secretary of Defense, what can DOD do to ensure that the F/A–18 line isn't ended in the near-term, both for the purposes of filling potential operational gaps and managing risk of future tactical aviation programs?

Mr. HAGEL. If confirmed, I will assess the balance of strike fighter capability, and the state of the F/A–18 production line. I will also ensure the Department supports international sales of the F/A–18.

INTERNATIONAL SALES

332. Senator BLUNT. Mr. Hagel, in your testimony before the Senate Armed Services Committee, you discussed the need to protect the core defense industrial base, even during a time that budget challenges will lead to some necessary cuts in spending. One particular way to support the Nation's defense infrastructure is to support international sales of American defense manufacturing. International sales help keep manufacturing facilities alive while ensuring that the engineering expertise and workforce are retained for additional domestic production. Your predecessor, Secretary Panetta, took this responsibility very seriously, advocating for American defense platforms vigorously as they competed against other international options in campaigns abroad. The Military Services can also be strong advocates, although not all demonstrate the same level of commitment to international campaigns. If you are confirmed as Secretary of Defense, can you describe your role—both personally and as a broader policy within DOD—to support international sales of eligible American defense programs? Please discuss on how DOD and the individual Services might better promote American products abroad.

Mr. HAGEL. I believe that international sales help to sustain the defense industrial base, and strengthen our relationship with allies and partners.

If confirmed, I would work closely with the Secretary of State and Congress to shape international sales planning and to support the timely transfer of capability. I would also meet with defense industry leaders to identify areas where foreign sales opportunities exist that would help sustain needed industrial capabilities.

Furthermore, if confirmed, I would continue to build on the foundation established by both Secretaries Gates and Panetta to streamline the Department's foreign military sales process.

QUESTIONS SUBMITTED BY SENATOR MIKE LEE

NUCLEAR WEAPONS

333. Senator LEE. Mr. Hagel, nuclear deterrence has been a successful element of our national defense posture for decades. What is your position on and rationale for the number of nuclear warheads and their disposition among the three forms of delivery in order to maintain a credible and successful nuclear deterrent posture for our Nation?

Mr. HAGEL. America's nuclear deterrent for more than 60 years has played a central role in ensuring global security. If confirmed, I will be committed to maintaining a safe, secure, and effective nuclear arsenal. I believe that a triad of ICBMs, SLBMs, and nuclear-capable heavy bombers continues to support U.S. national security interests under New START limits.

334. Senator LEE. Mr. Hagel, what do you see as the future of Minuteman III?

Mr. HAGEL. With regard to Minuteman III, I am aware that the NDAA for 2007 requires sustaining the Minuteman III weapon system through 2030. If confirmed, I will ensure that the Department continues to assess the whole Minuteman system and its components to be sure that this system is sustained through at least 2030.

F–35

335. Senator LEE. Mr. Hagel, the Air Force has retired nearly 1,900 aircraft over the past decade, the majority of which have not been replaced. Fighter inventories have been reduced by almost 25 percent and F–22 production was truncated to well below original Air Force requirements. While newer aircraft tend to be more capable than those they replace, even a more capable aircraft can only be in one place at one time. The F–35 is now the sole remaining fighter modernization program in DOD. What is your position on the need for this aircraft and how will you ensure we continue to modernize an aging fighter force?

Mr. HAGEL. My view is we cannot let any other nation achieve parity with the United States in the ability to control the air. My understanding is that other nations are developing modern fighters that will challenge our existing fighters and that the F–35 is needed to maintain our advantage. If confirmed I will review the health of the F–35 program to ensure the aircraft are delivered with the capability we need and at a cost we can afford. I will also examine our options for continued modernization in this critical area.

DEFENSE INDUSTRIAL BASE

336. Senator LEE. Mr. Hagel, DOD relies on our Nation's defense industrial base to provide and support the equipment needed by our military to fulfill its role in our national defense. What steps would you take to ensure that we have a robust defense industrial base, both public and private, that can reliably and affordably provide and support our military equipment in a timely manner in the future?

Mr. HAGEL. If confirmed, I will place a high priority on ensuring the continued viability of the industrial base. I will assess the programs the Department has already authorized and that are underway to ensure they meet that goal.

Working closely with the Military Services and industry, I will ensure early identification of those skills and manufacturing capabilities that are both critical and increasingly fragile, and take appropriate actions necessary to preserve those few capabilities.

U.S. ROLE IN THE UNITED NATIONS

337. Senator LEE. Mr. Hagel, what role should the United States play within the U.N. peacekeeping missions?

Mr. HAGEL. The United States has historically played an important role in guiding and supporting U.N. peacekeeping missions, and I believe that this approach continues to make good sense. As a permanent member of the U.N. Security Council, we should continue to exert leadership across the full spectrum of peacekeeping

activities—from mission inception and establishment, through various phases of operations until mission closure. In such diverse venues as Haiti, Liberia, Sudan and South Sudan, U.N. peacekeeping is making vital contributions to peace and stability in the face of enormous challenges. It will not always make sense for the United States to provide "boots on the ground" to U.N. peacekeeping missions, but I do believe there are likely to be cases where U.S. direct involvement will be in U.S. national interests.

338. Senator LEE. Mr. Hagel, do you still feel that the United States should deploy ground troops as U.N. peacekeepers in a non-militarized Palestinian state? If not, what has changed?

Mr. HAGEL. I support a two-state solution, with two states living side-by-side in peace and security: the Jewish State of Israel and an independent Palestinian State; each state enjoying self-determination, mutual recognition, and peace. The arrangements necessary to achieve a lasting and effective peace can only by determined by the parties through negotiations. In addressing the specific security arrangements, these details will also need to be determined by the parties, along with the other final status issues. Israel must be able to defend itself—by itself—against any threat. The security provisions in a final peace deal must be robust enough to prevent a resurgence of terrorism; to stop the infiltration of weapons; and to provide effective border security. The United States, and the international community, should be prepared to support these security requirements as requested by the parties.

MILITARY INVOLVEMENT IN ASIA

339. Senator LEE. Mr. Hagel, in your opinion what effect will the recent shift to the Pacific bring to Asian countries? What will the shift mean for: Russia, China, North Korea, Japan, and the Republic of China?

Mr. HAGEL. The President has said that the rebalance to the Asia-Pacific is a whole-of-government effort to renew and deepen U.S. engagement throughout the Asia-Pacific. This policy is not a new shift, but an increased assertion of this region's relative economic, political, and security importance—one with which I agree. A key tenet of the rebalance should continue to be modernizing our alliances and deepening partnerships, especially through increased regional engagement and capacity building, bilaterally and multilaterally.

Japan is the linchpin of our presence in Asia. Japan is an increasingly critical partner in missile defense, humanitarian assistance and disaster relief, maritime security, and other important areas. I would continue the work of my predecessors to broaden and deepen this critical alliance to ensure that it is capable of responding to the security challenges of the 21st century.

The United States has a similarly robust relationship with the Republic of Korea (ROK). My understanding is that we have a comprehensive agenda aimed at facilitating the smooth transfer of wartime operational control in 2015, and ensuring the ROK Government has the capabilities necessary to defend the peninsula. I would continue these important efforts, and would also continue to stress the importance of trilateral ties between Japan, the ROK, and the United States.

The Taiwan Relations Act provides that the United States "will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability." That policy has contributed to peace and stability in the region for over 30 years and is consistent with longstanding U.S. policy, which calls for a peaceful resolution of the Taiwan issue in a manner acceptable to the people on both sides of the Taiwan Strait. If confirmed, I would work closely with Congress, the Commander of U.S. Pacific Command, and the Department's interagency partners to ensure the continued effective implementation of all of the relevant provisions of the Taiwan Relations Act.

Our relationship with China will be critical in the rebalance. We will continue to build our partnership with China based on practical steps to address shared challenges and interests in the region while also monitoring the rapid modernization of China's military and assertion of territorial claims in the region.

Through the rebalance we will work with our partners to deter destabilizing and provocative behavior by North Korea, including its proliferation activities, ballistic missile program, and nuclear program which continue to present a serious threat to the United States, our regional allies, and the international community. We will also ensure that we can deter and, if necessary, defeat North Korean aggression.

The United States will work to build trust and understanding with Russia in areas of mutual interest in Asia and encourage it to be a contributor across a broad range of issues in the region.

QUESTIONS SUBMITTED BY SENATOR TED CRUZ

IRAN SANCTIONS

340. Senator CRUZ. Mr. Hagel, you claim to have voted against the renewal of the Iran-Libya Sanctions Act (ILSA) in 2001 because "I thought there might be other ways to harness our vast power and that of our allies." Please specify what other ways would have been more effective than the sanctions imposed by ILSA.

Mr. HAGEL. I believe that multilateral sanctions against Iran, backed by a unified world community, are the most effective sanctions. For example, the multilateral sanctions implemented in U.N. Security Council (UNSC) Resolution 1929—which resulted from President Obama's work in 2010 to cement the Permanent 5 UNSC members in unanimously supporting multilateral efforts—are the most crippling sanctions against Iran in history. Continuing to maintain the international community's unified stance to prevent Iran from acquiring a nuclear weapon—to include further sanctions if necessary—is more effective than implementing unilateral sanctions. However, times and circumstances have changed significantly since 2001 and I agree that Iran's continued pursuit of a nuclear weapon means that further sanctions, both multilateral and unilateral, may be necessary.

341. Senator CRUZ. Mr. Hagel, after receiving criticism for your record on sanctions, you wrote in a letter to Senator Barbara Boxer that you now "agree that with Iran's continued rejection of diplomatic overtures, further effective sanctions, both multilateral and unilateral—may be necessary . . . " In your advance policy questions, you also compliment the President's strategy on Iran, and acknowledge that it has "included the application of smart, unprecedented, and effective sanctions against the Iranian regime . . . " The sanctions the President has utilized include unilateral sanctions. Why do you now feel you can support unilateral sanctions, when for years in the Senate you opposed their use?

Mr. HAGEL. I continue to fully support President Obama's policy with respect to sanctions on Iran. While there are some circumstances in which unilateral sanctions are effective, I believe that multilateral sanctions against Iran are the most effective approach. For example, the multilateral sanctions implemented in UNSC Resolution 1929—which resulted from President Obama's work in 2010 to cement the Permanent 5 UNSC members in unanimously supporting multilateral efforts—are the most crippling sanctions against Iran in history. Continuing to maintain the international community's unified stance to prevent Iran from acquiring a nuclear weapon—to include further sanctions if necessary—is more effective than implementing unilateral sanctions.

That said, now that we have built international support for sanctions against Iran, unilateral sanctions are more likely to have a crippling effect. As I wrote to Senator Boxer, I agree that with Iran's continued pursuit of a nuclear weapon may make further effective sanctions, both multilateral and unilateral, necessary.

342. Senator CRUZ. Mr. Hagel, in your advance policy questions, you also state that the President's strategy on Iran "smartly . . . made clear that all options are on the table" and that you "agree with the President that the United States should take no options off the table in our efforts to prevent Iran from acquiring a nuclear weapon." You then promise that, if confirmed, you "will focus intently on ensuring that the U.S. military is, in fact, prepared for any contingency." Yet in 2010 you told a forum at the Atlantic Council that you were "not so sure it is necessary to continue to say all options are on the table" with respect to Iran. You wrote in your 2008 book America: Our Next Chapter that, "the genie of nuclear armaments is already out of the bottle, no matter what Iran does," and went on to imply that sovereign nation states possessing nuclear weapons could be excepted to respond with "some degree of responsible, or at least sane, behavior." Please clarify your view on whether or not the military option should remain on the table with Iran.

Mr. HAGEL. Let me be clear: I support the President's policy on Iran of prevention, not containment. We must prevent Iran from acquiring a nuclear weapon. I have never advocated for a policy of containment nor have I ever stated the United States could live with a nuclear Iran. In order to prevent Iran from acquiring a nuclear weapon, we must keep all options on the table, including the military option. If confirmed as the Secretary of Defense, I will—as stated previously—ensure that the

U.S. military is planning and prepared for all contingencies. I have consistently argued in favor of keeping all options on the table, including in my September 28, 2012 Washington Post op-ed co-authored with two former CENTCOM commanders, where we said, "Our position is fully consistent with the policy of presidents for more than a decade of keeping all options on the table, including the use of military force, thereby increasing pressure on Iran while working toward a political solution."

343. Senator CRUZ. Mr. Hagel, in regards to the quote in your book, why would you feel that a military option would be necessary, when you seem to believe that the United States and our allies could live with a nuclear Iran?

Mr. HAGEL. See answer to Question #342.

NUCLEAR WEAPONS

344. Senator CRUZ. Mr. Hagel, you are a signatory of Global Zero, an initiative dedicated to the elimination of all nuclear weapons. You were also a member of the six-person Global Zero U.S. Nuclear Policy Commission, headed by retired U.S. Marine Corps General James Cartwright. As a result, your name appears on the Commission's May 2012 report, which calls for cutting deployed U.S. nuclear warheads from 1,550 to 450 strategic weapons by 2022. In your testimony, you insisted this report was merely illustrative and had no relevance to your actual policy on our nuclear arsenal. Yet in your 2008 book America: Our Next Chapter, you wrote with respect to nuclear disarmament: "As the world's largest nuclear power, the United States has a responsibility to lead in this effort. There is no other way. In particular, we must once again convince the world that America has the clear intention of fulfilling the nuclear disarmament commitments that we have made." Please explain specifically how you will fulfill the responsibility you believe we have to lead the effort on nuclear disarmament.

Mr. HAGEL. I believe in the President's long-term vision of a world without nuclear weapons. It is a vision shared by nearly every President since Eisenhower, including Ronald Reagan. I also support the President's commitment that the United States will not disarm unilaterally. If confirmed, I look forward to leading DOD in supporting the President's objectives to reduce the number of nuclear weapons and their roles in national security policy and to create the conditions that will allow others to join with us in this process. Our efforts to modernize the nuclear deterrent and build a responsive infrastructure go hand-in-hand with efforts to reduce the world's nuclear dangers. The United States must have a safe, secure, and effective nuclear deterrent so long as nuclear weapons remain. If confirmed, I will work to ensure the needed leadership focus on this issue and that institutional excellence for nuclear deterrence remains a part of the President's comprehensive approach to nuclear security.

NEGOTIATING WITH RUSSIA

345. Senator CRUZ. Mr. Hagel, you have insisted that you have always been a strong proponent of bilateral arms control agreements, and you have spoken warmly in the press (Interview on the Riz Kahn Show, Al Jazeera, 3/21/09) of former President Dimitri Medvedev as a youthful leader with a strong commitment to nuclear arms reduction. Going into the new round of arms talks with Russia that was announced this week, do you consider President Vladimir Putin a similarly reliable negotiating partner?

Mr. HAGEL. While there has been no announcement of new arms control talks, if there are such talks in the future, I would expect President Putin to come to the table as a reliable negotiating partner. Of course, being a "reliable" partner does not mean that President Putin, or any negotiator, will agree with U.S. positions or perspectives. But I expect that he would enter into negotiations as a reliable negotiating partner.

346. Senator CRUZ. Mr. Hagel, Senator Kerry was asked during his confirmation hearing about our relationship with Russia and if he would recommend entering into any new arms control measures until all compliance and verification issues regarding existing agreements were fully settled. Would you recommend any new arms control agreements if there are existing verification and compliance issues with current agreements?

Mr. HAGEL. Compliance with legal obligations is central to the effectiveness of arms control treaties, and concerns about noncompliance must be addressed. If con-

firmed, I will ensure that DOD works with the Department of State and other interagency partners in assessing and responding to compliance concerns. While resolution of such issues with Russia is clearly important, I do not believe that discussions of possible further nuclear arms reductions need await resolution of all compliance issues. If confirmed, I would have the Department work with the interagency to address any compliance concerns through the existing arrangements established by the respective treaties for that purpose. If resolution in that manner is not possible, the administration should raise the issues with the Russian Federation government at higher levels, including up to the ministerial or presidential level if necessary.

347. Senator CRUZ. Mr. Hagel, how specifically would you address these issues?
Mr. HAGEL. See answer to Question #346.

348. Senator CRUZ. Mr. Hagel, should any new arms control agreements be negotiated, would it be your policy that they will occur through the treaty power and come to the Senate for ratification?
Mr. HAGEL. If confirmed, I will consult closely with Congress regarding any additional arms control agreements—and whether they should occur through the treaty power and come to the Senate for advice and consent to ratification.

ISRAEL

349. Senator CRUZ. Mr. Hagel, in a number of statements (for example your July 28, 2006, speech to the Brookings Institution), you have spoken highly of the 2002 Beirut Declaration by the Arab League as a "squandered" diplomatic opportunity for both the United States and Israel. Do you believe Israel should be prepared to accept the "achievement of a just solution to the Palestinian refugee problem to be agreed upon in accordance with U.N. General Assembly Resolution 194" as per the Declaration?
Mr. HAGEL. I continue to believe, as I did when I cosponsored and voted for the Palestinian Anti-Terrorism Act of 2006, that any partner for peace must renounce violence, abide by previous agreements, and recognize Israel's right to exist. Negotiations between the parties are the only viable path to peace and the two-state solution, with two states living side by side in peace and security: the Jewish State of Israel and an independent Palestinian State.
With those goals in mind, the Arab Peace Initiative is a step in the right direction toward a comprehensive peace in the Middle East. I do not believe that Israel or the Palestinians should have an agreement imposed on them. The details included in the Arab Peace Initiative, like all details of a peace agreement, will need to be negotiated by the parties. Other Arab states seeking normalization with Israel, as suggested in the Arab Peace Initiative, is an aspirational goal for a comprehensive peace in the Middle East.
All sides seek a just and lasting peace that will ensure Israel's security. If confirmed as Secretary of Defense, I look forward to working with Secretary Kerry to assist the administration's efforts toward peace.

350. Senator CRUZ. Mr. Hagel, your 2006 comment to Aaron David Miller about how "The Jewish lobby intimidates a lot of people up here" remains troubling. Do you think that people who advocate for a strong U.S.-Israel relationship—whether you call them part of the Jewish lobby or the Israel lobby—are advancing the interests of a foreign government, namely Israel, above those of the United States?
Mr. HAGEL. In conjunction with his interview with me in 2006, Aaron David-Miller also wrote that, "Hagel is a strong supporter of Israel and believer in shared values."
As I have stated many times, I regret my unfortunate choice of words regarding the Jewish lobby to describe the pro-Israel lobby. I believe one of the essential elements of our democracy is that every American has the right to express their views to their elected officials. In fact, in that same interview with Aaron Miller, I also said that "Everyone has a right to lobby; that's as it should be. Come see your Senator, your Congressman, and if you can get the guy to sign your letter: great, wonderful." I know that the pro-Israel lobby includes Jews and non-Jews whom are all Americans supporting Israel because it is in the interest of the United States. I consider myself to be a pro-Israel American and have supported Israel throughout my career because of our shared values and ideals of democracy.
On expanding U.S.-Israel cooperation, if confirmed, I intend to continue to strengthen our bilateral defense relationship in a number of ways. These include, but are not limited to, missile defense, intelligence sharing, counterterrorism, and

maritime security. I know that over the past 4 years the administration has taken unprecedented steps to expand our cooperation with Israel. Today, with congressional support, the United States provides Israel over $3 billion annually in Foreign Military Financing (FMF), which is the backbone of our commitment to Israel's defense. In addition, President Obama, Secretaries Gates and Panetta have worked to provide extensive support of over $270 million to Israel for the Iron Dome counter rocket system. As Iron Dome has proven itself very well in the field and saved many Israeli lives, I intend to continue such support.

This financial support is complemented by extensive military-to-military cooperation, including joint exercises. If confirmed, I will seek to ensure that we build on this cooperation and expand it into new areas as the United States and Israel address emerging threats at this time of historic change in the Middle East. I believe we have a tremendous opportunity for further expansion of our missile defense efforts as well as cooperation in areas like space and cyberspace.

Finally, the foundation for successful cooperation is the close personal relationships U.S. military and defense civilian leaders have with Israeli military and defense leadership. Secretary Gates and Secretary Panetta, as well as the Chairmen of the Joint Chiefs of Staff, have all developed very close relationships with their counterparts. Continuing with this tradition will be one of my highest priorities if I am confirmed. This will be vital to ensuring that we understand Israel's defense requirements, and to finding ways to address mutual threats that meet our common interests.

351. Senator CRUZ. Mr. Hagel, if not, why did you say that you would support the positions of what you called the "Jewish lobby" if you were an Israeli Senator, but that you couldn't since you were a United States Senator who had taken an oath to the United States?

Mr. HAGEL. See answer to Question #350.

352. Senator CRUZ. Mr. Hagel, how does that not imply that only people loyal to Israel could support the positions of the Jewish lobby?

Mr. HAGEL. See answer to Question #350.

353. Senator CRUZ. Mr. Hagel, given your disavowal of this remark in your testimony, can you specify how you intend to "expand the depth and breadth of U.S.-Israel cooperation" as you pledged in your January 14, 2013, letter to Senator Barbara Boxer?

Mr. HAGEL. See answer to Question #350.

354. Senator CRUZ. Mr. Hagel, you have been widely linked in the press with your Atlantic Council colleague Charles W. Freeman, who has been a vocal supporter of your nomination. Please review paragraph 5 from Mr. Freeman's May 4, 2011, speech to the Palestine Center in Washington, DC. (the transcript and video of the speech are available here, if you would like the full context http://www.thejerusalemfund.org/ht/display/ContentDetails/i/29130/pid/897):

"Similarly, the cruelties of Israelis to their Arab captives and neighbors, especially in the ongoing siege of Gaza and repeated attacks on the people of Lebanon, have cost the Jewish state much of the global sympathy that the Holocaust previously conferred on it. The racist tyranny of Jewish settlers over West Bank Arabs and the progressive emergence of a version of apartheid in Israel itself are deeply troubling to a growing number of people abroad who have traditionally identified with Israel. Many—perhaps most of the most disaffected—are Jews. They are in the process of dissociating themselves from Israel. They know that, to the extent that Judaism comes to be conflated with racist arrogance (as terrorism is now conflated with Islam), Israeli behavior threatens a rebirth of anti-Semitism in the West. Ironically, Israel—conceived as a refuge and guarantee against European anti-Semitism—has become the sole conceivable stimulus to its revival and globalization. Demonstrably, Israel has been bad for the Palestinians. It is turning out also to be bad for the Jews."

Do you consider Mr. Freeman's statement to be an expression of mainstream thinking on Israel?

Mr. HAGEL. As I told you at the hearing, I have not spoken with Mr. Freeman in several years and do not support his comments. The views expressed in the speech by Chas Freeman that you reference are his own, and, in my opinion, not accurate.

I am pleased that Israeli and U.S. leaders agree that the U.S.-Israel Defense relationship is stronger than ever. I intend to work to continue to strengthen the rela-

tionship and am looking forward, if confirmed, to working closely with my Israeli counterparts.

As I have said consistently throughout my career, Israel has a right to defend itself. Israeli efforts to protect its citizens against the actions of terrorist organizations, including Hamas and Hezbollah, are part of Israel's right to self-defense. Palestinians will not achieve peace or prosperity if Hamas insists on a path of terror and rejection, and Palestinians will never realize their independence through unilateral actions. I continue to believe, as I did when I cosponsored and voted for the Palestinian Anti-Terrorism Act of 2006, that any partner for peace must renounce violence, abide by previous agreements, and recognize Israel's right to exist. Negotiations between the parties are the only viable path to peace and the two-state solution, with two states living side by side in peace and security: the Jewish State of Israel and an independent Palestinian State.

355. Senator CRUZ. Mr. Hagel, would you affirm that if confirmed, you will not recommend the nomination or appointment of Mr. Freeman to a position in DOD?

Mr. HAGEL. See answer to Question #354.

U.S. TROOPS TO U.N. MISSION

356. Senator CRUZ. Mr. Hagel, in a 2009 report that you co-authored for the U.S./Middle East Project, you advocated for the deployment of U.S. grounds troops as U.N. peacekeepers in a "non-militarized Palestinian state." That same year, in a piece for the Atlantic Council, you wrote, "No country today has the power to impose its will and values on other nations." These statements seem to hearken back to 2003, when you stated that the United States "must be careful to avert the perception that we are charting a unilateralist course in our foreign policy." Do you believe the United States needs a "permission slip" from the U.N. or another international body before it can engage in military operations—how would you address this concern?

Mr. HAGEL. I do not believe we need a permission slip from the United Nations before we can engage in military operations. The United States will always remain committed to protecting its national security interests whenever necessary. I believe the United States is strongest when we act alongside our partners, with whom we share common interests. I also believe the United States should, and will, act unilaterally when we must, as we did with the Osama bin Laden raid. In every case, we will act in accordance with the standards that govern the use of force, which requires a basis in domestic law and compliance with international law.

PLOUGHSHARES FUND

357. Senator CRUZ. Mr. Hagel, you currently sit on the board of the Ploughshares Fund. Among the groups that Ploughshares has supported is the National Iranian American Council (NIAC), headed by Trita Parsi. Are you aware that the Ploughshares Fund has given more than $600,000 to NIAC?

Mr. HAGEL. I completely support one of the primary objectives of the Ploughshares Fund: preventing Iran from obtaining a nuclear weapon.

I was not aware that Ploughshares provided financial support to the NIAC. The Ploughshares Fund is committed to full transparency, publishes all of their funding decisions and complies with all applicable laws and best-practices for a 501(c)3 organization.

My understanding is that the case you referenced focused on a libel lawsuit brought by the NIAC and its president, Trita Parsi, against writer Seid Hassan Daioleslam. Records of the case do not include the phrase "deep and incontrovertible ties" to high-level agents of the Iranian regime. In fact, Judge John Bates did not analyze or provide judgment on any NIAC ties to the Iranian Government. In his judgment, Judge Bates explicitly wrote that, "Nothing in this opinion should be construed as a finding that defendant's articles [about NIAC ties to the Iranian Government] were true. Defendant did not move for summary judgment on that ground, and it has not been addressed here."

358. Senator CRUZ. Mr. Hagel, are you aware that NIAC has ties to the Iranian Government?

Mr. HAGEL. See answer to Question #357.

359. Senator CRUZ. Mr. Hagel, are you aware of the September 13, 2012, decision rendered by Judge John Bates in the U.S. District Court in Washington, which ex-

posed NIAC's "deep and incontrovertible ties" to high-level agents of the Iranian regime?

Mr. HAGEL. See answer to Question #357.

CUBA

360. Senator CRUZ. Mr. Hagel, in 2002 you referred to Fidel Castro as a "toothless old dinosaur" and praised former President Jimmy Carter's recommended policy of relaxed sanctions and diplomatic engagement as "exactly right". In 2008, you were a signatory to a letter to Secretary of State Condoleezza Rice urging the U.S. relax sanctions and engage Cuba due to Castro's "imminent departure". As of February 1, 2013, the Castros have not departed Cuba or shown any indication that additional concessions from the United States would modify their repressive regime. An American contractor, Alan Gross, languishes in a Cuban prison. Do you still believe Mr. Carter's recommended policy towards Cuba is "exactly right"?

Mr. HAGEL. I support President Obama's Cuba policy which is focused on supporting the Cuban people's desire to freely determine their future, reducing their dependence on the Cuban state, and pursuing the widely shared goal of a Cuba that respects the universal human rights of all its citizens. The President's actions to facilitate family travel, people to people travel, the flow of remittances into private hands, and information to, from, and within Cuba have contributed to this objective. I share the President's view that the Cuban Government must change its outdated political model to reflect the commitments undertaken by other governments in the Hemisphere to promote and defend representative democracy. Policy matters and other diplomatic issues involving Cuba are led by the State Department.

361. Senator CRUZ. Mr. Hagel, would relaxing sanctions and engaging with the Castros be the hallmarks of your policy towards Cuba, should you be confirmed?

Mr. HAGEL. See answer to Question #360.

NORTH KOREA

362. Senator CRUZ. Mr. Hagel, in a 2003 interview with PBS, you declared that isolating North Korea was the last thing the United States should do. Despite a decade at attempted engagement and negotiations, North Korea remains overtly hostile to the United States and is actively pursuing weapons targeted at us and our allies. Given North Korea's dismal record on negotiating in good faith, how specifically would the additional outreach you advocated in 2003 have improved our position in relationship to North Korea today?

Mr. HAGEL. Since my interview with PBS in early 2003, diplomatic efforts through the Six-Party Talks led to the September 2005 Joint Statement, under which the Six Parties reaffirmed the goal of verifiable denuclearization of the Korean Peninsula, and North Korea committed to abandoning all nuclear weapons and existing nuclear programs. In February 2007, the Six-Party process resulted in North Korea's agreement to shut down its Yongbyon nuclear facility in exchange for heavy fuel oil and talks aimed at normalization of relations with the United States and Japan. President Obama extended his hand to North Korea at the start of his administration in 2009. Although these engagement efforts have not significantly diminished North Korea's belligerence or pursuit of nuclear weapons, they have united the international community, including China, against North Korea's irresponsible behavior.

If confirmed, I would continue to support diplomatic engagement and ensure that our military provides the deterrence and defense necessary to create a stable regional environment where diplomacy can succeed. If confirmed, I will also ensure that we have the capabilities necessary in the Asia-Pacific theater to deter and, if necessary, defeat, North Korean aggression.

[The nomination reference of the Hon. Charles T. Hagel follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 22, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Charles Timothy Hagel, of Nebraska, to be Secretary of Defense, vice Leon E. Panetta.

[The biographical sketch of Hon. Charles T. Hagel, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF SENATOR CHARLES T. HAGEL

Education:

- Honorary Doctorate Degrees:
  - Georgetown University, College of William and Mary, Marymount University, Creighton University, Bellevue University, Doane College, Midland Lutheran College, and North Central College
- University of Nebraska at Omaha, Omaha, NE
  - Bachelor of Arts Degree in General Studies, 1971
- Brown Institute for Radio and Television, Minneapolis, MN
  - Degree in Radio and Television Broadcasting, 1966
- Kearney State College, Kearney, NE
  - January 1965–December 1965
- Wayne State College, Wayne, NE
  - September 1964–December 1964

Employment record:

- Vietnam War Commemoration Advisory Committee, Arlington, VA
  - Chairman, July 2012–present
- President's Intelligence Advisory Board
  - Co-Chairman, 2009–present
- Atlantic Council, Washington, DC
  - Chairman and Board of Directors
  - February 2009–present
- Defense Policy Board
  - Member, July 2009–present
- President's China 100,000 Strong Initiative
  - Co-Chairman, 2010–2012
- Department of Energy Blue Ribbon Commission on America's Nuclear Future
  - Commissioner, 2009–2011
- Georgetown University
  - Distinguished Professor of National Governance, School of Foreign Service
  - February 2009–present
- Deutsche Bank America, New York, NY
  - Advisory Board Member
  - May 2009–present
- Corsair Capital, New York, NY
  - Advisory Board Member
  - February 2009–present
- McCarthy Capital, Omaha, NE
  - Senior Advisor
  - February 2009–present
- Wolfensohn & Company, New York, NY
  - Director
  - March 2009–December 2010
- Pfizer Boards, New York, NY
  - Advisory Board Member
  - February 2009–December 2010
- Zurich Insurance Group, Zurich in North America, Washington, DC
  - Board of Directors
  - February 2009–present
- M.I.C. Industries, Reston, VA
  - Special Advisor to the Chairman
  - March 2009–present

- National Interest Security Company, Fairfax, VA
  - Board Member
  - March 2009–November 2010
- Elite Training & Security, Fairfax, VA
  - Board Member
  - March 2009–November 2010
- Kasemen, LLC, Fairfax, VA
  - Board Member
  - March 2009–November 2010
- BP Petroleum, Washington, DC
  - Advisor
  - June 2009–March 2010
- Chevron Corporation, San Ramon, CA
  - Board of Directors
  - April 2010–present
- Gallup, Washington, DC
  - Senior Advisor
  - July 2011–present
- Washington Speakers Bureau, Alexandria, VA
  - Speaker
  - February 2009–present
- U.S. Senate
  - 1997–2009, Two Terms, State of Nebraska
  - Senate Foreign Relations Committee
  - Senate Banking, Housing and Urban Affairs Committee
  - Senate Select Committee on Intelligence
  - Chairman, Senate Foreign Relations Subcommittee on International Economic Policy, Export and Trade Promotion
  - Chairman, Senate Banking Subcommittee on International Trade and Finance
  - Senate Banking Subcommittee on Securities and Investment
  - Chairman, Congressional-Executive Commission on China
  - Chairman, Senate Climate Change Observer Group

Honors and awards:

- Global Leadership Award from the International Student House, 2012
- World Affairs Council of Washington DC International Public Service Award in Recognition of Outstanding Global Leadership
- 2nd Degree Order of Dostyk Award from the President & Government of Kazakhstan
- Vietnam Veterans Memorial Fund's Charles "Mac" Mathias Award
- Knight Commander's Cross of the Order of Merit of the Federal Republic of Germany
- Commander's Cross With Star of the Order of Merit of The Republic of Poland
- Brown College Distinguished Alumni Award, 2010
- Clifford P. Case Professor of Public Affairs at Rutgers University, 2010
- Ralph J. Bunch Award for Diplomatic Excellence from the Association for Diplomatic Studies and Training, 2010
- Citigroup Foundation Lecturer at the University of Michigan's Gerald R. Ford School of Public Policy, 2009
- Third Annual Eugene J. McCarthy Lecturer at St. John University Minnesota, 2009
- Junior Statesman of the Year Foundation Award, 2009
- Committee on Education Funding Special Recognition Award, 2009
- Aspen Institute Strategy Group Leadership Award, 2008
- First annual Cordell Hull Award
- Horatio Alger Award from the Horatio Alger Association
- Vietnam Veterans of America Legislator of the Year Award
- Center for the Study of the Presidency's Distinguished Service Medal
- American Farm Bureau Federation's Golden Plow Award
- Distinguished Alumni Award from the University of Nebraska at Omaha
- Secretary of Defense's Medal for Outstanding Civic Achievement
- First World USO Leadership Award
- University of Nebraska-Kearney George W. Norris Distinguished Lecturer Award

- Congressional Award from the Paralyzed Veterans of America, 2008
- United Nations Association of the United States of America's Congressional Leadership Award
- Millard E. Tydings Award for Courage and Leadership in American Politics from the University of Maryland, 2008
- National Urban League Congressional Leadership Award, 2008
- Distinguished Service Award for International Statesmanship from the International Relations Council of Kansas City, 2007
- Luminosity Award from the Bonnie J. Addario Breath Away from the Cure Foundation, 2006
- National Farmers Union Golden Triangle Award, 2006
- University of Nebraska at Omaha's Alumni Award for Excellence in Public Service, 2006
- Don Wagner Leadership Award, 2006
- Omaha World-Herald's 2005 "Midlander of the Year" Award
- Marlin Fitzwater Excellence in Public Communication Award, 2005
- Woodrow Wilson International Center for Scholars Public Service Award
- American Association of School Administrators Champion of Children Award 2005
- Edmund S. Muskie Distinguished Public Service Award, 2004
- The Atlantic Council's 2004 Award for Distinguished International Leadership
- Fragile X Research Foundation's Research Beacon Award
- Boy Scouts of America's Good Scout Award
- National Parent Teacher Association's Outstanding Child Advocacy Award and the Committee for Education Funding Special Recognition Award
- University Club's William Howard Taft Public Service Award
- European Institute's Transatlantic Leadership Award
- National School Board Association's Special Recognition Award
- Small Business Administration's Nebraska Veterans Advocate of the Year Award
- USA Engage Congressional Leadership Award
- Housing Policy Council Leadership Award
- Neuro-Optometric Rehabilitation Award, 2008
- U.S. Chamber of Commerce "Spirit of Enterprise" Awards, 2007 and 2008
- Washington Coal Club Annual Achievement Award, 2006
- 82nd Airborne Division Association's Recognition for the "National Airborne Day" Senate Resolution
- Membership in the Consumers for World Trade Hall of Fame
- Friend of the Farm Bureau Award

U.S. Military honors and awards:

- Two Purple Hearts with Oak Leaf Cluster
- Army Commendation Medal
- Army Good Conduct Medal
- National Defense Service Medal
- Vietnam Service Medal with Four Bronze Campaign Stars (Vietnam Counteroffensive Phase III 67–68, Tet Counteroffensive 68, Vietnam Counteroffensive IV 68, Vietnam Counteroffensive Phase V 68)
- Ten Republic of Vietnam Campaign Medals
- Two Valorous Unit Awards
- Two Combat Infantry Badges
- Qualification Badge, Rifle, Sharpshooter

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Hon. Charles T. Hagel in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Charles Timothy Hagel (Chuck).

2. **Position to which nominated:**
Secretary of Defense.

3. **Date of nomination:**
January 22, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
October 4, 1946; North Platte, NE.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Lillian Ziller Hagel (Maiden name: Ziller).

7. **Names and ages of children:**
Allyn Elizabeth Hagel (Daughter—22 years old).
Charles Ziller Hagel (Son—20 years old).

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
- University of Nebraska at Omaha; 1969–1971 - Bachelor's General Studies
- Brown Institute for Radio and Television, Minneapolis, MN; 1966 - Degree in Radio and TV Broadcasting
- Kearney State College, Nebraska; Jan. 1965–Dec. 1965
- Wayne State College, Nebraska; Sept. 1964–Dec. 1964
- St. Bonaventure High School, Columbus, NE; 1961–1964 - Graduate

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
See Addendum (Part A - Question 9)

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
- Co-Chairman - President's Intelligence Advisory Board
- Member - Secretary of Defense's Policy Board
- Co-Chairman - President's China 100,000 Strong Initiative
- Commissioner - Department of Energy Blue Ribbon Commission on America's Nuclear Future
- Chairman - Vietnam War Commemoration Advisory Committee

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

See Addendum (Part A - Question 11).

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

See Addendum (Part A - Question 12).

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

U.S. Senate (1996) Nebraska - Elected.

U.S. Senate (2002) Nebraska - Re-elected.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

2007 - Derek Schmidt for Attorney General (Kansas) $1,000.

2011 - Richard Lugar for Senate (Indiana) $1,000.

2012 - Glenn Freeman for Congress (Nebraska) $500.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

See Addendum (Part A - Question 14).

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

See Addendum (Part A - Question 15).

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

The nominee responded and the information is contained in the committee's executive files.

17. **Commitment regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, ifconfinned, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

Addendum (Part A – Question 9)

Name, Address	Position/Nature of Affiliation	Type of Business	Dates (To/From)	Compensated (Yes/No)
Georgetown University (Washington, DC)	Professor	Educational Institution	02/2009 to Present	Yes
Deutsche Bank (New York, NY)	Advisory Board Member	Public Financial Services Co.	05/2009 to Present	Yes
Corsair Capital (New York, NY)	Advisory Board Member	Private Financial Services Co.	02/2009 to Present	Yes
McCarthy Capital (Omaha, NE)	Senior Advisor	Private Financial Services Co.	02/2009 to Present	Yes
Wolfensohn & Company (New York, NY)	Director	Private Financial Services Co.	03/2009 to 12/2010	Yes
Pfizer Boards (New York, NY)	Advisory Board Member	Private Pharm. Co.	02/2009 to 12/2010	Yes
Zurich Insurance Group, Zurich in North America (Washington, DC)	Director	Public Insurance Co.	02/2009 to Present	Yes
M.I.C. Industries (Reston, VA)	Special Advisor to the Chairman	Private Industrial Co.	03/2009 to Present	Yes
National Interest Security Company (Fairfax, VA)	Board Member	Private Company	03/2009 to 11/2010	Yes
Elite Training & Security (Fairfax, VA)	Board Member	Private Company	03/2009 to 11/2010	Yes
Kaseman, LLC (Fairfax, VA)	Board Member	Private Company	03/2009 to 11/2010	Yes
BP Petroleum	Advisor	Private	06/2009 to	Yes

Addendum (Part A – Question 9)

Name/Address	Position/Nature of Affiliation	Type of Business	Dates (To/From)	Compensated (Yes/No)
(Washington, DC)		Company	03/2010	
Chevron Corporation (San Ramon, CA)	Board of Directors	Corporation	04/2010 to Present	Yes
Gallup (Washington, DC)	Senior Advisor	Consulting and Polling Firm	07/2011 to Present	Yes
Washington Speakers Bureau (Alexandria, VA)	Speaker	Speakers Bureau	02/2009 to Present	Yes
United States Senate (Washington, DC)	U.S. Senator	Government	1997 to 2009	Yes

Addendum (Part A – Question 11)

Name/Address	Position/Nature of Affiliation	Type of Business	Dates (to/From)	Compensated (Yes/No)
Georgetown University (Washington, DC)	Distinguished Professor	Educational Institution	02/2009 to Present	Yes
Deutsche Bank (New York, NY)	Advisory Board Member	Public Financial Services Co.	05/2009 to Present	Yes
Corsair Capital (New York, NY)	Advisory Board Member	Private Financial Services Co.	02/2009 to Present	Yes
McCarthy Capital (Omaha, NE)	Senior Advisor	Private Financial Services Co.	02/2009 to Present	Yes
Zurich Insurance Group, Zurich in North America (Washington, DC)	Director	Public Insurance Co.	02/2009 to Present	Yes
M.I.C. Industries (Reston, VA)	Special Advisor to the Chairman	Private Industrial Co.	03/2009 to Present	Yes
Chevron Corporation (San Ramon, CA)	Board of Directors	Corporation	04/2010 to Present	Yes
Gallup (Washington, DC)	Senior Advisor	Consulting and Polling Firm	07/2011 to Present	Yes
Washington Speakers Bureau (Alexandria, VA)	Speaker	Speakers Bureau	02/2009 to Present	Yes

Addendum (Part A – Question 12)

Name/Address	Position/Nature of Affiliation	Type of Business	Dates (To/From)	Compensated (Yes/No)
Atlantic Council (Washington, DC)	Chairman, Board of Directors	Think Tank	02/2009 to Present	No
Vietnam War Commemoration Advisory Cmte. (Arlington, VA)	Chairman	Department of Defense Advisory Committee	07/2012 to Present	No
Public Broadcasting Service (Crystal City, VA)	Board of Directors	Public Corporation	10/2009 to Present	No
Systemic Risk Council (PEW Charitable Trust & CFA Institute) (Washington, DC)	Council Member	Public Service Organization	06/2012 to Present	No
Univ. of Nebraska at Omaha (Omaha, NE)	Distinguished Professor (honorary position)	Educational Institution	03/2009 to Present	No
Washington Speakers Bureau (Alexandria, VA)	Speaker	Speakers Bureau	02/2009 to Present	Yes
America Abroad Media (Washington, DC)	Advisory Board Member	Non-profit International Media Organization	01/2003 to Present	No
American Security Project (Washington, DC)	Board of Directors	Non-profit Public Policy Organization	2008 to Present	No
Bread for the World (Washington, DC)	Board of Directors	Non-profit Public Advocacy Organization	01/2011 to Present	No
Bonnie J. Addario Lung Cancer Foundation	Honorary Board Member	Think Tank	2009 to Present	No

Addendum (Part A – Question 12)

Name/Address	Position/Nature of Affiliation	Type of Business	Dates (To/From)	Compensated (Yes/No)
(San Carlos, CA)				
Center for the Study of the Presidency (Washington, DC)	Board of Trustees	Non-profit Educational Organization	05/2009 to Present	No
Dwight D. Eisenhower Memorial Commission (Washington, DC)	International Committee Member	Memorial Commission	06/2009 to Present	No
George C. Marshall Research Foundation (Lexington, VA)	Council of Advisors	Foundation	07/2009 to Present	No
Institute for the Study of Diplomacy, Georgetown University (Washington, DC)	Board of Directors	University Institute	12/2009 to Present	No
Global Strategy Forum (London, UK)	Advisory Board Member	International Think Tank	02/2012 to Present	No
Global Zero (Washington, DC)	Board Member (honorary position)	Think Tank	12/2008 to Present	No
Brookings Institute/ Hamilton Project (Washington, DC)	Advisory Council Member	Think Tank (Brookings)	04/2010 to Present	No
Initiative for Global Development (Seattle, WA)	Leadership Council	Non-profit Public Policy Organization	02/2009 to Present	No
Lung Cancer Alliance (Washington, DC)	Honorary Board Member	Think Tank	01/2010 to Present	No

Addendum (Part A – Question 12)

Name/Address	Position/Nature of Affiliation	Type of Business	Dates (To/From)	Compensated (Yes/No)
International Center Study of Radicalisation (London, UK)	Patron (honorary position)	Think Tank	01/2010 to Present	No
National Bureau of Asian Research, Next Generation Leadership Advisory Board (Seattle, WA)	Advisory Board Member	Non-profit Policy Research Organization	19997 to Present	No
Ploughshares Fund (San Fran., CA)	Board of Directors	Non-profit foundation	03/2009 to Present	No
U.S. Global Leadership Coalition (Washington, DC)	National Security Advisory Council	Non-profit Advocacy Organization	02/2009 to Present	No
U.S. Institute of Peace Middle East Group (Washington, DC)	Senior Member (honorary position)	Think Tank	05/2009 to 2010	No
U.S. Middle East Project (Washington, DC)	Senior Advisor, International Board Member	Think Tank	02/2009 to Present	No
Washington Center for Internships and Academic Seminars (Washington, DC)	Board of Directors	Non-profit Educational Organization	04/2011 to Present	No
Vietnam Veterans Memorial Fund Corporate Council (Washington, DC)	Honorary Co-Chair	Memorial Fund	02/1998 to Present	No
Council on Foreign Relations (New York, NY)	Member	Think Tank	1999 to Present	No
American Legion	Life Member		1968 to	No

Addendum (Part A – Question 12)

Name/Address	Position/Nature of Affiliation	Type of Business	Dates (To/From)	Compensated (Yes/No)
			Present	
VFW	Life Member		1968 to Present	No
Vietnam Veterans	Life Member		1968 to Present	No
Paralyzed Veterans of America	Life Member		1968 to Present	No
Purple Heart Assn. America	Life Member		1968 to Present	No

Addendum (Part A – Question 14)

Among awards and recognitions I have received are:

- 2012 Global Leadership Award from the International Student House
- World Affairs Council of Washington DC International Public Service Award in recognition of Outstanding Global Leadership
- 2nd Degree Order of *Dostyk* Award from the President & Government of Kazakhstan
- Vietnam Veterans Memorial Fund's Charles "Mac" Mathias Award
- Knight Commander's Cross of the Order of Merit of the Federal Republic of Germany
- The Commander's Cross with Star of the Order of Merit of the Republic of Poland
- 2010 Brown College Distinguished Alumni Award
- 2010 Clifford P. Case Professor of Public Affairs at Rutgers University
- 2010 Ralph J. Bunch Award for Diplomatic Excellence from the Association for Diplomatic Studies and Training
- 20009 Citigroup Foundation Lecturer at the University of Michigan's Gerald R. Ford School of Public Policy
- 2009 Third Annual Eugene J. McCarthy Lecturer at St. John University Minnesota
- 2009 Junior Statesman of the Year Foundation Award
- 2009 Committee on Education Funding Special Recognition Award
- 2008 Aspen Institute Strategy Group Leadership Award
- First annual Cordell Hull Award
- Horatio Alger Award from the Horatio Alger Association
- Vietnam Veterans of America Legislator of the Year Award
- Center for the Study of the Presidency's Distinguished Service Medal
- American Farm Bureau Federation's Golden Plow Award
- Distinguished Alumni Award from the University of Nebraska at Omaha
- Secretary of Defense's Medal for Outstanding Civic Achievement
- First World USO Leadership Award

Addendum (Part A – Question 14)

- University of Nebraska-Kearney George W. Norris Distinguished Lecturer Award
- 2008 Congressional Award from the Paralyzed Veterans of America
- United Nations Association of the United States of America's Congressional Leadership Award
- 2008 Millard E. Tydings Award for Courage and Leadership in American Politics from the University of Maryland
- National Urban League 2008 Congressional Leadership Award
- 2007 Distinguished Service Award for International Statesmanship from the International Relations Council of Kansas City
- 2006 Luminosity Award from the Bonnie J. Addario Breath Away from the Cure Foundation
- 2006 National Farmers Union Golden Triangle Award
- University of Nebraska at Omaha's 2006 Alumni Award for Excellence in Public Service
- 2006 Don Wagner Leadership Award
- Omaha World-Herald's 2005 "Midlander of the Year" Award
- 2005 Marlin Fitzwater Excellence in Public Communication Award
- 2005 Woodrow Wilson International Center for Scholars Public Service Award
- 2005 American Association of School Administrators Champion of Children Award
- 2004 Edmund S. Muskie Distinguished Public Service Award
- Atlantic Council's 2004 Award for Distinguished International Leadership
- Fragile X Research Foundation's Research Beacon Award
- Boy Scouts of America's Good Scout Award
- National Parent Teacher Association's Outstanding Child Advocacy Award and the Committee for Education Funding Special Recognition Award
- University Club's William Howard Taft Public Service Award
- European Institute's Transatlantic Leadership Award
- National School Board Association's Special Recognition Award

Addendum (Part A – Question 14)

- Small Business Administration's Nebraska Veterans Advocate of the Year Award
- USA Engage Congressional Leadership Award
- Housing Policy Council Leadership Award
- 2008 Neuro-Optometric Rehabilitation Award
- 2008 and 2007 U.S. Chamber of Commerce "Spirit of Enterprise" Award
- 2006 Washington Coal Club Annual Achievement Award
- 82nd Airborne Division Association's Recognition for the "National Airborne Day" Senate Resolution
- Membership in the Consumers for World Trade Hall of Fame
- Friend of the Farm Bureau Award

I hold Honorary Doctorate Degrees from:

- Georgetown University
- The College of William & Mary
- Marymount University
- Creighton University
- Bellevue University
- Doane College
- Midland Lutheran College
- North Central College

I have been awarded the following awards and decorations:

- (2) Purple Hearts with oak leaf cluster
- (1) Army Commendation Medal
- (1) Army Good Conduct Medal
- (1) National Defense Service Medal

Addendum (Part A – Question 14)

- (2) Vietnam Service Medal with four bronze campaign stars (Vietnam Counteroffensive Phase III 67-68, Tet Counteroffensive 68, Vietnam Counteroffensive IV 68, Vietnam Counteroffensive Phase V 68)
- (10 Republic of Vietnam Campaign Medal
- (2) Valorous Unit Award
- (2) Combat Infantry Badge
- (1) Qualification Badge, Rifle, Sharpshooter

Addendum (Part A—Question 15)

- "What's in a war? The Iran discussion the U.S. must have What's in a war" *The Washington Post*, September 30, 2012
- "Restore funding for languages" *Pacific Daily News*, July 20, 2011
- "Noble Calling, Rich Rewards" *U.S. News & World Report*, November 1, 2010
- "Infomed, Engaged Voters Lead to Quality Public Leadership" *USNEWS.com*, October 26, 2010
- "No more delays for new START" *St. Paul Pioneer Press*, September 12, 2010
- "No more delays for New START" *The Washington Post,* September 10, 2010
- "Chuck Hagel: The world has changed, so must our approach to it" *St. Paul Pioneer Press*, September 3, 2009
- "The Limits of Force; Iraq and Afghanistan Aren't Ours to Win or Lose" *The Washington Post,* September 3, 2009
- "Why Going it Alone No Longer Works" *The Washington Post*, September 3, 2009
- "We need a better map of the world" *The Miami Herald*, June 16, 2008
- "U.S. needs new world intelligence map" *Great Falls Tribune*, June 15, 2008
- "U.S. Intelligence still falling short" *The Augusta Chronicle*, June 13, 2008
- "Nebraska is lot more than Big Red football" *Omaha World-Herald,* November 19, 2007
- "A Post-Iraq G.I. Bill" *The New York Times*, November 9, 2007
- "Renewing our infrastructure essential to safety, economy" *Lincoln Journal Star,* August 16, 2007
- "A few of the facts about Iraq" *Lincoln Journal Star*, May 9, 2007
- "In Iraq, few options exist" *Plain Dealer*, April 24, 2007
- "In Iraq, a terrible familiarity brews" *Lincoln Journal Star*, April 22, 2007
- "In Iraq, All Terribly Familiar" *The Washington Post*, April 22, 2007
- "A first step in Iraq" *USA Today*, January 24, 2007
- "'I'm in, And I'm in to win'; Sen. Clinton takes first step in bid to capture the Democratic Party's nomination for White House in '08" *The Times Union*, January 21, 2007

Addendum (Part A—Question 15)

- "Leaving Iraq, honorably" *Las Cruces Sun-News*, November 29, 2006
- "Exiting Iraq, with honor" *Akron Beacon Journal*, November 28, 2006
- "Leaving honorably" *The State*, November 28, 2006
- "Leaving Iraq, Honorably" *The Washington Post*, November 26, 2006
- "The Border Dividing Arizona" *The New York Times*, October 15, 2006
- "A common-sense compromise on immigration" *The Record*, May 15, 2006
- "This time, let's deal with all the tough immigration decisions" *San Jose Mercury News*, May 14, 2006
- "Oil from arctic refuge a necessary part of energy strategy" *Lincoln Journal Star*, March 20, 2005
- "For those serving in wartime, measures to meet their needs" *Lincoln Journal Star*, January 30, 2005
- "Hold firmly the reins of Mideast peace" *Pittsburgh Tribune Review*, December 13, 2004
- "Elections present new chances for hope in the Middle East" *Lincoln Journal Star*, December 12, 2004
- "Intelligence Reform and False Urgency" *The Washington Post*, August 3, 2004
- "Ronald Reagan: American spirit" *Lincoln Journal Star*, June 10, 2004
- "Fighting in Fallujah; Skirmish in Senate over Vietnam War; Bioterror Attacks: The Government Secret Plan to Keep You Safe; Urgent Efforts to Boost Security at Summer Olympics" *CNN*, April 28, 2004
- "We owe debt to Buffalo Soldiers" *Lincoln Journal Star*, February 28, 2004
- "Winning the Peace" *The Washington Post*, April 6, 2003
- "U.S. faces possibilities and perils in Iraq" *Desert News*, December 29, 2002
- "Challenge comes after Saddam" *Lincoln Journal Star*, December 23, 2002
- "WAR WITH IRAQ: Post-Saddam era will prove to be the most challenging" *The Atlanta Journal-Constitution*, December 22, 2002
- "Iraq: The Decade After" *The Washington Post*, December 20, 2002
- "Six-Point Proposal for US Middle-East Policy" *Pentagon Brief*, October 2002

Addendum (Part A—Question 15)

- "We Shouldn't Make Arafat the Issue" *The Washington Post*, July 19, 2002
- "Yucca Mountain waste project must go forward" *Lincoln Journal Star*, July 9, 2002
- "Can Bush and Putin Control Russia's Arsenal?" *The New York Times*, November 13, 2001
- "The Challenge of Change" *The Task Ahead: Memos for the winner of the 2012 Presidential Election- A Publication of the Atlantic Council*, May 15, 2012
- "The Challenge of Change" *New Atlantist Blog*, May 15, 2012
- "The US Risks World Leader Role" *New Atlantist Blog*, September 13, 2011
- "Paying for the Consequences of 9/11 Over-reach" *New Atlantist Blog*, September 11, 2011
- "Defining a New World Order" *New Atlantist Blog*, February 22, 2011
- "The Limits of Force: The US in the 21st Century" *New Atlantist Blog,* December 11, 2009
- America: Our Next Chapter: Tough Questions, Straight Answers; *published by Harper Luxe*, April 22, 2008

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

CHARLES T. HAGEL.

This 26th day of January, 2013.

[The nomination of the Hon. Charles T. Hagel was reported to the Senate by Chairman Levin on February 12, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on February 26, 2013.]

BUSINESS MEETING TO CONSIDER THE NOMINATION OF THE HONORABLE CHARLES T. HAGEL, TO BE THE SECRETARY OF DEFENSE

TUESDAY, FEBRUARY 12, 2013

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 2:55 p.m. in room SR–222, Russell Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, Nelson, McCaskill, Udall, Hagan, Manchin, Shaheen, Gillibrand, Blumenthal, Donnelly, Hirono, Kaine, King, Inhofe, McCain, Sessions, Chambliss, Wicker, Ayotte, Fischer, Graham, Vitter, Blunt, Lee, and Cruz.

Committee staff members present: Richard D. DeBobes, staff director; Travis E. Smith, chief clerk; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Michael J. Kuiken, professional staff member; Gerald J. Leeling, counsel; and Peter K. Levine, general counsel.

Minority staff members present: John A. Bonsell, minority staff director; William S. Castle, minority general counsel; and Anthony J. Lazarski, professional staff member.

Staff assistants present: Kathleen A. Kulenkampff and Mariah K. McNamara.

Committee members' assistants present: Carolyn Chuhta, assistant to Senator Reed; Jeff Fatora, assistant to Senator Nelson; Jason Rauch, assistant to Senator McCaskill; Casey Howard, assistant to Senator Udall; Christopher Cannon, assistant to Senator Hagan; Mara Boggs, assistant to Senator Manchin; Chad Kreikemeier, assistant to Senator Shaheen; Elana Broitman, assistant to Senator Gillibrand; Ethan Saxon, assistant to Senator Blumenthal; Marta McLellan Ross, assistant to Senator Donnelly; Nick Ikeda, assistant to Senator Hirono; Mary Naylor, assistant to Senator Kaine; Jim Catella, assistant to Senator King; Joel Starr, assistant to Senator Inhofe; Paul C. Hutton IV, assistant to Senator McCain; Lenwood Landrum, assistant to Senator Sessions; Todd Harmer, assistant to Senator Chambliss; Joseph Lai, assistant to Senator Wicker; Brad Bowman, assistant to Senator Ayotte; Peter Schirtzinger, assistant to Senator Fischer; Joshua Hodges, assistant to Senator Vitter; Charles Prosch, assistant to Senator

Blunt; Peter Blair, assistant to Senator Lee; and Brooke Bacak, assistant to Senator Cruz.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. The committee meets today to consider the nomination of former Senator Chuck Hagel to serve as the next Secretary of Defense.

We received Senator Hagel's nomination 3 weeks ago. We held a hearing on the nomination 12 days ago. Senator Hagel has provided the personal and financial information required by the committee. He has received letters from the Director of the Office of Government Ethics and the Acting Department of Defense (DOD) General Counsel certifying that he meets our ethics and conflict of interest standards.

He has responded to our advance policy questions and our questions for the record, and for these reasons I believe the time has come for the committee to act on this nomination.

Senator Hagel has received broad support from a wide array of senior statesmen and defense and foreign policy organizations. At our January 31, 2013, nomination hearing, Senator Hagel was introduced and endorsed enthusiastically by two former chairmen of this committee, Senator Sam Nunn and Senator John Warner. Senator Hagel's nomination has been endorsed by five former Secretaries of Defense who served under both Democratic and Republican Presidents: Bob Gates, Bill Cohen, Bill Perry, Harold Brown, and Melvin Laird.

He has been endorsed by three former Secretaries of State and by six former National Security Advisors. He's received letters of endorsement from 9 former ambassadors who worked with him on Middle East issues, from 11 retired senior military officers, and from 50 retired ambassadors and national security officials.

He's been supported by the major groups of American veterans, including the Veterans of Foreign Wars, the Iraq and Afghanistan Veterans of America, AmVets, Vietnam Veterans of America, and the American Legion. He's received support from the Military Officers Association of America, the Foreign Area Officer Association, and the Non Commissioned Officers Association.

Senator Hagel's credentials are underscored by his service in war and in peace. As a young man, Senator Hagel enlisted in the Army and served in Vietnam where he received two Purple Hearts, the Army's Commendation Medal, and the Combat Infantryman Badge for his service. Senator Hagel served as Deputy Administrator of the Veterans Administration (VA) during the Reagan administration, and was twice elected to the U.S. Senate where he served on the Senate Committee on Foreign Relations and the Senate Select Committee on Intelligence.

Since he left the Senate 4 years ago, Senator Hagel has served as chairman of the board of directors of the Atlantic Council. The Atlantic Council counts among its other directors and honorary directors, seven former Secretaries of State and four former Secretaries of Defense, along with numerous other senior officials from the administrations of both parties. The Atlantic Council is very much a part of the mainstream of American foreign policy establishment.

Much of the time and attention in our committee hearing was devoted to a handful of statements that Senator Hagel made over the course of his career that raised questions about his views on Iraq, Israel, and other issues. Senator Hagel explained or clarified these statements and placed them in context. He apologized for one remark and told the committee that he would say other things differently if he had the chance or were making them over.

Senator Hagel was clear and firm in the positions that he takes today and that he will, if confirmed, take as Secretary of Defense. In particular, Senator Hagel stated forcefully and unequivocally that, first, "Iran poses a significant threat to the United States, our allies, and partners, and our interests in the region and globally. Iran continues to pursue an illicit nuclear program that threatens to provoke a regional arms race and undermine the global nonproliferation regime. Iran is also one of the main state sponsors of terrorism and could spark conflict, including against United States personnel and interests."

Second, he is, "fully committed to the President's goal of preventing Iran from obtaining a nuclear weapon." All options "must be on the table to achieve that goal," and his policy, if confirmed, will be "one of prevention, not of containment."

Third, while he believes engagement is clearly in our interests, engagement is not negotiation. He stated, "I've never thought engagement as weakness. I never thought it was surrender. I never thought it was appeasement. I think it's clearly in our interest. Get the international sanctions behind you, keep military options on the table, and if the military option is the only option, it's the only option."

Finally, he is "a strong supporter of Israel," and believes that "we have a special relationship with Israel," and if confirmed, he "will ensure our friend and ally, Israel, maintains its qualitative military edge in the region, and will continue to support systems like Iron Dome, which is today saving Israeli lives from terrorist rocket attacks."

Senator Hagel has also recognized the very real risks posed to our national security as a result of the unique budgetary pressure arising out of cuts previously agreed upon by Congress, the budgeting by Continuing Resolution, and the impending threat of a sequester. This is what Senator Hagel told the committee: "Sequestration, if allowed to occur, would damage our readiness, our people, and our military families. It would result in the grounding of aircraft and returning ships to port, reducing the Department's global presence and ability to rapidly respond to contingencies. Vital training would be reduced by half our current plans, and the Department would be unable to reset equipment from Afghanistan in a timely manner."

He continued: "The Department would reduce training and maintenance for non-deploying units and would be forced to reduce procurement of vital weapons systems and suffer the subsequent schedule delays and price increases. Civilian employees would be furloughed for up to 22 days. All of these effects also negatively impact long-term readiness. It would send a terrible signal to our military and civilian workforce, to those we hope to recruit, and to both our allies and adversaries around the world."

Some members of this committee strongly oppose President Obama's foreign policy, but regardless of how we may feel about the President's policies, our vote on Senator Hagel's nomination will not change those policies. If there is a risk here, it is that the defeat of this nomination will leave the Department of Defense leaderless at a time when we face immense budgetary challenges and our military is engaged in combat operations overseas. Such an absence of senior leadership would be unlikely to benefit either our national defense or our men and women in uniform.

I would add, given the recent explosion of a nuclear device by North Korea, the delay in adopting this nomination and approving it, I think, will send the exact wrong message to North Korea.

The President needs to have a Secretary of Defense in whom he has trust, who will give him unvarnished advice, a person of integrity, and one who has a personal understanding of the consequences of decisions relative to the use of military force. Senator Hagel certainly has those critically important qualifications, and he is well-qualified to lead the Department of Defense.

Senator Inhofe.

STATEMENT OF SENATOR JAMES M. INHOFE

Senator INHOFE. Thank you, Mr. Chairman. Let me first of all say I have said many, many times, going back to my first meeting with Senator Hagel when he was first elected, how much I admire his service to his country, the job that he did, his Purple Hearts, and all of that. The question is, in my mind, is that and that alone, enough justification for confirming him to the nomination for the Secretary of Defense.

Now, I also listened, Mr. Chairman, and what you said was accurate in terms of what he said now during these hearings. My problem is that is not what he lived in the past.

I guess I was the first one who decided that I was going to oppose him, his nomination, and that was before we knew nearly as much as we know today. At that time, I was aware that he was one of two Senators who voted against sanctions against Iran. He was one of four Senators who voted against labeling or declaring the Iranian Revolutionary Guard (IRG) as terrorists. He was one of four who did not sign a letter, and I remember that because I helped take the letter of solidarity around to the various Senators. He was one of only four who did not sign that.

I was also concerned about the Global Zero Movement. It sounds real good. We want a nuclear-free world. The problem is, and I have heard all of his answers to this, but the group that he is a part of is for, if necessary, unilaterally doing away with our nuclear capability. I was concerned with the fact that arguably you could say that Iran could be one of the most severe of the terrorist type of states. They have said things like, "we want to wipe Israel off the map. Israel is a cancerous tumor in the heart," and "America is rotten from the bottom up," all these things. Yet they, that country, is endorsing his confirmation.

Lastly, I have mentioned this several times. It was Senator Cruz who showed us, Mr. Chairman, and I want to tell you how much I personally appreciate your bending the rules a little bit to allow him to put the Al Jazeera video up, where he agreed with Al

Jazeera's comments about Israel committed war crimes, Israel committed sickening slaughter, and America is the world's bully.

I just cannot for those reasons—and others have other reasons, but those are the reasons that I opposed him. I still oppose his confirmation. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe. Now, what we are going to do is give everybody an opportunity to make a statement. We will then vote. The time of the vote will be determined by how many of us want to make statements. I cannot set that time yet until we get a feel for how many members want to make statements. What I will do, and I have not had enough chance to chat with Senator Inhofe on this in terms of the specific time, but my inclination is to say that we should make statements within a time limit of 8 minutes. Would that sound fair?

Senator INHOFE. Very fair.

Chairman LEVIN. Thank you. I am not urging everybody to speak or to use their 8 minutes, by the way. That I hope was not implied by my decision. After we get a feel again for about how many want to speak, then we will try to set a fixed time later on this afternoon so that everybody will be given perhaps 20 minutes or so warning at least as to what that fixed time is.

We will do the best we can, and now call upon Senator Reed.

Senator REED. Thank you, Mr. Chairman. I will try to set the example by taking much less than 8 minutes.

As you pointed out, some of the most respected experts on foreign policy and national defense policy in the United States, who have served both Republican and Democratic presidents, are strongly and enthusiastically supportive of Senator Chuck Hagel's nomination to be Secretary of Defense: Bob Gates, Bill Cohen, Madeleine Albright, Bill Perry, Brent Scocroft, Ryan Crockett, and Thomas Pickering.

These ladies and gentlemen have represented the United States' interests through a lifetime of service. They are, I think, some of the strongest evidence of the support and the confidence that they have and we should have in Senator Hagel's nomination to be the Secretary of Defense.

There has been a lot of discussion particularly about his approach to our strong historic partnership with the state of Israel. I was particularly struck by the words of Deputy Israeli Foreign Minister Danny Ayalon. He is the former ambassador to the United States. He is now one of the senior members of the foreign ministry. He has said, "I have met him," Senator Hagel, "many times, and he certainly regards Israel as a true and natural U.S. ally." That is coming from someone who is a serving member of the Israeli Government. I think that is the case, and that is what his lifetime of effort as a Senator, as an individual, as a business leader points out.

I would just conclude by echoing the point that the chairman made. This is a very dangerous moment—I do not have to remind anyone in this room—for us. We are facing budget issues. We are facing national security issues. We are in the process of our retrograde operations in Afghanistan. Just within hours ago, the North Koreans detonated a nuclear device.

This is a time that the men and women of the Department of Defense need a Secretary of Defense. I would urge our strong support of Senator Chuck Hagel. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Reed.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman. I believe that Senator Hagel, as far as I can determine, has complied with the requirements or the parameters for the information that needs to be disclosed to this committee.

I am somewhat disturbed to hear that today there are two more speeches that he had not reported that maybe have just surfaced. Yet at the same time, I believe he has complied.

I do not believe that we should move forward with his nomination until questions are answered that Senator Graham, Senator Ayotte, and I have asked to be answered.

For the first time in my political career, I found myself in agreement with Mr. Robert Gibbs, who stated on a Sunday television show that Senator Hagel's performance before the Senate Armed Services Committee was the most unimpressive and unfocused that he had ever observed. I agreed with him. It was the most unimpressive performance that I have seen in watching many nominees who came before the committee for various positions. He did not even know that our policy toward Iran is not one of containment, had to be corrected by the chairman of the committee. Of course, his failure to answer specific questions that I asked is very disturbing.

Let me point out that the surge was an issue of the lives of thousands of American service men and women who are serving in Iraq. Senator Graham and I and others, not many, were harshly critical of the Bush administration, called for the resignation of Secretary Rumsfeld when he said that there was only a few dead-end kids left in Iraq, and took on our own administration, our own President, our own Secretary of Defense.

Then Senator Hagel also thought we were losing, and then when the surge was implemented, gave a statement that the surge was the worst blunder since Vietnam, and then went on with some nonsense about whether Lyndon Johnson was in Cambodia or not. He continued to oppose the surge and said that it would fail.

I think we are all responsible for our record. I will be glad and have quite often been pointed out where I have been wrong. But for him to fail to agree that what was clearly and obviously a success, to me indicates that he really did not want to be forthcoming to this committee. I do not think he complied with the requirements of answering the questions for members of this committee.

I am aware that some think that it became rather tense. We are talking about thousands of young Americans who had their lives on the line in Iraq, including some people that—well, Senator Hagel's judgment was wrong, continues to be wrong, and he refuses to admit that he was wrong on this issue and many other issues.

His gratuitous attacks, for example, saying that President Bush was the worst President since Herbert Hoover, of course, were just gratuitous attacks on the President of the United States.

But you can only judge somebody by their past performance in order to predict what their future performance will be. His per-

formance before this committee was the worst that I have seen of any nominee for office. He refused to answer a simple, straightforward question as to whether the surge was a success or not, and whether he supported it or not. That was a key moment in the history of this country.

So, Mr. Chairman, I hope that we will get the answer that Senator Ayotte, Senator Graham, and I have asked to be answered. I hope that will happen. But I cannot vote to report out Senator Hagel's nomination favorably.

Chairman LEVIN. Thank you very much, Senator McCain.

On this list now in order of appearance, Senator Hagan is not here. Senator Shaheen, do you wish to make a statement?

Senator SHAHEEN. Yes, Mr. Chairman. I think, while I appreciate the concerns that have been raised about Senator Hagel, and I certainly would like to have seen him be much feistier at his hearing, I do think for anybody to suggest that he is not qualified, they have not really looked at what his background has been.

He was the Deputy Administrator of the VA. He managed a quarter of a million employees during the Reagan years. He turned around the United Service Organization when it was in financial difficulty. We all know much about his record as Senator when he helped to shepherd the 9/11 GI Bill through the Senate. He has served on the Defense Policy Board at the Pentagon, as co-chairman of the President's Intelligence Advisory Board, not to mention all of the things that have been said about his service in Vietnam and his heroism as an enlisted man.

I understand that people disagree with his position on certain issues, and, therefore, everybody has the right to vote in the way that they say. But the concern that I have is the suggestion that this man who has served his country really since he was a young man and enlisted in Vietnam, is not qualified to be the Secretary of Defense, I think is just not accurate and reflects certainly a different understanding of his background and his experience than I have.

So I intend to vote for him. I think he will be an excellent Secretary of Defense. I hope that we will confirm him.

Chairman LEVIN. Thank you, Senator Shaheen.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman. I thank the members of the committee.

First, let me just say upfront that I think all of us deeply respect Senator Hagel's service to his country in Vietnam and his service in this body. We know that there are always difficult decisions that you have to make, and I certainly respect that service that he has given to our country.

In thinking about this nomination, I certainly come at it from a perspective which I understand that the President deserves a certain level of deference with respect to who serves on his Cabinet. In fact, that is why I voted, for example, for my colleague, Senator Kerry, who had an overwhelming vote in the Senate, even though he and I probably vote very differently on many issues. But certainly he was confirmed overwhelmingly in this body.

I find myself on this nomination in a very different place. I very much agree with my colleague, Senator Reed, who was here, as he

described the state of our country, and the state of our national defense, and the challenges we face around the world right now. It is a very difficult time and a dangerous time around the world.

One of the first challenges that we face, and I think one of the greatest national security threats that we face, is the march of Iran toward obtaining a nuclear weapon. I find myself in reviewing Senator Hagel's record and also what he said when he appeared before us in a very lengthy hearing before the committee, to be very much at odds with him on this issue. I think also some of his prior positions are at odds with members of both sides of the aisle.

For example, as has been mentioned previously by Senator McCain, I was very troubled that he did not clearly know what our position was when it came to containment, particularly since I believe everyone in this room voted, except for the newer members. We recently voted in a vote of 90 to 1 in the U.S. Senate explicitly rejecting a policy of containment toward a nuclear-armed Iran. Yet, Senator Hagel seemed to believe in his first statement that the President had a strong position of containment toward Iran. Then he switched his position to say that we do not have a position on containment. Finally, of course, the chairman corrected him to let him know what our position was on containment.

This is one example, I think, of many within the hearing where there were some issues that I felt that he needed to give us answers on. This is one of the biggest threats facing the world right now. I was deeply troubled by his statements with regard to containment. Also, I think if you look at his prior history of when he served in this body where he has been on sanctions, as has already been described, I think all of us here hope that we can stop Iran from obtaining a nuclear weapon short of military actions.

But if you are going to do that, the only way we can do that is through sanctions. Yet, when he was in this body, he was one of two Senators to oppose sanctions in 2001, again in 2008 in the Banking Committee. He was one of two Senators to oppose sanctions. Then when I asked him during the hearing, Senator Reid, the Majority Leader, came to the floor on October 2, 2008, and brought forward an Iran Sanctions Act that is very similar to the one that we have passed since I have been here, he blocked unanimous consent for consideration of that before this body.

I think it is important to note that a similar Iran Sanctions Act was co-sponsored by Secretary Kerry, Secretary Clinton, and then Senator, now President, Obama. This is an issue that we have been strongly on that he is really to the fringe, I think, of both parties of where we have been on sanctions. That troubles me given the threats we face around the world right now.

Of course, he also voted against the Sense of the Senate in designating the Islamic Revolutionary Guard Corps as a terrorist organization, and as he told us during the hearing, because it was part of an elected legitimate Iranian Government. I do not think that the people who rose up in 2009 in the Green Movement, who were persecuted and shot at by the Iranian Government, would call that government a legitimately-elected government, nor would, at the time that he voted against designating the Islamic Revolutionary Guard Corps a terrorist organization, at the time they were assisting those in Iraq that were murdering our troops. So that troubles

me that he would not think of designating the Guard Corps at that time a terrorist organization.

Two other issues I would like to talk on, and that is we are facing grave budget challenges right now. I remember when Senator Blunt asked him about a prior statement that he made after the Budget Control Act was passed. He was asked about the across-the-board cuts made to our military, and he said, different than what our Secretary of Defense Panetta has said now, that he felt that the Pentagon was bloated and needed to be pared down. During our hearing, he said that those were statements he made prior to the Budget Control Act being passed, but that was not the case. That was later corrected.

In terms of shepherding the Pentagon, I certainly do not think that we want to be in a position of thinking, especially in light of the testimony we heard this morning, that the Pentagon is bloated or needs to be pared down. I think all of us agree here that there are things that we could do better in the Pentagon. I know that many of us have worked on things that we could do better and more efficient in the Pentagon. But sequestration is not the answer to that.

Finally, hours ago, as Senator Reed mentioned, the North Koreans have detonated a nuclear device. Yet a year ago, Senator Hagel was a signatory to a report that essentially would eliminate a portion of our nuclear triad. We have three legs to our nuclear triad, and he was a signator on a report that recommended that that would be a manner in which we could eliminate a leg of our nuclear triad.

It seems to me with the North Koreans testing, with Iran marching toward a nuclear weapon, that is a deep concern that our Secretary of Defense less than a year ago would sign on to a report that would state that position.

Now, during his hearing, he tried to claim that this was just an illustration, but that is actually different than what the report itself says. The report itself says on the first page that these are next steps, are possible and desirable. So I was not satisfied with his explanation of this being an illustration during the hearing, and I am concerned that is really where his viewpoints are. I am concerned that those viewpoints will drive the recommendations that he makes to the President as the Secretary of Defense.

So for all those reasons, respectful of his service to our country, I just think that with the challenges we face around the world right now, I judge him based on his record. I respect his service. But also I have to judge him based on his performance before us in the Senate Armed Services Committee, and I cannot support his nomination.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Hagan.

Senator HAGAN. Mr. Chairman, I want to thank you for the fair, open, transparent process that this committee has followed as we have considered this important nomination. After spending several weeks of closely reviewing his qualifications, meeting with him personally, participating in the nomination hearing, I will vote for his nomination to become our country's next Secretary of Defense.

Senator Hagel certainly has shared my concerns about the serious negative consequences that sequestration would have on North Carolina. As we heard at the hearing this morning, it is important that our next Secretary of Defense be strong, be an advocate for stopping these cuts that would be devastating to our military strength.

I also believe that Senator Hagel will continue to look for ways to enhance our military and our intelligence collaboration with Israel, one of our most important allies. I appreciate and respect Senator Hagel's service to our country as an enlisted soldier in Vietnam. It is my hope and expectation that this perspective that he has will aid in the support of the many servicemembers and their families who call North Carolina home, and certainly all of our other States.

I was pleased to hear his assurances that he will monitor and be a helpful partner in getting the answers about the water contamination at Camp LaJeuene. Thank you.

Chairman LEVIN. Thank you very much, Senator Hagan.

Senator Fischer.

Senator FISCHER. Thank you, Mr. Chairman, and thank you, Ranking Member Inhofe.

For the past several weeks, I have carefully reviewed Senator Hagel's record. I know Senator Hagel. I met with him privately and participated in the committee's hearing, questioning in both rounds. Ultimately, while I respect his military service, I do not believe he is the right choice for this job.

I am concerned by Senator Hagel's record on important topics, and his testimony before this committee did nothing to clarify those questions. As many of you have said, this is a very dangerous moment for our country. The next Secretary of Defense will likely make critical decisions with respect to budgeting for national defense that will define its future for decades to come: confronting a pre-nuclear Iran, dealing with an increasingly belligerent nuclear armed North Korea, and a bellicose China. I do not believe he will chart the right course for our country, and the effect of his decisions on these topics will last for decades.

I do appreciate the President will nominate candidates that hold very different views than I do. My support for Senator Kerry's nomination indicates this. But I cannot support a candidate whose views are so far afield. As the Washington Post editorial board indicated, these positions are far to the left of those held by President Obama.

For those reasons, I cannot support his nomination. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Fischer.

Senator Donnelly is not here at the moment.

Senator Kaine.

Senator KAINE. Thank you, Mr. Chairman, Mr. Ranking Member, and colleagues. I am honored to serve with you on this committee. One of my personal and political heroes, former Senator John Warner, appeared and talked about his committee service in a most glowing way. He was a decorated war veteran of two Service branches, the Navy and the Marine Corps, and he was a Secretary of the Navy. But he said his proudest public service was his service

as a committee member, both as chair of this committee and ranking member. I have tried to approach this question thinking about Senator Warner and the way he approached his job.

I am going to vote for Senator Hagel's nomination to be Secretary of Defense for three reasons. First, the standard I think we should apply; second, aspects of Senator Hagel's experience and character; and finally, some thoughts about the inquiries and objections that others have raised that I have taken seriously.

With respect to standard, I echo the point that Senator Ayotte made earlier. I think we owe deference to a President for choices to executive positions, and I think that is a very important thing to grapple with. When the American public chooses someone to be President, they are giving that individual a mandate to govern, and that mandate includes the assembly of a team that the President feels is the appropriate team. Deference is not a rubber stamp. Deference does not mean that you cannot vote no. But I think that deference is an important thing, and I approach any executive nomination with that in mind.

Moving particularly to Senator Hagel from his experience, I view his enlisted service and the fact that he would be the first former enlisted man to be Secretary of Defense is an incredibly important thing. I want our Secretary of Defense to go to sleep every night and wake up every day worrying about our men and women, and especially those who enlist. I have no doubt, and I do not think that anyone on this committee would have any doubt, that that would be his overriding concern. I want that to be an overriding concern. He has been a powerful veterans advocate in his position with the VA and in his service to help revive the United Service Organizations.

His role in the Senate is very important. This is a job that is not an internal management job, but it helps someone to have that understanding of the different branches of government and the relationship that is the appropriate one between the executive and the legislature. I think Senator Hagel will bring that to the table.

Finally, he has private sector leadership, experience in a variety of ways, both in a for-profit and the nongovernmental organization world. He truly has a well-rounded base of experience to bring to the job.

On the character side, Senator Hagel has shown it again and again that he is willing to sacrifice and that he has courage. Sacrificing in service, sacrificing for his country again and again. He is willing to step up and do it again, and I give him credit for that. I think he has shown courage, including the courage to say "I was wrong." That is something that is hard for me to do in public life. I think it is hard for a lot of us to do public or private. But Senator Hagel has had the courage and the independence to acknowledge that he was wrong when he felt that he was.

I think what he owes to the President, what any Cabinet Secretary owes to the President, is the best advice they can give at the time. The President will make the call, but I do not want Cabinet Secretaries who are going to be hedging their advice based on what they think will be popular or what the President will like. I do not have any doubt that Senator Hagel will be giving the advice as Sec-

retary that he thinks is the right thing, and then trusting the chain of command and our Commander in Chief to make the call.

Finally, on a matter of character, I think that Senator Hagel's philosophy is one that understands America's role in the world. Our strength is not just military strength. Ever since Teddy Roosevelt won the Nobel Prize for brokering the end of the Russo-Japanese War, America has played a big role on the stage of the globe and an important one. We are exceptional, and we are exceptional in the role we play in the world. But we get it right when we appropriately balance military strength, diplomatic strength, economic strength, and strength of the moral example. I think Senator Hagel understands that those all have to be in balance, and I appreciate it.

Finally, a number of tough questions and objections were raised, and they were all fair. Senator Hagel said the same thing at the hearing, that he did not mind answering for anything he had said. Much as I would say he could see some things that he might have said better, I feel that pretty much every day in public life I can see things that I might have said better.

But while the questions were fair, I think the fair answer to them is review the entire record.

When you first hear that the Senator voted in the Senate against the designation of the IRG as a terrorist organization, it does make you sit back and wonder why. The day we were together, he explained why. Many Senators voted against that designation because they believed that there was a potentially perilous consequence to designating a department of a government as a terrorist organization, that that could, in fact, lead to an executive overreach, and potentially be a preliminary step toward hostilities or even warlike activity without appropriate consultation with Congress.

I am going to be an incredible stickler on the need for an executive to consult with Congress. Things that might serve as pretext for executive action need to be avoided. That is why a number of other Senators, including Senator Webb, my predecessor in this seat, voted against the same IRG designation. When that was explained in the context of the committee hearing, it made a lot of sense. We might have voted differently on it, but he had a credible rationale.

Finally, I did not view the back and forth over containment as Senator Hagel saying that he wants to have a containment policy vis-a-vis Iran. We were talking containment and prevention shorthand on the floor, and he said he supported the President's ideas, policy views about containment. We all know the President's policy about containment is we are not about to contain a nuclear Iran because a nuclear Iran would jeopardize Israel, and would also inspire the very kind of arms race in the Middle East that the President and Senator Hagel have always been against.

I think a fair read of that discussion was that he understood what the President's policy was. If you read Senator Hagel's writings, I think he has been very clear about that, that we have no containment policy, that the answer we have to containment is we are going to prevent Iran from getting a nuclear weapon, and I believe he will do it.

The questions and objections I think are fair. I think they were answered. I am going to support his nomination.

Chairman LEVIN. Thank you very much, Senator Kaine.

Senator Graham.

Senator GRAHAM. Mr. Chairman, I am often asked what has happened to the committee. Nothing. We just disagree on occasion. [Laughter.]

This is a good committee, and we have a good chairman. We have a good ranking member. I like my colleagues.

It is the times in which we live. The Democrats are going to get almost universal support by Republicans, and the Republicans are going to get almost no Republican support. [Laughter.]

How is that? John Kerry is a good friend, so is Chuck Hagel. I find myself disagreeing with Senator Kerry on occasion, but I think he is in the mainstream of thinking. I think he will do a good job for the country.

I do not vote against nominees very often. Senator Obama, if we use his standard, I think we would all be in pretty good shape over here to vote just the lot. No, but we are not.

At the end of the day, it is just not the one vote about the IRG. It is a series of votes and statements that paint an unusually disturbing picture. There is the left lane in politics, the right line, and the middle lane, and when it comes to some of the Iranian-Israeli issues, there is the Chuck Hagel lane. He is in a league of his own. There is nobody with this kind of series of votes and these series of statements. It is just not one thing. I say dumb things every day, but it is a series of things, a series of votes, and an edge about him that makes many of us very unnerved about his selection at a time when the world is on fire.

Syria is a contagion that is going to take the King of Jordan down, and if these press reports are true about our policy in Afghanistan, we are going to have 8,000 troops left behind, 41 percent below the commander's recommendation. We are telling the enemy we will be down to 1,000 by 2017. Afghanistan will fall apart in 18 months.

The next Secretary of Defense is going to have to deal with a world on fire, and I just believe that the testimony of Senator Hagel was not reassuring. I do not think he came across clear and convincing, that he understood our policies toward Iran. The fact that you do not understand why and you cannot clearly articulate the bad news for America if the Iranians get a nuclear capability, sharply and to the point, is unnerving for the times in which we live in.

This committee has a bipartisan reputation of holding Presidents accountable. I joined with the chairman and Senator McCain and many others to look into the abuses of the Bush administration when it came to interrogation techniques. I hope my colleagues on the other side will hold the Obama administration accountable for what I think was a complete breakdown of leadership when it comes to Benghazi. We just cannot investigate Republicans. We are going to have to hold both parties accountable and both Presidents accountable, regardless of party.

Mr. Chairman, you are a good chairman. This committee will get over this aberration and we will get back to doing business. We will

find common ground regarding sequestration, I hope. But the reason I am voting against Senator Hagel's nomination is that there are very few people with his voting record when it comes to Iran and Israel. There are very few people who have been this wrong about so many different things.

I cannot in good conscience support this nomination because I think it is sending the worst possible signal to our friends and our enemies alike. Thank you.

Chairman LEVIN. Thank you, Senator Graham.

Senator King.

Senator KING. Thank you, Senator. As I think about this, I approach it as if we are doing a hiring exercise. The President, of course, makes the nomination, but we are acting in an impartial capacity.

When I hire somebody, the first thing I look at is experience, and as I mentioned at the hearing, I think Senator Hagel's experience as an enlisted man is important, particularly when we are going into an era where a lot of the responsibility of the Defense Department is going to be dealing with people returning from combat, dealing with soldiers—men and women—who have been in combat in Iraq and Afghanistan. I think having somebody in the position that he has been nominated for, who has been there, who has been on the front lines and understands the stresses and the pressures, I think it is important. I think it is important for the morale of the entire enterprise.

In addition, he has experience here in the Senate. He has experience in managing large organizations. He has experience in ongoing questions of public policy. So that is where I start, is his experience, look at the resume.

Second, the next thing I do when I hire somebody is check references. The references that you, Mr. Chairman, read at the beginning of the meeting, the list of people that are supporting him from both sides of the aisle, former Secretaries of Defense, people that are a who's who of national security policy in the United States, have supported him. These are people that know him better than I do, and I put a lot of weight on that. When I see people like Bill Cohen, Secretary Gates, and Secretary Perry, that carries a lot of weight with me. Those are serious people who we know put the interests of the United States at a very high level, and they would not be recommending someone that they did not feel confident in.

The third thing, of course, in a process is the interview. I think the interview was the confirmation hearing. We had an opportunity to question him, and I think Senator Shaheen used the word "feisty". I think he was not as forceful as he might have been. I am not sure how all of us would have done in a 9-hour hearing or whatever it was. It was a pretty long day that day.

I would say, parenthetically, I remember the containment mistake. I remember the moment he made it, and it was a mistake. He knew the policy is prevention, not containment. The word popped out. He used the wrong word. It was not a deliberate statement of a policy difference with the President. I would characterize it as a slip of the tongue. The same thing on the legitimacy of the Iran Government.

The point he was making was it is an established government. He used the word "legitimate", not in the sense that it was duley elected and met our standards, but it was an established government. As Senator Kaine indicated, I think he had a rationale/reason for taking that position because he was afraid if he took that vote, as Senator Webb said, it would have been used as a license by the administration to take aggressive action toward the nation of Iran. I think that was a rational policy.

Another thing I always look for when I am looking to hire somebody is character, and this man has character. Mr. Chairman, at the beginning of the hearing, you used the phrase, "He would give the President unvarnished advice with integrity." That is a very high quality, very high on my list. That is what the President needs is unvarnished advice, not somebody who is always going to agree with him, but somebody who is going to give him his best judgment and has absolute integrity.

I think it would have been very easy for him to agree with Senator McCain in the hearing and avoid that contretemps, but was not there, and he did not do it. That shows me some integrity.

Finally, I agree with what other people that have already stated. I think our role is not to substitute our judgment for the President, not to say this is who we would have necessarily hired, but the deference goes to the President to build his team. I happen to think Chuck Hagel is a man of great integrity, great intelligence, and is the kind of person that, I think, will be a strong leader for the Department of Defense, and particularly for the men and women who are actually the warfighters.

So I intend to vote for his nomination with confidence and enthusiasm.

Chairman LEVIN. Thank you very much, Senator King.

Senator Vitter.

Senator VITTER. Thank you, Mr. Chairman.

Mr. Chairman, I am really concerned about process. I am really concerned that this committee vote and this entire nomination is being rushed, and that we are being asked to vote, maybe forced to vote, before all reasonable requests for information have been received.

I am concerned about two categories, in particular. One is financial disclosure and information. I will leave the details of that to Senator Cruz because he has been very focused on that, but I certainly echo his concerns.

I want to focus on speeches. One clear category of the normal precedent of what the committee asked is speeches the nominee has made in the last 5 years. That is standard. That is not anything outside the norm. Senator Hagel in response to that said he "conducted an exhaustive search for all of my speaking engagements over the past 5 years".

After that so-called exhaustive search, he identified 80 speeches, 29 we have texts for, 51 we do not. So one flag is 51 speeches he has identified we do not yet have the substance. But that is not the biggest flag for me.

The biggest flag is that we have found six outside speeches that he never identified. Our staff has found them. We have a lot less information to go on than he did, and we have found six additional

speeches. Five of those we have just recently gotten text or video, and have not been able to review them. We have literally gotten those in the last 24 hours. For one of those we know video exists. It is the June 13, 2008, keynote speech to the Arab-American Anti-Discrimination Committee. We know the video exists, but we do not have it yet.

So my request is pretty simple, that we get that video and that we have some reasonable amount of time to review text or video of these six speeches and any others that surface. That is squarely—squarely—within the information the committee always requires. We are just delayed because Senator Hagel did not disclose it. We had to find it. So that should not penalize us, and we should not reward him.

Again, my request is simple. We have five speeches, have them, but have not reviewed them yet. Gotten them in the last 24 hours. One we know a video exists. We do not have it yet. So I would like to be able to review that with others before this committee vote, and I think that is a pretty darn reasonable request. I would ask for unanimous consent to submit for the record the information regarding these speeches.

Chairman LEVIN. It will be accepted.

Senator VITTER. Mr. Chairman, could I just ask for your response to that request?

Chairman LEVIN. The question is that we ask of all nominees, "provide the committee with two copies of any formal speeches that you delivered during the last 5 years of which you have copies," and he answered that question.

Senator VITTER. Mr. Chairman, my point is pretty obvious. He answered it.

Chairman LEVIN. He did not have copies. He gave us copies of everything that he had. You have apparently been able to find transcripts of speeches from the organizations to which he spoke informally, and that is fine. But he answered the question, and there is no reason to believe he did not answer it accurately.

Formal speeches, two copies, last 5 years of which he had copies. Unless you believe he had copies and did not provide them, then your document will be accepted for the record. But that is it.

Senator VITTER. Mr. Chairman, he also identified a total of 80 speeches, including speeches which he did not have copies of.

Chairman LEVIN. That is correct.

Senator VITTER. My point is these 6 speeches were not on the list of 80.

Chairman LEVIN. Then he did not remember those speeches. He is not trying to hide speeches if he gave us 80 speeches. I could not give you a list of every speech I have made in the last 5 years, particularly informal speeches. There is no way. If I gave you a list which had 90 percent of the speeches that I had, I would be doing pretty well. So unless you think that he intentionally misled this committee and have any evidence of that, we will accept your list for the record.

[The information referred to follows:]

Hagel Disclosed Speeches

	Date	Speech	Speech Disclosed	Copy Provided
1	October 9, 2002	Senate Floor Speech – Authorization of the Use of United States Armed Forces Against Iraq	X	X
2	October 29, 2003	Conference on New American Strategies for Security and Peace: "Defining a Foreign Policy for the 21st Century"	X	X
3	April 29, 2008	Remarks on the GI Bill at a Capitol Hill Rally	X	X
4	May 8, 2008	"A Conversation on National Security with Senator Chuck Hagel"	X	
5	June 2, 2008	Gonzaga High School Commencement	X	X
6	June 26, 2008	Brookings Institution: "Memo to the Candidates"	X	X
7	October 21, 2008	University of Nebraska at Omaha's Democracy Matters Lecture	X	X
8	2009	Atlantic Council Annual Board Dinner – Welcoming Remarks, Board Business, and Introductions (off-the-record) – with Carl Bildt, Foreign Minister, Sweden	X	
9	January 23, 2009	YPO New York (Washington Speakers Bureau)	X	
10	February 23, 2009	National Association of Realtors (Washington Speakers Bureau)	X	
11	February 16, 2009	New York Life Insurance Company (Washington Speakers Bureau)	X	
12	February 25, 2009	Speech at the launch of the Pakistan Task Force report: "Needed: A Comprehensive U.S. Policy Towards Pakistan"	X	
13	March 6, 2009	FTI Consulting (Washington Speakers Bureau)	X	
14	March 13, 2009	Deutsche Bank AG (Washington Speakers Bureau)	X	
15	March 18, 2009	Air Conditioning Heating and Refrigeration Institute (Washington Speakers Bureau)	X	
16	April 29, 2009	Atlantic Council Awards Dinner	X	
17	May 4, 2009	Lincoln National Life Insurance Company (Washington Speakers Bureau)	X	
18	May 8, 2009	"U.S.-Saudi Relations in a World Without Equilibrium"	X	X
19	June 7, 2009	Federal Home Loan Bank of Atlanta (Washington Speakers Bureau)	X	

20	June 15, 2009	Association of Private Sector Colleges and Universities (Washington Speakers Bureau)	X	
21	June 24, 2009	Philip Morris USA (Washington Speakers Bureau)	X	
22	June 25, 2009	Atlantik-Brucke's Tenth Eric M. Warburg Award 2009 at the Library of Congress	X	X
23	September 28, 2009	Welcome/Introductory Remarks for Senator Richard Lugar	X	X
24	October 1, 2009	Atlantic Council Black Sea Energy and Economic Forum & Dinner Keynote (Bucharest, Romania)	X	X
25	October 27, 2009	J Street National Conference: "Driving Change, Securing Peace"	X	X
26	November 5, 2009	Munich Security Conference-Atlantic Council Washington Core Group Meeting speech at Working Dinner: "The Iran Non-Proliferation Challenge and the International Arms Control and Disarmament Agenda" with Javier Solana, Ellen Tauscher, and Ruprecht Polenz	X	
27	December 2, 2009	BDT Capital Partners (Washington Speakers Bureau)	X	
28	2010	Atlantic Council Annual Board Dinner – Welcoming Remarks, Board Business, and Introductions (off-the-record) – with Leon Panetta, then-Director, CIA	X	
29	2010	Atlantic Council Annual Members' Conference (off-the-record) – Town Hall Luncheon Conversation	X	
30	February 3, 2010	Introduction of Kanat Saudabayev, Chairman-in-Office of OSCE and Secretary of State/Foreign Minister of Kazakhstan	X	X
31	February 4, 2010	Welcoming Remarks – Spanish Prime Minister Jose Luis Rodriguez Zapatero	X	
32	February 22, 2010	Welcome Remarks at the NATO Strategic Concept Seminar	X	
33	March 2, 2010	Atlantic Council Event with Lord George Robertson	X	X
34	March 4, 2010	GlobalOptions Group (Washington Speakers Bureau)	X	
35	March 16, 2010	Society of the Four Arts (Washington Speakers Bureau)	X	
36	April 14, 2010	Introduction of then-Acting President of Nigeria Goodluck Jonathan	X	X
37	April 28, 2010	Introduction of Josef Ackerman (Distinguished Business Leadership)	X	
38	June 8, 2010	The George Washington University School of International Affairs	X	

		(Washington Speakers Bureau)		
39	July 12, 2010	Welcoming Remarks - Central Asia Task Force – Atlantic Council	X	X
40	July 12, 2010	Discussion of the Strategic Importance of Central Asia for U.S. Policy at an Eurasia Task Force Event – Atlantic Council	X	
41	August 4, 2010	Introduction of Sen. Chris Dodd – Dodd-Frank Bill Event	X	X
42	November 8, 2010	Remarks at the launch of the Iran Task Force report: "The Iran Stalemate and the Need for Strategic Patience"	X	X
43	November 22, 2010	Remarks at the release of the Eurasia Task Force report: "Astana on the Atlantic: Transatlantic Strategy in Central Asia and the OSCE"	X	X
44	December 2, 2010	National League of Cities (Washington Speakers Bureau)	X	
45	2011	Atlantic Council Annual Board Dinner – Welcoming Remarks, Board Business, and Introductions (off-the-record) – with William Daley, then-Chief of Staff to President Obama	X	
46	2011	Atlantic Council Annual Members' Conference (off-the-record) – Is Washington Broken? The Future of American Global Leadership	X	
47	January 14, 2011	Forderverein fur Aktives Asset Management (Washington Speakers Bureau)	X	
48	February 1, 2011	BNP Paribas (Washington Speakers Bureau)	X	
49	March 1, 2011	50th Anniversary of the Atlantic Council – Introduction of Minister Sikorski and Sen. John McCain	X	X
50	March 3, 2011	SkyBridge Capital (Washington Speakers Bureau)	X	
51	March 25, 2011	Discussion of Iran Task Force issue brief: "Strategically Lonely Iran Exploits Opportunities for Regional Influence"	X	X
52	March 9, 2011	Truck Renting and Leasing Association (Washington Speakers Bureau)	X	
53	May 3, 2011	Atlantic Council Awards Dinner – Introduction of Joe Biden	X	X
54	May 16, 2011	American Gas Association (Washington Speakers Bureau)	X	
55	May 19, 2011	Closing Remarks – Creating Shared Value Forum	X	X
56	June 14, 2011	Barclays (Washington Speakers Bureau)	X	
57	September 13, 2011	Rabobank International (Washington Speakers Bureau)	X	
58	September 21, 2011	Citi (Washington Speakers Bureau)	X	

59	October 12, 2011	Putnam Investments (Washington Speakers Bureau)	X	
60	October 26, 2011	Cameron University (Washington Speakers Bureau)	X	
61	October 27, 2011	University of Oklahoma (Washington Speakers Bureau)	X	
62	November 10, 2011	Iran Turns to China, Barter to Survive Sanctions	X	
63	November 17, 2011	Atlantic Council Black Sea Energy and Economic Forum – Opening Remarks	X	X
64	November 17, 2011	Atlantic Council Black Sea Energy and Economic Forum – View from Northern Iraq	X	X
65	November 17, 2011	Atlantic Council Black Sea Energy and Economic Forum – View from Turkey	X	X
66	December 12, 2011	Welcoming Remarks – Atlantic Council Gala Dinner Honoring Brent Scowcroft	X	X
67	2012	Atlantic Council Annual Board Dinner – Welcoming Remarks, Board Business, and Introductions (off-the-record) – with James Clapper, DNI	X	
68	2012	Atlantic Council Annual Members' Conference (off-the-record) – Implications of the 2012 US Presidential Election	X	
69	January 31, 2012	Introductory Remarks – Atlantic Council: "Twenty Years of Kazakhstan Independence and U.S.-Kazakhstan Relations"	X	X
70	February 28, 2012	Welcoming Remarks – 2012 Supreme Allied Commander Transformation Seminar	X	
71	March 8, 2012	Members Conference Call: Making Sense of "Super Tuesday: Understanding the U.S. Republican Primary Race and Beyond	X	
72	April 3, 2012	Introduction of Brent Scowcroft	X	
73	May 7, 2012	Atlantic Council Awards Dinner – Distinguished Military Leadership Award	X	
74	May 9, 2012	Remarks at the Atlantic Council Forum on the Law of the Sea Convention	X	X
75	May 21, 2012	Young Atlanticist Summit Alongside Chicago NATO Summit – Panel on U.S. Security Priorities	X	
76	September 11, 2012	National Multi Housing Council (Washington Speakers Bureau)	X	
77	September 19, 2012	Rohde and Schwartz NA (Washington Speakers Bureau)	X	
78	September 21, 2012	Second Annual Atlantic Council Global Citizen Awards Dinner	X	X

79	September 21, 2012	POW/MIA Recognition Day Keynote		X	X
80	December 11, 2012	Speech at Global Trends 2030	X		

Senator VITTER. Putting aside whose fault it was or what his intent was—I cannot tell you what his intent was. I can just tell you the facts.

Putting that to the side, is it not reasonable for us to review these six speeches we now know about before we vote?

Chairman LEVIN. You will have time in the next 24 hours. I do not know when the Leader is going to bring this to the floor, but you will have time to review any speeches that you have access to. But those speeches—you can continue—if there is 80 out there that he has spoken to—80 organizations, after these 6 come in, then you may discover, hey, there are 2 other organizations on that 80 that have found transcripts. This could go on forever.

We need a Secretary of Defense. We have had the use of a nuclear weapon in North Korea. We have made every single effort to provide all the information which this committee ever requires. He has answered this question. Unless you have evidence that he has not answered it honestly, we are going to proceed.

Senator VITTER. Just in closing, I think that request is very reasonable. I am sorry it is being denied.

Chairman LEVIN. Senator Manchin.

Senator MANCHIN. I want to thank the chairman and thank the ranking member for having this, and I want to confirm everything that has been said here. I think that it has been a thoughtful process, even though we might disagree. It is amazing this process that we are going through right now.

I had some concerns because I had not known or had met Senator Hagel before he was presented. So I heard all the different rhetoric that was going on, and I wanted to find out for myself. I asked the same question as I am sure most of my colleagues had. I wanted to make sure this was a person that would not hesitate to defend our country under any circumstances.

I then looked at his character, too, and I remember he and I are from the same era. I remember the Vietnam War very well at that time and the fear in young people in college about getting drafted by the hundreds every day. I remember losing some of my classmates. They would go out one time and 6 months later be coming back in a box. I remember all that.

Here is not only a person that didn't wait to get drafted, he enlisted. Not only did he enlist, he asked to go to the fight. I think that told me right there everything I needed to know, that he would not hesitate to defend this country.

Also, it was said that his testimony, and I was there, and I started thinking about the things that we have talked about here, it was less than a stellar performance. I am thinking if we were all judged on our less than stellar performances as a Senator, would we be a Senator today? If it has been a bad day, we have all had maybe a less than a stellar performance if that is what we are looking at.

The other thing is, in an executive I know as governor and I know most of you all putting your offices together, you are going to choose a person that you know that you have confidence in, that you believe in, that would follow the orders that you are giving. There is nothing that leads me to believe that he would have been nominated by the President if the President did not have complete trust that he would do that.

With all of that in mind, and also I asked the question directly about Israel because I believe very strongly they are truly the greatest ally and the only ally we have in that part of the world. I wanted to make sure that his commitment to Israel, and I felt

very comfortable with his answer, and standing by Israel. Also, his commitment that we would do whatever we could to prevent Iran from having a nuclear weapon. I have no doubt to believe.

I would say to all of us on this committee, we would have to think that either the President or the commitment we have made to this date would not be followed through, the thinking that he would not follow through on his orders that would be given to him. I have not found any reason why I would not support Senator Hagel.

Also, the endorsements that were mentioned. So many people from both sides of the aisle came up. If it was going to be a political difference that we had on party lines, you would have thought that he would have only had maybe Democrats, or if it was on the other side, only Republicans, that would have been speaking for him. But when I saw Senator Warner come into that hearing, and the respect I have for Senator John Warner, a Republican from Virginia, I think one of the great Senators, that gave me a little bit more confidence, let's put it that way.

I have watched that, the eloquent speeches that have been given here. He is an independent thinking Senator, and a lot of the things he said, as things that we say, as Senators that are elected and represent our States, but to speak our mind. He did that, and it seems like now that is being held against him. I felt that was unfair.

So for this commitment, his enlistment, his bravery, his willingness to not only fight, but willing to put his life on the line. When I look around, how many of us have really had that opportunity or privilege of serving in the military, let alone being at war and putting ourselves, making the supreme sacrifice if called upon.

Senator McCain, I have the greatest respect, and you know that, for you and the service you have given to this country, and any of the other members of this. But I would say the minority of us have had that opportunity that you had in the service and that you have given to this country. That weighs heavily on me, too, making that commitment to vote for Senator Hagel who has done that.

So I would hope it does not become a political vote, if you will. I would like to see a bipartisan vote, and I intend to support him. I appreciate the opportunity to be able to speak upon that.

Chairman LEVIN. Thank you, Senator Manchin.

Senator Cruz is next. I do not know—Senator Wicker, I am sorry. Did you—were you here after Senator Cruz?

Senator WICKER. Yes.

Chairman LEVIN. Thank you. Senator Sessions, were you—did I——

Senator SESSIONS. I am not sure about that.

Chairman LEVIN. Okay. Senator Sessions——

Senator SESSIONS. I am happy to defer to the senior Senators. [Laughter.]

Chairman LEVIN. You are ahead of Senator Wicker, but not ahead of Senator Cruz. Okay. We are going to call on your side. It is going to be Senators Cruz, Wicker, and Sessions.

Senator Cruz.

Senator CRUZ. Thank you, Mr. Chairman, and you are going to get me in trouble cutting in line in front of——

Chairman LEVIN. Better you than me. [Laughter.]

Senator CRUZ. Let me say it is a true honor to have the opportunity to serve on this committee which has a long tradition of bipartisan cooperation, working in the interest of this Nation's national security. I think there are few, if any, decisions that will have a greater import than this committee's decision confirming or not confirming the Secretary of Defense and the potential impact on the national security of the United States.

What I would like to address is my views on the merits of Chuck Hagel's nomination, and then also my views on his failure to disclose what I think are very relevant financial disclosures.

On the merits, I would like to say at the outset that my foreign-policy views are considerably less hawkish than some members of this committee. I have real concerns about the United States acting as the world's policeman, and I take seriously George Washington's admonition that we beware foreign entanglements.

That being said, I also agree strongly with the doctrine of peace through strength. I think the surest way to avoid military conflict is for the United States to stand strong against those who would initiate hostilities, potentially, against us.

Senator Hagel, although I very much respect his personal heroism and character and service, putting his life on the line defending this Nation, his foreign-policy views laid out over 2 decades put him, in the words of the Washington Post, no conservative publication, near the "fringe of the Senate".

In fact, his long articulated views in the Senate have consistently made him the Senator who has expressed the greatest degree of antagonism to the Nation of Israel of any member of this body and the greatest degree of skepticism toward sanctions, toward any firm response to Iran, to Hamas, to Hezbollah, to those terrorist organizations that would seek to harm or to murder innocent Americans.

Indeed, we saw with his nomination something truly extraordinary, which is the Government of Iran formally and publicly praising the nomination of a Defense Secretary. I would suggest to you that, to my knowledge, that is unprecedented to see a foreign nation like Iran publicly celebrating a nomination.

On the merits, in my view, if Chuck Hagel is confirmed, it will make military conflict in the next 4 years substantially more likely, because, in my view, Chuck Hagel's being confirmed will only encourage the nation of Iran to continue and accelerate its program to develop nuclear weapons capacity. If that occurs, the chances are far greater that our young men and women will be sent into harm's way.

I don't want to see that happen. I think encouraging those who would do harm to this country is not, ultimately, in the interest of this Nation.

That is on the merits. I would also like to address the procedural issues.

Twice, Senator Hagel has been asked to provide additional financial disclosures. I would like to focus in particular on one request. Senator Hagel was asked to disclose all compensation that he has received in excess of $5,000 over the past 5 years. That was a re-

quest that initially came from six Senators. In response to that request, he flatly refused.

Now, I would like to point out that information is entirely within his control. There are no legal impediments to his disclosing the compensation he personally has received. Yet, he flat-out refused.

The next iteration, he received a letter from 25 Senators. It included every Republican member of this Armed Services Committee. It also included the minority leader and the minority whip.

That letter stated that, in our collective judgment, this committee should not vote and the full Senate should not vote on his confirmation, unless and until he discloses his personal financial compensation over the last 5 years.

I will confess, Mr. Chairman, I was surprised by his response. I fully expected him to provide some attempt at adequate disclosure in response to that request, and that very clear statement that, in the absence of that disclosure, it was the judgment of a large number of Senators in this body that his confirmation should not come to a vote.

His letter came back, and it again flatly refused to comply. It gave no reason other than that he is not legally obligated to turn it over, and, therefore, he will not.

I will point out that, right now, this committee knows absolutely nothing about the personal compensation Chuck Hagel received in 2008, 2009, or 2010. We do not know, for example, if he received compensation for giving paid speeches at extreme or radical groups.

Now, in my view, given the two letters he received, it is a fair inference to assume that he and those handling his nomination assembled that information, assembled his compensation. The only reasonable inference, I think, is when they assembled it, there was something in there that they did not want to make public.

It may be that he spoke at radical or extreme groups or anti-Israel groups and accepted financial compensation; we don't know. It may be that he received extraordinary payments from defense contractors, which I would suggest is a matter of conflict of interest this committee and this Senate would be interested in.

We don't know what it was, because he simply said: No, I will not tell you the compensation I personally received.

I will point out, on this question, I agree with Senator Harry Reid. When it came to the nomination of John Bolton, and a number of members of this body asked for additional disclosures from John Bolton, and those disclosures were not forthcoming, Harry Reid said the following, "The administration's stonewalling has not only had the effect of slowing down the confirmation process, it has also put a further cloud over this individual and has—perhaps unnecessarily—raised the impression that the nominee and the White House have something to hide."

I don't know if Mr. Hagel has received funds directly or indirectly from foreign sources, from extreme sources, but his refusal to provide disclosure, I think, is highly troubling. I would suggest every member of this committee and every member of this body should stand together in at least insisting on adequate disclosure.

I will make one final point: Some have asked, would you make this same request of a Republican nominee? I will point out to you, Chuck Hagel is a Republican. I don't know him personally, unlike

many members of this committee. I simply know his record. I can tell you this, whether this nominee were nominated by a Democrat or a Republican President, I would be very interested to know, and I think the American people would be very interested to know, whether a nominee for Secretary of Defense has received substantial funds directly or indirectly from foreign nations, foreign lobbyists, foreign corporations, or foreign individuals. I would certainly ask that of either party.

In fact, I suspect, had Mr. Hagel been nominated by a Republican President, there might be considerably more agreement on that point.

So I would ask each of us just to give serious thought to our constitutional responsibility to advise and consent. I would urge this committee, and the Senate as a whole, not to march ahead with such speed that there is not sufficient time to assess this nominee.

Just today, we discovered speeches that he had given that he had not disclosed.

It is a quite mild threshold to ask what compensation has he personally received and deposited in his personal bank account in the last 5 years. I would suggest that should be a relevant concern for every one of us.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Cruz.

As I mentioned before, my answer to the letter on this subject is now part of the record.

The first point that you raise, I said the following, that with regard to the demand that Senator Hagel disclose all compensation over $5,000 that he has received over the past 5 years, the standard financial disclosure form, which the committee requires all nominees to provide, calls for the disclosure of all entities from which the nominee has received compensation in excess of $5,000 during the previous 2 years.

Now, you may want to change the committee's questions. They are standard questions. You can take that up at any appropriate time with the committee if you want, but it is not going to be a separate rule for Senator Hagel than it is for all the other nominees. The 2-year disclosure requirement that has been consistently applied by the committee is established in section 102(b)(1)(A) of the Ethics in Government Act. It applies not only to all nominees for Senate-confirmed positions, but also to all candidates for Federal-elected office.

My comments about your request for foreign funding are also part of the record. They go way beyond what anybody has ever requested. I think it is not even feasible, in many of the requests that you have made, to answer them.

But the question that we do ask in part E of the form that we ask all nominees to fill out is the following: During the past 10 years, have you or your spouse received any compensation from or been involved in any financial or business transactions with a foreign government or an entity controlled by a foreign government? The answer is no.

Now, you have every right to make a request beyond these requests that are required by our rules, but I don't think that we ought to deny a vote to a nominee because he has decided not to

respond to a request that not only goes beyond our rules, but, in some cases, goes way beyond our rules.

Finally, if you wish to modify the form that we ask nominees to fill out, that is well and good. But we are not going to do that retroactively. We are not going to single out one nominee for that. We will either do it for all nominees, in which case you can raise this at a committee meeting on process. You will be more than welcome to do that. But we are not going to single out one nominee for this kind of disparate treatment.

Senator CRUZ. Mr. Chairman, may I give a brief response?

Chairman LEVIN. You may.

Senator CRUZ. I would point out that these requests are not out of the ordinary. In fact, two prior nominees have been asked very similar questions.

When George W. Bush nominated Henry Kissinger to the 9/11 Commission, this body asked what foreign compensation had his firm received. Indeed, a number of prominent members of this body, including the majority leader, said they would oppose his confirmation unless and until he disclosed any foreign conflicts of interest.

Now, Mr. Kissinger made the decision, rather than disclose them, to withdraw, which was a reasonable decision for him to make. That is one precedent.

A second precedent was the nomination of Hillary Clinton for Secretary of State. In that instance, questions were likewise raised about potential foreign funds, and Secretary Clinton did something quite admirable. She voluntarily disclosed every foreign donation to the Clinton Foundation, even though the committee rules didn't require it, because there was a reasonable question that could be raised if foreign funds had gone to that foundation.

I would suggest those two paths are both reasonable paths to take. Number one, if reasonable questions are raised about financial conflicts of interest in a sensitive national security position of the receipt of foreign funds, one position is to say, "I won't make that disclosure, and I will withdraw from my nomination." I will point out that Henry Kissinger's was for an advisory board, not to be the chief civilian officer of the U.S. military, a far more important position. Or the second route is to provide disclosure enough to make clear there is not a foreign conflict of interest.

Senator Hagel's response is truly unprecedented. I am not aware of any precedent where questions have been asked—"Is there a foreign conflict of interest?"—where the nominee has said, "I refuse to answer your questions, and, nonetheless, I will not withdraw. I expect to be confirmed anyway."

I would suggest that sets a dangerous precedent. Indeed, if subsequent investigations reveal substantial financial conflicts of interest, and this Senate has proceeded with unnecessary haste and without giving due time to advise and consent on that nomination, I would suggest that each of us who did so would bear some significant part of the responsibility for that decision.

Chairman LEVIN. The precedent, which would be set here, would be by your unilaterally changing these rules that we have followed. If this nominee, or any other nominee, wishes to respond to your request, which goes beyond the rules, they are free to do so.

But we are not going to accept a change in the rules that applies to one nominee. If you wish to change these rules, you may do so at a procedural meeting of this committee. But we are not going to accept your suggestion and innuendo that there is some kind of conflict of interest here, because there is no evidence of a conflict of interest.

He has been asked this flat-out question by our committee: Have you or your spouse ever represented in any capacity—e.g., that is, employee, attorney, business, or political advisor or consultant—with or without compensation, a foreign government or an entity controlled by a foreign government? His answer is no.

Now, if you have any evidence to the contrary, that is one thing. But without any evidence to the contrary, to say that you haven't gotten answers to questions which go beyond the questions that we ask every other nominee is not going to be accepted by this chairman.

Senator CRUZ. Mr. Chairman, you asked for evidence to the contrary. I would point to the letter that Mr. Hagel submitted. There were 7 private funds that had paid him substantial sums of money that 25 Senators asked him about, and he responded. The question was, of those private funds that have paid you hundreds of thousands of dollars, did they receive foreign funds? He responded that for six of those funds, he could make the representation that the substantial fees he was paid did not directly derive from foreign sources. But for the seventh of those funds, a fund called Corsair Capital, which paid him $200,000 in the 2 years we know about and, for all we know, substantially more in the years in which he has not responded to the question, he said he could not even make that representation. He could not even say that the $200,000 he received did not come directly from a foreign government.

The question this committee asked—"Have you been paid directly by a foreign government?"—I would suggest it is every bit as relevant to know if that $200,000 that he has disclosed came from a foreign government.

Now, it may be perfectly appropriate. We might conclude that it was benign; it was reasonable. But it is, at a minimum, relevant to know if that $200,000 that he deposited in his bank account came directly from Saudi Arabia, came directly from North Korea.

I have no evidence to suggest that it is or isn't. But his statement was that he could not even tell this committee that $200,000 did not come directly from a foreign government. I would suggest that it is evidence that, at a minimum, would suggest further inquiry is justified.

Chairman LEVIN. Senator Cruz, you are free to vote against this nominee for any reason you choose, including that he has not responded to questions which you have asked beyond the questions that this committee asks.

But let's be clear as to what the question is that this committee asked. During the last 10 years, have you or your spouse received any compensation from or been involved in any financial or business transactions with a foreign government or an entity controlled by a foreign government? His answer is no.

You say you don't have any evidence yes or no to the contrary. If and when you come up with any evidence that he has not an-

swered this question honestly, I am sure that you will provide that to the committee.

But for the purposes of this proceeding with this nomination, your objection is clear on the record. If you come up with any evidence, you can supply that to us, that he has not answered these questions honestly.

But we are now going to proceed to call on Senator Nelson.

Senator NELSON. Mr. Chairman, Senator Cruz has stated his opinion, which he is entitled to. But I want to put on the record that this Senator feels like that Senator Cruz has gone over the line. He, basically, has impugned the patriotism of the nominee in your conclusions, which you are entitled to come to, about him, in essence, being cozy with Iran. You have also stated your opinion that you don't think he has been truthful with this committee.

Now, those are two fairly strong statements. I couldn't help but having had the privilege of serving on this committee for a while, and seeing the two former chairmen on either side of the nominee, and I looked at the former Republican Chairman John Warner's face, as some of the questions were asked, as he visibly winced.

There is a certain degree of comity and civility that this committee has always been known for. Clearly, in the sharpness of difference of opinion, to question, in essence, whether somebody is a fellow traveler with another country, I think, is taking it too far.

I would encourage this committee to take the role model of its former ranking member, Senator McCain, who can get into it hot and heavy, but at the end of the day, he is going to respect the other person's motives. I would implore the committee to consider that.

Now, I would just respond on a former question that was asked about this Global Zero report. I would simply turn to the transcript of the committee hearing, page 79. Senator Sessions has asked questions, and Senator Hagel's response at line 10, on page 79: "Thank you, Senator. Let me first correct some of your interpretation of what the Global Zero report was and what it actually said. First, it did not propose or call for anything. It was, in fact, the word specifically used at the front end of that report was 'illustrative,' proposing nothing but laying out different scenarios and possibilities and schedules.

"And here's the key part of all this—and by the way, this was summarized in a letter to President Obama in 2009—bilateral, never unilateral. Nothing was ever suggested on a unilateral basis to take down our arsenal. 'Negotiated,' 'verifiable,' these are terms that were in the report.

"As Senator Nunn said in his opening statement—and I have alluded generally to this—the mainstream thinking of most Presidents we have had in the last 65 years—and I go back to Ronald Reagan's comments, as Senator Nunn quoted—was reduction of nuclear weapons for the obvious reasons. That is why we have engaged in treaties to reduce nuclear weapons. Those were not unilateral arrangements; those were bilateral arrangements."

I will continue in the transcript on page 121 at line 2, where Senator Ayotte asked, "Here is what is troubling me. You have testified before this committee today that you have never been for unilateral nuclear disarmament; in other words, unilateral actions by

the United States of America. Yet this report itself, which you call an illustration, it is illustration or recommendation, or however you want to frame it, is to actually—there are many recommendations in it. One of them is to eliminate a leg of the triad, which is the land-based intercontinental ballistic missile (ICBM). Would you agree with that? That is the illustration that is contained in this report, or you call an illustration. Is that right?"

"Senator Hagel, 'I call it an illustration, Senator, because that is the term; it is used at the front end of the report.' "

"Senator Ayotte, 'Well, let me talk about the other terms that this report uses, because this report twice, as Senator Sessions has asked you, on page 1 and on page 16, says that the illustrations for this example given in this report, one of which is eliminating a leg of the triad, nuclear triad, could be implemented unilaterally. So here is what I am struggling with: Why would you ever put your name on a report that is inherently inconsistent with what you are telling us today, is that you have never been for unilateral disarmament as a possibility?' "

Senator Hagel's response is, on page 122, "Well, it is not inconsistent, I don't believe, Senator. But you used the term 'could'. That is a pretty important operative word in the report. The report does not recommend that we do these things. The report says 'could'—illustrative scenarios, possibilities. You probably know the other individuals who were involved in that report, mainly General Cartwright, the former Commander of Strategic Command."

I wanted to insert those things into the record from the previous hearing.

Chairman LEVIN. Thank you very much, Senator Nelson.

Senator CRUZ. Mr. Chairman, if I may be heard on a point of personal privilege?

Chairman LEVIN. Let me call on Senator Inhofe.

Senator INHOFE. I just want to make one observation.

My friend, Senator Nelson, I think I wrote down the words criticizing our Senator there for implying that Chuck Hagel was cozy with terrorist-type countries, referring to Iran. Let me say, I would say, he is endorsed by them. You can't get any cozier than that.

Chairman LEVIN. I have been endorsed by people I disagree with totally. I don't want people who hate me to ruin my career by endorsing me.

Senator Cruz.

Senator CRUZ. If I may be heard on a point of personal privilege, the Senator from Florida leveled to charges directly at me, and I would suggest both of those charges are false.

The first thing the Senator from Florida said is that I had impugned Chuck Hagel's patriotism. To the contrary, I have repeatedly and explicitly praised his personal character and patriotism and service. My focus is entirely on his longstanding foreign policy record and his consistent opposition to sanctions to any form of direct action dealing with those who would cause harm. So in no way, shape, or form have I impugned his patriotism. I focused on his foreign policy record, which even the Washington Post describes as at the fringe.

Second, the Senator from Florida suggested that I stated that Mr. Hagel has not been truthful. To the contrary, my point is ex-

actly the opposite, that the question this committee asked, whether he has directly received money from foreign sources, enables him to answer that question truthfully no, while at the same time not disclosing whether the hundreds of thousands of dollars he has received have come indirectly from foreign sources.

His answers could be entirely truthful, and yet the example I used of Corsair Capital, that money, that $200,000, could have come from a foreign nation to Corsair Capital, and he could answer the truthfully, no, I haven't received it, because it came from an intermediary.

My point is not that he has lied. It is, rather, that he has refused to answer reasonable questions of disclosure. So I would suggest, in no way, shape, or form have I intended to or have I, in fact, impugned his character. My focus has consistently been on his record, which I think is a record that is troubling and would be dangerous to the national security interests of the country.

Chairman LEVIN. The record of the committee will have to speak for itself.

Let me now call upon Senator Wicker.

Senator MCCAIN. Could I——

Chairman LEVIN. Yes, Senator McCain.

Senator MCCAIN. I just want to make it clear, Senator Hagel is an honorable man. He has served his country. No one on this committee at any time should impugn his character or his integrity.

Chairman LEVIN. I think we would all agree with that, I hope.

Senator Wicker.

Senator WICKER. Let me see if I can reel this back, Mr. Chairman. [Laughter.]

This is not my idea of a good time. We have a Republican nominee for Secretary of Defense by a Democratic President. We have every Democrat on the committee supporting him. Every Republican on the committee with just as heartfelt reason to oppose the nomination.

Chuck Hagel's wife grew up in Mississippi. She has kinfolk still there. Presumably, they wonder why I can't support their kinsman.

Mr. Chairman, you say we need a Secretary of Defense, and we do. The acts of today by North Korea demonstrates that. What is going on in Iran demonstrates that. But we need the right Secretary of Defense.

I have to say, sitting there this week with Secretary Panetta, a man who I have served with, a man who I am proud to have voted for, I was proud to vote for him at the beginning of his term as Secretary of Defense, and here at the end of that term, I am just as proud.

Mr. Chairman, I would be delighted and eager to vote for you for confirmation as Secretary of Defense. I would do that without hesitation. I would have voted for Senator Warner, Senator Nunn. Clearly, Senator Hagel brought the right people with them.

But we need the right Secretary of Defense. Chuck Hagel is not the right Secretary of Defense for this time.

We need a Secretary of Defense who can stand before the world and articulate that we reject a policy of containment of a nuclear Iran. We need a Secretary of Defense that can stand before the

world and be clear in making the point that the Iranian Government is not a legitimately constituted government.

When Senator Hagel made the misstatement about the legitimacy of the Iranian Government, Senator Gillibrand had to come back later, explain it to him, walk him back, and help him correct that misstatement. We need a Secretary of Defense who doesn't need help in that regard.

Clearly, we need a Secretary of Defense who doesn't need to be passed a note saying we are not in favor of a containment policy. He got that wrong, and the chairman had to take a third stab at it and correct the nominee for Secretary of Defense on one of the major issues of the day.

Now you could say that Senator Hagel had a bad day, and it was. It was a troubling performance before this hearing. The members of this committee acknowledge that and know that. But here is my larger objection. Here, in Chuck Hagel, we have a Senator who made a career out of taking a contrary view against bipartisan consensus positions that have been held across this table and across the aisle and at both ends of this building.

There has been a bipartisan mainstream national security consensus in this Congress on Israel, on our policy with regard to Iran, on our entire Middle Eastern policy, backing Jimmy Carter's Camp David accords in 1978. Chuck Hagel, without question, has made a career out of going in front of the cameras, getting invitation after invitation because it was good TV, and making it clear that he was outside that national bipartisan mainstream on all of these crucial national issues.

Now, suddenly, he is the nominee, and we are to believe that he is squarely in the mainstream of American thought in this regard. This is the individual who said the Israeli Government essentially continues to play games. He is the individual who said he didn't believe in unilateral sanctions because they don't work and they isolate the United States.

A week later, when it is necessary to say something different to the Senator from California, he walks that back. He is the same Senator who decried the systematic destruction of an American friend by the country of Israel and who said there is a Jewish lobby in this country that gets its way through intimidation, and that results in this Government doing dumb things.

Now when asked by Senator Graham, when asked by me about the Jewish lobby, he clearly reiterated that he should not have said the Jewish lobby. He should have said the pro-Israel lobby, or the pro-Israeli lobby. He told me, "No, I shouldn't have said intimidate. I should have said influence."

So there is an Israel lobby that influences. What about the dumb things? It finally got to the point where he was just unable to tell Senator Graham anything other than he really just didn't have anything at all in mind.

This is a man who has planted himself for 8 years in the U.S. Senate clearly, as Senator Graham says, not in the left lane, not in the center lane, not in the right lane, but in the Chuck Hagel outside the mainstream lane. Let me just tell you, my friends, I think we know in our hearts, we could do better.

Senator King is going to be a wonderful Senator. He says this is a job interview. Boy, during that job interview, it occurred to me that the prospective employer would say we can do better than this. We can do better. The President can do better.

I can name several people in this room who could do better, and we need to do it for the people of the United States and for the security of the United States.

Chairman LEVIN. Thank you, Senator Wicker.

Senator McCaskill.

Senator MCCASKILL. Thank you, Mr. Chairman.

President Obama, when he became President, had campaigned a lot on foreign policy and the war in Iraq. What did he do when he became President? He turned to the Secretary of Defense of President Bush and asked him if he would continue to serve as his Secretary of Defense.

Now I remember when he did that, and I remember the hue and cry that went up from many in the President's base. They were upset with the President because he had dared to ask Secretary Gates to stay on. President Obama weathered that criticism because he wanted the advice and the counsel of Secretary Gates.

This is a President who was just reelected by the American people. As much as some people in this room don't like it, he was elected President of the United States by the American people, and he has selected an honorable veteran, a Republican, who has served our country in various capacities, including this body.

He has a resume that qualifies him. He has a character that until today I assumed was not questioned on either side of the aisle and references embraced by an impressive bipartisan group of leaders in national defense, including the former chairman of this committee and ranking Republican of this committee, who is revered by both sides of the aisle. Not only did he introduce him, he warmly embraced him and endorsed him.

Now we have had the same set of disclosure rules in this committee for 25 years, same set of rules. We have applied these rules across the aisle, didn't matter whether it was a Republican or a Democrat.

During this period of time, we have confirmed Secretaries Carlucci, Cheney, Aspin, Perry, Cohen, Rumsfeld, Gates, and Panetta, as well as thousands of other nominees for senior civilian positions in the Department of Defense. We asked Senator Hagel the same questions that we asked all of those fine men, and he answered them all. There is a whole section on foreign affiliations, and he answered each one of these questions on foreign affiliations "no".

There are five different questions that cover the waterfront in terms of foreign affiliations. I certainly respect my friends across the aisle deeply, and I know we have different opinions about this, and I know that there are legitimate policy differences here.

But in this committee, it is my hope that if we have someone in front of this committee who at a time when many of his generation were running from facing battle, I remember, trying to figure out a way to get a deferment, trying to figure out a way to use their connections to avoid the battlefield, trying to get to Canada. This is a man who stood up and said, "Let me go," and not only did he go, he served with courage on the battlefield.

Now I am not saying you have to agree with him. I am not saying you have to vote for him. But I will say this. I think we have to be really careful with inferences that would leave the impression that this man would somehow purposely evade or purposely mislead this committee as to his relationship with any foreign government.

He has answered these questions clearly and completely. He has done everything that we have ever asked a nominee to do. So I think it is very troubling that we have gotten close to that line.

I have to tell you, Senator Inhofe, be careful because you might have an organization that would endorse you that you find abhorrent. Then would I have the right to say you are cozy with them? What if some horrible organization tomorrow said that you were the best guy they knew?

The idea that somebody is endorsed by someone else, that that somehow signs him up to agree with this country that he has acknowledged to this committee is a threat to our Nation, that he has acknowledged that he will not be part of any policy of containment, that he knows we must stop them from getting nuclear weapons, and that they are a state-sponsored organization of terrorism. He answered that very clearly to my questions.

I just think, am I sad that this is going to be a party-line vote? Yes, I am. Senator Graham said that this is an aberration. I sure hope so. Because this Nation deserves us trying to have it not be a partisan situation on this committee. I hope this is an aberration, and I do respect everyone who cannot vote to confirm this Secretary.

But I do think a great deal of deference should be given to the Commander in Chief on his selection, and I do think his resume, his references, and most importantly, his integrity qualify him for this job.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCaskill.

Okay. Let me just add one quick thing. This committee has had to deal with difficult issues before, and there have been occasions when we have actually split on a party line. We have survived those very strongly. We will survive this one, and we will be just as strong coming out as we were going in.

This is a bipartisan committee. We are proud of that tradition. That tradition is a lot stronger than any particular single vote or any particular single comment. So we will, I am sure, I have no doubt about this committee's future bipartisanship, as difficult as this vote is.

Senator Inhofe.

Senator INHOFE. I will just be very brief here. When you talk about the relationship between Senator Hagel and a country, and we were talking about the subject, the country is Iran. When they are the ones who say that they want to wipe Israel off the map, that Israel is a cancerous tumor in the heart. They hate America from the bottom of their heart. Yet he appears with some of their people on Al Jazeera, where he agrees with the statement that Israel has committed war crimes.

That goes far beyond just being endorsed. Now that needs to be in the record, Mr. Chairman.

Chairman LEVIN. I think the transcript of that will be put in the record because it will be very different in terms of many of our impressions of it than the way it has just been described.

But let us proceed, and we will go to Senator Sessions.

Senator SESSIONS. Thank you, Mr. Chairman.

I respect your chairmanship so much, and we produced the defense bill unanimously last year again. It came out of the committee. So that does speak well, I think, for our bipartisanship.

I would note that I am uncomfortable. I don't think it is necessary that we rush this vote today. We just received certain speeches. I haven't seen them. A video apparently of one is in existence, but not been produced. There are other things that cause me to think we should be slower about this.

With regard to the committee rules, in the Judiciary Committee, like this committee, there are basic questionnaires that go to everyone, but that does not limit the inquiry. We have had much broader inquiry about individuals when they have this problem or this question and people ask. So, I think it is not unreasonable to ask that a nominee disclose his income over a period of time.

If I am wrong about that, I will change my view. But I don't think that is an unreasonable, burdensome question to ask of a nominee who wants to be Secretary of Defense. It has certainly been done to others, and just because we limit it to 2 years doesn't mean on a given circumstance we couldn't ask for more. But that is what I would say there.

Colleagues, we are facing and going to be debating the nuclear posture of the United States a great deal. I understand the President may talk about it at some length tonight. It does not totally surprise me because I believe he comes out of the anti-nuclear left, and as one wise observer of all these processes over the years said to me recently, "I am not surprised that the anti-nuclear left would propose the things that are in the Global Zero report. That has been out there for 30 or 40 years. What surprises me is that position may be held by the Secretary of Defense of the United States of America."

My view is that this nominee has been somewhat erratic in his positions over time, and I am concerned about that. Senator Nelson and I swapped as chairman of the Strategic Forces Subcommittee, where nuclear weapons issues are debated, and we have been involved in it for some time. The Global Zero report that Senator Hagel was one of four other people that signed it and produced it, said some very troubling things. It outlines a vision for nuclear weaponry in the United States that is contrary to our historical position.

Just about 3 years ago, legislation I proposed actually, America's Strategic Posture, a bipartisan report, was produced. William J. Perry, who was openly known to favor reducing nuclear weapons and continuing to reduce them. James Schlesinger, he was vice chairman. Perry, the chairman. Schlesinger, vice chairman.

Other people like James Woolsey, Lee Hamilton, Morton Halperin, John Glenn were on this committee. We appointed them to see where we were and to produce a bipartisan analysis from the best heads in the country about what we should do about our nuclear weapons. They did not say change the triad. They did not say

take weapons off alert. They did not say eliminate all ICBMs. They did not say eliminate all tactical weapons. In fact, the contrary.

Now, apparently, Senator Hagel participates in this Global Zero report just last year, less than a year ago, and this is what it said. "In our illustrative plan, the United States over the next 10 years reduces its arsenal to a maximum of 900 nuclear weapons and increases the warning and decision time over its smaller arsenal."

Warning time means you take them off alert so it takes a lot longer to get them launched than it would today. It goes on to say, "These steps could be taken with Russia in unison through reciprocal presidential directives, negotiated in another round of bilateral arms reduction talks, or implemented unilaterally."

It goes on to make this unusual statement. "Security is mainly a state of mind, not a physical condition, and mutual assured destruction no longer occupies a central psychological or political space in the U.S.-Russian relationship." I don't think that is true of where Russia is.

That was on page 1 of the report. Then it says this about bilateral nuclear arms negotiations on page 16.

Chairman LEVIN. Would you forgive the interruption, Senator Sessions?

I think I am able to set a time for a vote now if we could get some idea about how long you want to speak, and I am not trying to limit you. Can you give us an idea about how long? Because I just talked to Senator Blumenthal, and I want to ask Senator Hirono the same question.

Senator SESSIONS. Okay, Mr. Chairman. I just wanted to share a few thoughts. About how much time do you want me to take?

Chairman LEVIN. Is 5 minutes enough?

Senator SESSIONS. Seven minutes.

Chairman LEVIN. Seven minutes? That is fine.

Senator SESSIONS. I will try to finish in 5 minutes.

Chairman LEVIN. That is no problem.

Senator Hirono, may I ask you about how long you want to speak?

Senator HIRONO. About 3 minutes.

Chairman LEVIN. Three minutes.

Senator Blumenthal, 2 or 3 minutes? Senator Udall wanted a couple of minutes.

I am now going to schedule a vote for 5 p.m. We will vote at 5 p.m. We will hopefully have just about everybody there. If not, if somebody is on their way, we can stay here until everybody has an opportunity either to vote in person or to vote by proxy.

So 5 p.m., we are going to start the vote.

Senator Sessions, forgive the interruption.

Senator SESSIONS. Let me ask one question, Mr. Chairman. There are several members, maybe the majority of the members on this side had requested we don't carry this vote tonight, and we would like to have it delayed. We recognize that you are the majority, and I would just make that request to you.

Chairman LEVIN. Thank you.

We have made a decision. We are going to proceed to a vote today. We recognize the request, but we just have to stick to a

plan, which was a reasonable plan, and we are going to start the vote at 5 p.m. Now back to Senator Sessions.

Senator SESSIONS. A growing concern on our side about moving this nomination so rapidly and a belief that there are further disclosures. So I don't know where we will end up on that.

But the report says this. "The reductions in de-alerting proposed under this illustrative plan could be carried out in unison with the United States and Russia through reciprocal presidential directives, negotiated in another round of bilateral arms reduction talks, or implemented unilaterally."

It also says, "A less good approach," but still a good approach, apparently, "would be to adopt this agenda unilaterally."

Senator Hagel was very anxious to tell us the report did not call for unilateral actions on behalf of the United States. It clearly suggests three times the possibility of unilateral actions. I think it just was surprising to me how driven they were to reach this conclusion.

In a footnote, a question was raised about observers, I being one of them, who made the point that if we continue to draw down our weapons and they get to a certain level, more and more nations could see themselves as peer competitors. Far from being deterred from building up nuclear weapons, they might see it as an opportunity to be on an equal par with Russia and the United States.

I think that is a legitimate concern. They dismiss that and say that, "Global Zero discussions with high-level Chinese Government officials and military officials and experts indicate strongly that China remains committed to this course of a low nuclear policy. China would not race to parity or supremacy and would, in fact, take the opposite position to join an arms reduction process if the United States reduces their arsenals to low numbers."

Forgive me, but I don't know who he talked to, and I am not sure they would tell him the truth anyway. Matter of fact, I doubt it. This is the kind of thing that went into that report.

General Schwartz, the Air Force Chief of Staff, when asked about this report, was not sympathetic. General Schwartz said, "I don't agree with this assessment or this study."

The current commander, General Robert Kehler, Strategic Forces Command, that has the nuclear requirements for the U.S. Government, said, "Regarding the Global Zero report, in my view, we have the force size, force structure, force posture today that we need for our national security needs."

What did the report call for in conclusion? They are not shy about saying it. The United States "could seek to achieve," this is in the conclusion, "such reductions in 10 years and plan to base its arsenal on a dyad," no longer a triad, "of nuclear delivery vehicles. The optimal mix of carriers would consist of 10 Trident missile submarines"—there are currently 14—"and 18 B–2 bombers."

This would decommission, as they overtly say, 67 B–52 nuclear bombers. They would be totally eliminated, all the B–52s.

Continuing, "under normal conditions, one half of the warhead stockpile, 450, would be deployed on these carriers. The other half would be kept in reserve, except during national emergency. All land-based intercontinental missiles armed with nuclear payloads

would be retired." All ICBMs would be retired. "And the carriers of nonstrategic warheads, all of which would be eliminated."

The carriers of nonstrategic, that is tactical nuclear weapons, would be eliminated from the stockpile. B–52 bombers would be completely eliminated or converted to carry only conventional weapons.

I really think that is an extreme position. It is contrary to the established bipartisan commission that we established, the concurrent bipartisan policy of the U.S. Defense Department. I don't know how you will vote on this nomination, but please, ladies and gentlemen, as we go forward, we are going to have to be very careful about how we handle strategic nuclear weapons.

There is no doubt our allies are very uneasy. They don't understand where we are heading. They don't have the confidence that we need them to have. If an ally doesn't think that we are going to be there for them, then will they not have a high incentive to build a nuclear arsenal themselves to defend themselves? That worries me.

The members of this committee that I talked to and met privately said they receive delegations from various countries I won't name that we respect and are great allies with are really troubled by this.

I asked a Russian professor on one occasion, "Would you eliminate your tactical nuclear weapons?" He said, "Do you know how many troops the Chinese have on our border? We are never going to eliminate tactical nuclear weapons."

We have to be careful about this dream of a world without nuclear weapons. Will it encourage Iran? Will it encourage North Korea, if we reduce our weapons, to stop producing nuclear weapons? If we continue to go down and people lack confidence in us, what about countries like Saudi Arabia or Egypt or Turkey or other countries around the world, South Korea or Japan? Would they not feel further pressure to build a nuclear arsenal, and therefore, proliferation would occur?

Mr. Chairman, I think this is out of the mainstream. It represents a rather erratic position. Having been involved in this virtually the entire time I have been in the Senate, I think it is so far away from where we need to be that I would not be able to support my friend, Chuck Hagel.

I like him. He absolutely deserves our respect for being on the ground, in combat, putting his life on the line, serving his country. He is a frank and open person. But he has not been particularly consistent, in my view, over the years. He has taken some views that I think are not good for America, and I believe in the Secretary of Defense, the entire world and all Americans really need to know that is one person that is stable, solid, can be counted on to issue measured judgments, and to execute them as promised.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Sessions.

Senator Blumenthal.

Senator BLUMENTHAL. Thank you, Mr. Chairman.

I will be very brief in the interest of time, just to say that I will be supporting Senator Hagel.

I want to thank particularly Senator McCain for his comments about Senator Hagel that none of us are seeking to impugn his character. In fact, many of the Senators who question him commented that he is a good and decent man and that they respect his record as a decorated combat veteran.

He would be the first enlisted man to serve as Secretary of Defense and, therefore, I think uniquely qualified to address what I view as probably one of the two or three major challenges for the next leader of the Department of Defense, which is how to attract and retain the best in America, the best people in America to serve in our military.

We all are fond of saying that our people are our greatest asset, and it is true. Anybody who has visited our warfighters in Afghanistan, as I have done three times—and was privileged to go with Senators McCain, Graham, and Ayotte a couple of those times—stand in awe, I think, of the work that they have done and the sacrifices they have made.

This country traditionally, after such wars, hollows out its military. I am convinced that Senator Hagel is committed, passionately committed, to the men and women in uniform and our veterans. He has been a veterans advocate, as well as a decorated combat veteran himself.

So I believe there is a reason that we afford the President some prerogative in choosing his team, which is, ultimately, the President that we hold accountable for his policies. His policies, the administration's policies, will have to be Senator Hagel's policies, if he is confirmed as the Secretary of Defense.

We should hold the President accountable. I hope to work with my colleagues on issues like Iran and Israeli security, and as well as working to stop sexual assault, implementing the repeal of "Don't Ask, Don't Tell," the dangers and realities of suicide, post-traumatic stress disorder, and, of course, the looming danger of sequestration. The management of the Department of Defense is a huge challenge. I hope that we will come together on a bipartisan basis to help whoever the next Secretary of Defense is—and I believe he will be Senator Hagel—to address those challenges.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Blumenthal.

Senator Hirono.

Senator HIRONO. Thank you, Mr. Chairman.

There are good-hearted, right-minded people on both sides of the Chuck Hagel nomination question, and I don't think there are any minds to be changed at this point. I would like to offer a few points about this nominee for the record.

First, it is important to our national security to have leadership in the Department of Defense right now. The Defense Department, it is never an easy place to run, but today it faces an unusually difficult set of challenges. We need a Secretary of Defense in place to manage the fallout from sequester, should it come to fruition, as well as the budget constraints we face in the future.

We need a Secretary of Defense in place to guide the fundamental rebalancing of our military after the end of the war in Iraq, as the winding down of the war in Afghanistan continues, and as we pivot to the Pacific. This rebalancing must be done while being

vigilant about the circumstances in North Korea, Syria, North Africa, and elsewhere, as well as the large and ever-increasing cybersecurity threats to our data systems, power grid, and other infrastructure.

Second, at the same time, we, as a country, must have a larger discussion about the next generation of warfare. How, when, and under what circumstances will digital weapons be used? There are ongoing questions regarding the use of drones. What role will Congress have in overseeing the use of these weapons? We need a Secretary of Defense in place to participate in these discussions.

Third, we also need a Secretary of Defense who will look after the needs of our soldiers, sailors, airmen, marines, and their families. We need a Secretary of Defense who has fought for veterans issues and can work with the VA to ensure that these two agencies will work in coordination for the benefit of our veterans. Senator Hagel has tremendous breadth of leadership in both the public and the private sectors.

I think that we owe tremendous deference to the President to put together the team that he can count on. I am confident that Senator Hagel will provide the President unvarnished advice and that he will ask the kinds of tough questions that he has always asked, not necessarily the popular questions.

Senator Hagel, in my view, is clearly qualified to be Secretary of Defense, and I will be supporting his nomination.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Hirono.

Senator Udall.

Senator UDALL. Mr. Chairman, Ranking Member Inhofe, it has been a spirited discussion. I intend to proudly vote for Sergeant Hagel. He is a patriot. He has earned the right to wear two Purple Hearts and many other commendations.

The enduring case for me was made at his nomination hearing by the long list of former Defense Secretaries and National Security Advisers, both Republicans and Democrats, who stood together and supported Senator Hagel's nomination.

The enduring image for me will always be Senator Hagel flanked by Senators Warner and Nunn, our iconic and respected national security leaders.

Let us vote, Mr. Chairman.

Chairman LEVIN. We are almost at the 5 p.m. hour.

Senator SESSIONS. Could I say one good thing about our nominee?

Chairman LEVIN. Please. Great way to end.

Senator SESSIONS. I thought I heard him do the containment comment. First, I perked up. But my honest evaluation, Senator King, is it was just a mis-speaking. I don't think he rejected or meant to adopt a containment policy rather than not allowing them to have a nuclear weapon.

I meant to say that earlier. Thank you.

Chairman LEVIN. Thank you very much.

On that very positive note and a generous note, and I say that very seriously, this committee is a very strong bipartisan committee, as I said before, and we will continue to be, one difficult vote notwithstanding.

The clerk, a quorum being present, the 5 p.m. hour having come, we will now consider the nomination of Charles "Chuck" Hagel to be the Secretary of Defense. Is there a motion to favorably report Mr. Hagel's nomination to the Senate?

Senator REED. So moved.

Chairman LEVIN. Is there a second?

Senator NELSON. Second.

Chairman LEVIN. The clerk will call the role.

The CLERK. Mr. Reed?

Senator REED. Aye.

The CLERK. Mr. Nelson?

Senator NELSON. Aye.

The CLERK. Mr. Udall?

Senator UDALL. Aye.

The CLERK. Mrs. Hagan?

Senator HAGAN. Aye.

The CLERK. Mr. Manchin?

Senator MANCHIN. Aye.

The CLERK. Mrs. Shaheen?

Senator SHAHEEN. Aye.

The CLERK. Mrs. Gillibrand?

Senator GILLIBRAND. Aye.

The CLERK. Mrs. McCaskill?

Senator MCCASKILL. Aye.

The CLERK. Mr. Blumenthal?

Senator BLUMENTHAL. Aye.

The CLERK. Mr. Donnelly?

Senator DONNELLY. Aye.

The CLERK. Ms. Hirono?

Senator HIRONO. Aye.

The CLERK. Mr. Kaine?

Senator KAINE. Aye.

The CLERK. Mr. King?

Senator KING. Aye.

The CLERK. Mr. Inhofe?

Senator INHOFE. No.

The CLERK. Mr. McCain?

Senator MCCAIN. No.

The CLERK. Mr. Sessions?

Senator SESSIONS. No.

The CLERK. Mr. Chambliss?

Senator INHOFE. No, by proxy.

The CLERK. Mr. Wicker?

Senator WICKER. No.

The CLERK. Ms. Ayotte?

Senator AYOTTE. No.

The CLERK. Ms. Fischer?

Senator FISCHER. No.

The CLERK. Mr. Graham?

Senator GRAHAM. No.

The CLERK. Mr. Vitter?

Senator INHOFE. No instruction.

The CLERK. Mr. Blunt?

Senator BLUNT. No.

The CLERK. Mr. Lee?
Senator INHOFE. No, by proxy.
The CLERK. Mr. Cruz?
Senator CRUZ. No.
The CLERK. Mr. Chairman?
Chairman LEVIN. Aye.
The CLERK. Fourteen to 11, and 1 no instruction.
Senator WICKER. Mr. Chairman?
Chairman LEVIN. Let me announce the vote first, if you would?
Senator WICKER. On that, it was my understanding earlier that the vote would be left open, and I would just suggest that Mr. Vitter may have heard that and might——
Chairman LEVIN. We will—thank you.
Thank you, I did say that, and we will leave the vote open for an additional 10 minutes to give Mr. Vitter a chance to come and vote in person. If he does so, the vote will then reflect that vote in person. If not, it will be as announced.
I think we all trust each other so that we know what I am saying here. Would you just please announce the vote again, subject to that one vote change?
The CLERK. Fourteen ayes, 11 nays, 1 no instruction.
Chairman LEVIN. If Mr. Vitter does show up in the next, what did I say, 10 minutes, he can then cast a vote. It will not change the outcome. (Senator Vitter did not return within the allotted time.)
Given that vote, we will now favorably report the nomination of Chuck Hagel to the Senate.
We thank you all, and we look forward to another wonderful year together.
We are adjourned.
[Whereupon, at 5:03 p.m., the committee adjourned.]

NOMINATIONS OF GEN LLOYD J. AUSTIN III, USA, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, U.S. CENTRAL COMMAND; AND GEN DAVID M. RODRIGUEZ, USA, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, U.S. AFRICA COMMAND

THURSDAY, FEBRUARY 14, 2013

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 10:05 a.m. in room SD–G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, Nelson, Hagan, Blumenthal, Donnelly, Kaine, Inhofe, McCain, Chambliss, Ayotte, Fischer, and Graham.

Committee staff member present: Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Creighton Greene, professional staff member; Michael J. Kuiken, professional staff member; Gerald J. Leeling, counsel; Peter K. Levine, general counsel; William G.P. Monahan, counsel; Michael J. Noblet, professional staff member; and William K. Sutey, professional staff member.

Minority staff members present: John A. Bonsell, minority staff director, Adam J. Barker, professional staff member; Steven M. Barney, minority counsel, Christian D. Brose, professional staff member; Thomas W. Goffus, professional staff member; and Anthony J. Lazarski, professional staff member.

Staff assistants present: Kathleen A. Kulenkampff, Mariah K. McNamara, and Lauren M. Gillis.

Committee members' assistants present: Carolyn Chuhta, assistant to Senator Reed; Jeff Fatora, assistant to Senator Nelson; Christopher Cannon, assistant to Senator Hagan; Marta McLellan Ross, assistant to Senator Donnelly; Karen Courington and Mary Naylor, assistants to Senator Kaine; Lenwood Landrum, assistant to Senator Sessions; Todd Harmer, assistant to Senator Chambliss; Brad Bowman, assistant to Senator Ayotte; Peter Schirtzinger, assistant to Senator Fischer; and Craig Abele and Matthew Rimkunas, assistants to Senator Graham.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody, and welcome.

This morning, the committee considers the nominations of two very distinguished officers to two of the most active and challenging combatant commands (COCOM): General Lloyd Austin, U.S. Army, nominated to be Commander, U.S. Central Command (CENTCOM), and General David Rodriguez, U.S. Army, nominated to be Commander of the U.S. Africa Command (AFRICOM).

These two combatant commands, CENTCOM and AFRICOM, are the centers of gravity for our military's operations to counter the threat of terrorism. Both nominees have served our country with distinction, and I want to thank each of you for your decades of military service and your willingness to serve, once again.

I understand that General Austin's wife, Charlene, and General Rodriguez's wife, Ginny, are with us this morning; I want to acknowledge them and thank them for their sacrifices, their support to our nominees throughout the years, which is so essential to the success of our nominees. As is the committee's tradition, our nominees are invited to introduce any family members or friends who may be with them this morning, with their opening remarks.

If confirmed, General Austin will assume command of CENTCOM during a critical transition period for our military operations in Afghanistan. In the coming months, Afghan forces will assume the lead responsibility for providing security throughout their country, with coalition forces stepping back to a support role. On Tuesday, President Obama announced, during the State of the Union Address, plans for drawing down half of the 66,000 U.S. troops in Afghanistan this year, a 34,000-troop reduction by February 2014.

The President continues to consider options for a significantly reduced U.S. military presence in Afghanistan after the end of 2014, which will depend on many things, but, in part, on negotiations with the Government of Afghanistan over legal protections for our troops. The President has made clear that the missions of any residual U.S. military presence in Afghanistan after 2014 will be limited to counterterrorism operations, and training and advising Afghan forces.

General Austin would bring exceptional experience to overseeing this transition, having commanded U.S. Forces in Iraq during the reduction of U.S. Forces and equipment from Iraq.

Just this past weekend, our forces in Afghanistan have had a change of command, with General Joseph Dunford replacing General John Allen as Commander of the International Security Assistance Forces (ISAF) and Commander, U.S. Forces-Afghanistan.

I want to take this opportunity to thank General Allen for his thoughtful and devoted leadership in Afghanistan, for his forthrightness in his interactions with me and the rest of the members of this committee.

When Senator Reed and I visited Afghanistan in January, we saw real signs of progress, including the Afghan security forces increasingly taking the lead responsibility for protecting their country. Good-news stories about Afghanistan and the Afghan security forces don't seem to get the coverage in the U.S. media that is given to negative stories. For example, it was widely reported that

only 1 of 23 Afghan brigades is rated by ISAF as independent. On the other hand, we heard, from our commanders in Afghanistan, that 87 percent of operations in Afghanistan's critical Regional Command East are carried out solely by Afghan security forces.

Another mainly success story is now the 18,000-strong Afghan Local Police (ALP) program. These community defense forces, when coordinated with district-level Afghan National Police and Afghan army forces, are more and more effective in empowering Afghan communities to defend against Taliban intimidation and violence. Plans are being developed to increase the authorized size of the ALP program from 30,000 to 45,000.

The next CENTCOM commander will also play an important role in shaping our enduring partnership with Afghanistan after 2014, a partnership that I fully support. I am concerned, however, by plans to reduce the Afghan National Security Forces by a third, starting in 2015, from 352,000 to 230,000 by 2017. I believe that any future reductions in the size of the Afghan forces should be based on security conditions in Afghanistan at that time. As Afghan security forces make progress in providing for their country's security, we should reassure them that we will continue to support these efforts by deciding that, as we withdraw our forces, that there won't be a drawdown in Afghan forces.

Progress in Afghanistan remains fragile. Significant challenges to Afghanistan's long-term stability remain. Among the greatest threats to stability are the safe havens for Afghan insurgents across the Pakistan border, which the Government of Pakistan has failed to disrupt or eliminate. In addition, the major shortcomings of the Government of Afghanistan in delivering governance and fighting corruption creates political and economic instability that could exacerbate the challenges to the 2014 transition.

In addition to Afghanistan, CENTCOM must contend with one of the most significant issues in our current national security debate: the threat posed by Iran and its continued pursuit of its nuclear program. As the CENTCOM commander, General Austin will be at the tip of the spear with regard to preparing, militarily, for the potential of an armed conflict with Iran. I share the President's view that all options must remain on the table with respect to Iran.

Iran's hand can be seen throughout the region, including its relentless pursuit of instability and fomenting of violence through proxies, such as Hamas and Hezbollah, and through its own covert activities in the region. Already, destabilizing events in Syria, Yemen, Gaza, Egypt, Iraq, and Sudan are made worse by Iran's funding and supply of terrorist organizations seeking to undermine governments and to spark further conflict among sectarian and tribal groups. CENTCOM has a critical role to play in leading efforts across the region to counter Iran's malign influence.

Events in Syria continue to deteriorate. The impact of the Assad regime's increasing dependence on support from Iran, and desperate actions to hold onto power, can be seen in the thousands of refugees that flow into the towns and villages of Syria's neighbors. While the United States is focused on providing humanitarian relief and nonlethal assistance to the Syrian opposition, the CENTCOM commander will be asked to advise on the situation in Syria, including whether to provide lethal assistance to the opposi-

tion, whether the United States should conduct limited strikes against key Syrian military capabilities, and whether the United States should seek to build a coalition of nations to take more significant military action. These are extraordinarily complex issues that General Austin will be asked to share his views on today.

CENTCOM's area of responsibility (AOR) remains the central location of many of the nonstate terrorist threats that our Nation faces. In addition to core al Qaeda in Pakistan and the reemergence of al Qaeda in Iraq, al Qaeda in the Arabian Peninsula remains focused on attacking the United States and our interests. Our CENTCOM forces continue to assist our Yemeni security partners in preventing al Qaeda from taking advantage of areas in Yemen, where the government has limited control. The events in Benghazi were a poignant and powerful reminder of our need and public expectations for a capability to respond quickly to crises around the world. This is one of the major evolving situations that General Rodriguez is going to have to address, and will consume a great deal of his time. But, it's far from limited to Benghazi and to Libya. We have struggled, in Africa, to find footholds to allow for responses to the type of events that occurred in Benghazi or to allow us to conduct day-to-day operations, like intelligence collection. AFRICOM has received less, in the way of resources and support, than other geographic commands, and this disparity, indeed, may grow in a resource-constrained environment. These challenges, combined with destabilizing impacts of terrorist and criminal networks, will make General Rodriguez's task at AFRICOM among the most complicated in the Department.

An additional matter in the AFRICOM AOR that this committee watches closely is the ongoing U.S. support operations in Central Africa to assist the multinational effort to remove Joseph Kony and his top lieutenants from the battlefield. This committee—and Senator Inhofe has been very, very active in this effort—has sought to ensure that this mission is adequately resourced, including additional intelligence, surveillance, and reconnaissance capabilities.

General Rodriguez, I know that you're familiar with this mission, and the committee looks forward to hearing from you about it, and to working with you on it and so many of the other challenges that you will be facing.

I'm going to turn the gavel over to Senator Kaine, who has agreed to take over, because I must go to the floor.

I now call upon Senator Inhofe.

STATEMENT OF SENATOR JAMES M. INHOFE

Senator INHOFE. Thank you, Mr. Chairman.

I join you in welcoming our witnesses. I've had an opportunity to get to know them in the past, and visit with them personally, and I'm very anxious to move on with this.

I thank Charlene and Ginny for being here. You're the guys who work harder than they do, so we appreciate all your sacrifices.

If confirmed, General Austin, you're going to be in charge of overseeing, arguably, the most volatile region of the world, and in the midst of a declining defense budget. Just last week, Secretary Panetta announced the indefinite delay of the Truman Carrier Strike

Group deployment in the Middle East, a development that was undoubtedly welcomed by the regime in Tehran.

In Egypt, despite the best hopes of the Arab Spring, President Morsi and his Muslim Brotherhood Government have shown a troubling hostility towards the opposition groups and minorities, and have taken an increasing bellicose tone toward our ally, Israel. These developments require us to think long and hard over what assets we're going to be sharing with them, the controversial F–16 transfers, and frankly, I didn't agree with that. But, it's a tough area, and I think, if you look through that area—and, General Austin, you have Iran, we know, that is determined to acquire nuclear weapons capability. But, it's been going on for a long time. We've found that our intelligence has really been behind the curve on their capability of what they've developed so far. It's serious. It's a big step, over there.

In Iraq, our premature withdrawal has directly contributed to a deteriorating security situation, and allowed al Qaeda to reestablish a foothold in Syria. Assad's reign of brutality has now claimed the lives of over 60,000 Syrians, and risks spilling into neighboring countries.

Pakistan, we see a nuclear-armed government teetering on collapse, while militant groups, all the military groups, have enjoyed that as a safe haven.

Afghanistan, you'll oversee our operation and manage the transition of combat responsibilities to the Afghan security forces. Without doubt, we have to make sure that the force structure matches the mission and is driven by the facts on the ground, and not arbitrary dates. We've talked about this in my office. General Rodriguez, you and I have spoken about the squeeze in the Middle East. I've often said that it's kind of the neglected continent. I was somewhat instrumental when we established AFRICOM; and so, it was no longer in three different commands, but in one unified command. It's a tough area. It's a tough area that has never had adequate resources to carry out—what I consider adequately carrying out the mission. Certainly, the Chairman mentioned the problem with the Lord's Resistance Army (LRA) and that is a problem, and it's one that is not just confined to a few people that started in northern Uganda; now has spread throughout eastern Congo and on up through the Central African Republic, and south Sudan, I might add.

But, it's connected. It's all terrorism, and it's all connected together, and it is a serious problem that we are going to have to deal with. It's the smallest of the Department of Defense's (DOD) regionally focused combatant commands, with less than 5,000 boots on the continent. That's a huge continent. Your work is cut out for you; we've talked about that, you and I, in my office, in somewhat detail.

While the challenges you will both face are very daunting, I'm confident that the two of you are up to the task. But, it's going to be heavy lifting.

As I said to you, General Austin, in my office, are you sure you want to do this? You said yes.

Thank you, Mr. Chairman.

Senator KAINE [presiding]. Thank you, Mr. Ranking Member.

General Austin, General Rodriguez, we're ready to hear your opening statements and testimony. Again, we appreciate you being here, and your service.

We'll begin with General Austin, and General Rodriguez to follow.

STATEMENT OF GEN LLOYD J. AUSTIN III, USA, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, U.S. CENTRAL COMMAND

General AUSTIN. Good morning, sir, Senator McCain, Ranking Member Inhofe, distinguished members of the committee.

I want to thank you for this opportunity to appear before you today. I also want to thank you for the steadfast and strong support that you have shown, and continue to show, to our men and women in uniform, our Army civilians, and their families. It is remarkable, all that they have accomplished over the past nearly 12 years of war. It was made possible, in no small part, through your personal efforts, and those of your colleagues. So, my thanks to all of you.

I'd like to take a moment to introduce my wife, Charlene. I've been incredibly fortunate to have her as my partner for more than 30 years. She represents the many wonderful spouses, who are the true unsung heroes of these conflicts, as they've supported us back home, and, in doing so, enabled our success.

My thanks to you, Charlene, for your love and support, and for your many sacrifices, and Happy Valentine's Day. [Laughter.]

I'm glad, today, to be joined by my teammate, General David Rodriguez. He, too, is accompanied by his bride, Ginny, who, like Charlene, has done a tremendous amount for our soldiers and families over the years.

Dave and I have served together a number of times over the years, to include in combat. He is a gifted leader and a decorated soldier, and I'm pleased that he's been nominated to command U.S. Africa Command.

Ladies and gentlemen, it has been a tremendous privilege for me to serve my country in uniform for nearly 4 decades, and I am grateful to be able to continue to serve. I am honored and humbled to have been nominated by the President to serve as a commander of CENTCOM. If confirmed, I pledge that I will apply all of my experiences and judgment, to the best of my abilities, to help preserve and advance our Nation's interests in that region of the world.

General Mattis has led CENTCOM masterfully over these past 2½ years. Our Nation owes him a debt of gratitude. The impact of his leadership and the efforts of his team during this decisive period have been tremendous. If confirmed, I intend to sustain and continue this important work; for the reality is that, while much progress has been made in the CENTCOM area of responsibility, there is still a great deal more to be done. Our national interests, and those of our allies and friends, demand vigilance as well as our continued commitment to do our part to help address the many challenges that exist, and to achieve and maintain security and stability throughout the Middle East and in South and Central Asia.

Of course, our foremost priority remains the ongoing mission in Afghanistan. Soon, we will be required to complete the transfer of responsibilities to the Afghans, and also transition our people and equipment out of that country, just as we did in 2010 and 2011, when I served there as the Commander of U.S. Forces-Iraq. This represents a herculean undertaking, and, if confirmed, I will do everything within my power to help set the broader conditions for our success in this most important endeavor.

Meanwhile, one must simply watch the evening news to understand that the world we live in remains complex and extremely volatile. Much of the instability and associated challenges reside in the CENTCOM area of responsibility. While we have to be pragmatic, we must always be prepared to respond to contingencies, whenever and wherever they occur around the world. If we truly want to have an effective and lasting impact in the region, our friends and allies must be assured of our support, and our potential adversaries must understand that there will be consequences for their actions.

As this past decade of conflict has clearly demonstrated, success in our many endeavors will require effective application of the full continuum of our Nation's instruments of power and influence, military as well as economic and diplomatic. Having worked closely with senior military and civilian officials from the various U.S. agencies and organizations, and also having worked closely with leaders from other countries and partner nations while serving in Iraq as a commander of U.S. Forces, I can personally attest to the effectiveness of these kind of collaborations. If confirmed, I will continue to cultivate my existing relationships while pursuing additional opportunities and partnerships that will surely prove beneficial to our efforts.

Senator Kaine, Senator Inhofe, and members of the committee, these are historic times and difficult times. However, amidst the many challenges that exist reside opportunities, and certainly the shared desire of people to see peace and harmony and prosperity achieved, and even in those places that have never before experienced them. I fully appreciate that the work ahead will be great, and the road will not be easy, but, if confirmed, I pledge to give all that I have towards ensuring our success, and the success of our allies and friends around the world, in this most worthy endeavor.

Thank you again for this opportunity and for your steadfast support for our service men and women and their families. I look forward to your questions.

Senator KAINE. Thank you, General Austin.

General Rodriguez.

STATEMENT OF GEN DAVID M. RODRIGUEZ, USA, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, U.S. AFRICA COMMAND

General RODRIGUEZ. Senator Kaine, Senator Inhofe, distinguished members of the Senate Armed Services Committee, thank you for the opportunity to appear before you today.

I am honored the President has nominated me to serve as the next Commander of U.S. Africa Command. If confirmed, I'll look forward to working closely with this committee, as well as all our

joint and interagency, intergovernmental, and multinational partners, to address the challenges we face and the opportunities to increase stability on this strategically important continent. Strong partnerships are key to gaining and maintaining stability in the 54 nations of Africa.

I would also like to thank this committee for the sustained support it has provided to our soldiers, sailors, airmen, marines, coastguardsmen, and Department of Defense civilians, and their families, during this time of conflict. They all selflessly serve the Nation, at home and abroad, often in harm's way, but always ready to assume their share of the risk, and all are eternally grateful for the backing and support of the American people and Congress.

I want to acknowledge the tremendous effort of General Ham and his team at the U.S. Africa Command. His leadership helps sustain strong partnerships, providing the foundation for our continued engagement across the continent and globally. He has done a superb job, and I hope that, if confirmed, I can expand on the work he has done.

To General Lloyd Austin, exceptional soldier, leader, and a good friend, we have served together throughout peace and war in our careers, and have a significant number of deployments between us. I'm honored to share this experience with both Lloyd and Charlene, and am certain that, if confirmed, Lloyd will continue his remarkable service to the Nation and our servicemembers.

I also want to thank my wife, Ginny, for her decades of service as an Army wife. Ginny has cared for, and looked after, soldiers and their families with energy, empathy, and understanding. She's also a wonderful mother to our children: Amy, a former Army officer and current student at the University of North Carolina; Melissa, a schoolteacher in North Carolina; David, who works with the Department of the Navy in Washington, DC; and Andrew, an infantry lieutenant in the Army.

I thank the committee again for allowing me to appear before you today, and I look forward to your questions.

Thank you.

Senator KAINE. Thank you, General Rodriguez.

Here's the procedure we will follow. I have a set of standard questions, that we ask all witnesses, that I will ask both of you to respond to. We'll then proceed to rounds of questions, alternating between representatives of the two parties; and the rounds of questions will be 7 minutes long. If there are additional questions in the second round that members want to ask, we'll proceed in that way.

Let me begin with the standard questions that we ask the witnesses. These are to help us exercise legislative and oversight responsibilities.

Have you adhered to applicable laws and regulations governing conflicts of interest?

[Both witnesses answered in the affirmative.]

Senator KAINE. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

[Both witnesses answered in the affirmative.]

Senator KAINE. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of this confirmation process?

[Both witnesses answered in the negative.]

Senator KAINE. Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record in hearings?

[Both witnesses answered in the affirmative.]

Senator KAINE. Will you cooperate in providing witnesses and briefers in response to congressional requests?

[Both witnesses answered in the affirmative.]

Senator KAINE. Will those witnesses be protected from reprisal from their testimony in any such briefing?

[Both witnesses answered in the affirmative.]

Senator KAINE. Do you agree, if confirmed, to appear and testify, upon request, before this committee?

[Both witnesses answered in the affirmative.]

Senator KAINE. Do you agree to provide documents, including copies of electronic communications, in a timely manner when requested by a duly-constituted committee, or to consult with the committee regarding the basis for any good-faith delay or denial in providing such documents?

[Both witnesses answered in the affirmative.]

Senator KAINE. With that, we will move to the questions, and I will begin with Senator Donnelly.

Senator DONNELLY. Thank you, Mr. Chairman.

I want to thank you, General Austin, General Rodriguez, for your service to the Nation, and to your families, for everything you have done. You may want to take them, for a Valentine's Day lunch, to the Senate Cafeteria. Then again, you may not. [Laughter.]

General Austin, as we heard the President say, the other night, he is looking to withdraw 34,000 troops from Afghanistan. My question is, can that be done in a way that does not leave Afghanistan less stable?

General AUSTIN. Thank you, sir.

Whereas, I was not a part of the process that helped to generate the proposals for the numbers of troops to be drawn down, and the rate at which they should be drawn down, I can tell you that, from having been a part of that process before, the types of things that commanders consider, going into those recommendations, really account for whether or not they can accomplish the assigned objectives and missions. So, I would assume that General Allen and General Mattis, as they went through that process, provided their best military advice. I would assume that to be the case. But, having not been a part of that, I cannot speculate as to whether or not——

Senator DONNELLY. How quickly will you become a part of that, and taking a look at that and making that determination?

General AUSTIN. If confirmed, sir, I will get into that right away and confer with General Dunford and the Chairman of the Joint Chiefs, and make sure that I have full understanding of the objectives, the missions, and the resources that have been provided to accomplish those objectives.

Senator DONNELLY. You will give us your unvarnished opinion as to the plan, how it works, and whether it will meet your strategic objectives as you look at the situation that we're in?

General AUSTIN. I will, sir, and the objectives that are outlined by the senior leadership, that have been provided to us.

Senator DONNELLY. Thank you.

General Rodriguez, as we look at your mission, one of the things that strikes me is—and, of course, in CENTCOM, too, how important it's going to be to build up our partners there so that they can be self-sustaining in protecting their own nation. How critical a focus is that going to be for you as you move into this position?

General RODRIGUEZ. Thank you, Senator. That's a critical focus, because, obviously, the objective is to have Africans provide security and stability for themselves. There are a wide range of tools that we have to do that, and that will be a main focus.

Senator DONNELLY. It seems that that could be the key to success, is being in a position where the training we provide enables them to stand up on their own.

General Austin, as we look at the region that you will be commanding, one of the challenges has always been Pakistan, and our working relationships with Pakistan. As we go through the withdrawal of troops from Afghanistan, both men and women and equipment, and again, you mentioned that you had not yet been fully involved on that plan but, I would think one of the things we want to do is continue to work closely with Pakistan on that plan, but also have alternative options, if there are bumps in the road, as we proceed forward with orders and with other things. Are you going to be looking at that as part of what you look at when you get the plan in your hands?

General AUSTIN. Absolutely, sir. I think our relationship with Pakistan is critical. It is a key country in the region. My goal would be to immediately work to continue to build upon the existing relationship, which is on somewhat of a positive slope right now, a positive path. I want to continue to build on that. Again, they will be key going into the future, sir.

Senator DONNELLY. General Rodriguez, as we look at your region, we just saw an extraordinarily tragic situation in Benghazi. When we look at the countries there, and we look at the challenges that those nations already have in protecting themselves—and we often depend on home-nation security for our own consulates and embassies. As you look at that, will you be asking for a time-and-distance study? How fast can we get to our consulate? Where is the closest location we have to that consulate? So that you have a plan that can make sure, if our consulates are in danger, we will be there to protect them?

General RODRIGUEZ. Senator, if confirmed, I'll do a thorough study of time, distance, as well as capabilities, spread throughout the region, who can respond in a timely manner and ensure that the Department of State is informed so, together, we can make good decisions on how to best support our Americans, worldwide, and especially in the African continent.

Senator DONNELLY. Thank you.

General Austin, as we transition from Afghanistan, the military gains in security that we have achieved—with all your experience

in Iraq, with the transition there—I think one of the biggest challenges is, as the military leaves, how do we make sure that some of the gains in, not just military, but in state functions in Afghanistan, that we're able to hold onto them? What experiences that you took away from Iraq can help with that in Afghanistan as we move forward?

General AUSTIN. Certainly, sir, I think our embassy will remain engaged and continue to work with the Afghan leadership, to help them build capacity and work with issues on their political system. But, I think having a competent security force helps to create the time and space for an immature political system to mature. We would hope that we would have the opportunity for that to develop, the Afghans would make the right choices, going into the future. Certainly, having advisors around to help advise the military also helps to influence the rest of the environment, as well. I think the activity between the embassy staff and what our military is able to do, and keeping the Afghan security forces focused, I think that creates some time and space for the political system to mature a bit.

Senator DONNELLY. General Rodriguez, General Austin, thank you so much for your service. You and your family have dedicated your life to our country, and we're incredibly grateful to you.

Thank you.

General RODRIGUEZ. Thank you, Senator.

Senator KAINE. The ranking member, Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

I agree with the remarks by the Senator, on your service and the time, and the fact that I've had the opportunity to be with you in the field and at various times. Let's see, General Rodriguez, we spent some New Year's Eves together over there; so we got to know each other pretty well.

Anyway, as I said in my opening statement, you guys have some really serious problems that you're facing over there.

Let's start off on AFRICOM, because that's something I was perhaps a little more familiar with.

One of the problems is—and we all go through this, and you guys are not immune from it, like crew rest. When you're trying to get to places, and you're in Stuttgart, and you have 54 countries and over 12 million square miles—to adequately support AFRICOM—I'm going to ask you a question, in a minute, about the resources—but, in terms of time and distance, have you thought about how you're going to handle that as you get a crisis in sub-Sahara Africa, you're going to have a hard time getting there. What do you think about that location?

General RODRIGUEZ. Yes, sir. I think that's going to require a solid coordination between all the interagency partners so that we can best understand indications and warnings, prior to those incidents happening, so we can best posture ourself to be able to respond appropriately. But because of the time, the distance, and the basing challenges that we have, that's going to continue to be a challenge. I will, if confirmed, look at that very carefully, put some requirements to the leadership, and then ensure that everybody understands the risk that's involved in what our Americans throughout the region are taking on.

Senator INHOFE. Yes, it's something you have no control over. That's where it is right now. Frankly, when we started AFRICOM, I was pushing very hard for Ethiopia, or someplace, for headquarters in Africa. The problem there is the reputation of our involvement in Africa, it is being misinterpreted as a colonialism type of an approach. But, I have to say this, every President that I talk to, including Kikwete, in Tanzania, they all have said, "We recognize that would be easier, but there's no way that we can sell it to the people." So, that's going to be there.

The reason I bring this up is there is always a lot of people here in the United States, members, our good friends in the Senate, who would like to move that headquarters stateside. I think that it's the best we can do right now, in Stuttgart, and I think you would agree that it would be very difficult to move that headquarters and operate.

What do you think about this, have you had time to look and see, in terms of resources—as I said in my opening statement, we have 5,000 boots on the ground; that's not much for an area like that—do you have any comments, going in, right now, as to how you're being resourced, particularly with the drawdowns that we're talking about at the current time?

General RODRIGUEZ. Senator, thank you. The challenges across the depth and breadth of Africa that we're facing, with the resource constraints that we're all living under will be a challenge. Again, we just have to make great assessments of where we're going to accept risk, to ensure everybody knows and understands that. The coordination between the interagency partners will be critical as we move forward.

We all, as commanders, have to help our leadership assess the risk throughout the combatant commands. If confirmed, I'll execute that, to the best of my ability.

Senator INHOFE. The Chairman, in his opening remarks, talked about the LRA and Joseph Kony. People are now aware of that. There was a time when they weren't, when you first got involved over there. My question is, if we're successful in our operation, in helping them take out Joseph Kony, would you continue there, and recognize Kony and the LRA as part of a terrorist group that go far beyond what—originally, it was just northern Uganda, then spread up to south Sudan and down into eastern Congo—that it is widespread, and it is a serious problem? I'd like to get your commitment to stay involved in that, and recognize it for the problem that it is.

General RODRIGUEZ. Yes, sir. If confirmed, I commit to you that I will continue to watch Kony and the LRA, and the entire negative impact it has on the region, as a whole.

Senator INHOFE. Yes, and there are so many other areas that people are not really aware of right now, but one of the things that I would like to—I wasn't going to dwell on this, this long, but—we made a good decision, back, right after September 11, when we decided, as a policy for this country, that we were going to recognize Africa as the squeeze takes place in the Middle East, and the terrorism goes down through Djibouti and the Horn of Africa—that our idea was to put in five African brigades—to help them, not us—but, to help train the Africans, who are very receptive to the

idea, so that when that happened down there, we wouldn't have to use our forces. It's kind of been floundering. I'd like to ask you to make those five African brigades a top priority during the time that you're spending down there.

General RODRIGUEZ. Will do, Senator.

Senator INHOFE. That's good.

General Austin, as I said a minute ago, and as I asked you in my office, are you sure you want this job? It's a tough area there. I would just like to ask you, in just whatever time it takes, to kind of look at the sequestration and how that's going to affect you in that critical region that I outlined, area by area, in my opening statement.

General AUSTIN. Yes, sir. I believe that sequestration will have enormously negative effects on the Services' ability to resource our efforts. What will happen is that all the Services are committed to supporting the current fight, which is what we should be doing. Over time, the follow-on deployers will be less ready. Our ability to respond to emerging contingencies in the region—we'll have less of an ability to do that. We'll have less flexibility and fewer options, because of some of the pressure now, with pressure on the budget.

Senator INHOFE. You mentioned four areas, and you called them "four principle levers," the last time you were here before this committee. They were military-to-military engagements, plans and operations, security cooperation programs, and posture and presence. Of those four, what are going to be impacted the most by sequestration, should it become a reality?

General AUSTIN. Certainly our presence and our posture in the region will be impacted. We're seeing that, the leading edge of that, with the delay of the deployment of the carrier. Again, that begins to take away some of the flexibility and the options available.

Senator INHOFE. Thank you very much.

Thank you, Mr. Chairman.

Senator KAINE. Thank you.

As a schedule accommodation, I'm switching my time spot with Senator Nelson, and his questions will be next.

Senator Nelson.

Senator NELSON. Thank you, Mr. Chairman.

The delay of the deployment of that carrier—which otherwise would go to the Persian Gulf region?

General AUSTIN. That would be a part of its responsibilities as it completes its tour. Yes, sir.

Senator NELSON. I asked that question because, of course, one of the continuing high-visibility questions is what's going to happen in Iran. If Iran were to continue with the development of a nuclear weapon, we would need all the military assets that we could muster. The General has just pointed out that a sequester is going to keep that carrier in port, which is not a good thing, because if we ever got into it in Iran, or if Iran ever started their own aggressive action by mining the Strait of Hormuz, we would need all of our Navy assets that we could bring to bear. That's a fair statement, isn't it, General?

General AUSTIN. Yes, sir. General Mattis has laid out what his requirements are. Those requirements have been vetted and ap-

proved. Again, if he doesn't get the full complement, then he'll have to do some things to mitigate that.

Senator NELSON. General, what do you see will be the remaining force when we are withdrawing, in 2014, from Afghanistan?

General AUSTIN. Sir, I believe that those decisions are still being made by the leadership, with the input of General Dunford and General Mattis. I'm not a part of that process—I don't know what the objectives are that the leadership will want to accomplish. That really drives what the force structure should look like, going forward.

Having been a commander in the field, where I was working hard with the leadership, to define options, and I found it very unhelpful when somebody, who wasn't a part of the process, speculated on what the troop strength should be.

Senator NELSON. In your experience, where you have worked with the indigenous forces and the leadership of a country like Afghanistan, can you give us your observations of the progress of that society, over the course of the last few years? Basically, what I'm getting at is, have the Afghani people progressed to the point that it's going to be very hard for the Taliban to take over, once we leave, and take them back to that feudal society that they were? What's your observation?

General AUSTIN. Sir, first of all, I think that two of the key elements that—or three key elements—that kind of go into this equation, as to whether or not things will remain on track or not, are, number one, do we have a credible security force to help guard against the challenges that will no doubt come in the future? We've worked hard with the Afghans to build a security force of 352,000, in a relatively short period of time, and it's still evolving in capability.

The second thing is that I think the political processes have to mature. I think the people have to begin to have faith in their leadership, and the leadership has to be inclusive, has to reach out to the people, and they have to provide a good governing mechanism for the country. That is critical.

I think the security forces can provide the space for that to develop. It's going to take some time.

The third piece of this is the corruption that we've seen in the country, over time they really have to get control over that and begin to move that in the right direction.

I think, when those things happen—and certainly, they're capable of happening—then—or working together—then I think things will continue to move in the right direction.

Senator NELSON. Thank you, Mr. Chairman.

Senator KAINE. Thank you, Senator.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

Thank you to the witnesses and their wonderful wives, for their service to our country. We're very proud to have you serving in such positions of responsibility.

General Austin and General Rodriguez—General Rodriguez, you recently served in Afghanistan, as the commander of the International Joint Command within ISAF. I'll ask you both the same question.

The President has announced 34,000 troops, more than half our force currently serving in Afghanistan, will return home by the end of the year. Was this recommendation of the uniformed military via the Chairman of the Joint Chiefs? Was this a recommendation of the military?

General AUSTIN. Senator, I don't know what the specific recommendation was. As I understand it, the——

Senator MCCAIN. No one has told you or General Rodriguez what the recommendation of the military was?

General AUSTIN. No, sir, I was not a part of that process. I know they——

Senator MCCAIN. So, you are excluded from knowing what the recommendation of the military was?

General AUSTIN. I was not——

Senator MCCAIN. Especially given the new responsibilities you have.

General AUSTIN. No, sir, I was not included in that process.

Senator MCCAIN. Did either of you recommend this option?

General RODRIGUEZ. No, sir.

Senator MCCAIN. In your best professional military advice, is the withdrawal of 34,000 troops this year in line with the conditions on the ground, as you saw them?

General AUSTIN. Sir, I defer to the current commander——

Senator MCCAIN. You really have no opinion whatsoever about whether we should withdraw 34,000, half our force, by the end of the year? Is that correct?

General AUSTIN. Having not been a part of the process, sir, I don't think that I should offer an opinion on this, because I don't know everything that went into their calculus.

Senator MCCAIN. General Rodriguez, you feel the same way?

General RODRIGUEZ. Yes, sir.

Senator MCCAIN. Even though you recently served there?

General RODRIGUEZ. Yes, sir. I've been gone for 18 months, and things have changed tremendously. I can tell you that I was a part of the change in the strategy when we put the surge forward there, that the concept of what we were looking to do, strategically, is continuing. But, as far as the specific situation in the country that warrants those decisions, I am not current in that area, sir.

Senator MCCAIN. So, you wouldn't have any guess as to how many forces you believe are necessary to achieve our goals? You wouldn't have any. Whew.

General Austin, you were our commander in Iraq when the President decided to end negotiations with Iraqis and withdraw all U.S. troops by the end of 2011. Do you think that Iraq is more stable today than it was a year ago?

General AUSTIN. Sir, I'm certainly troubled by some of the things that——

Senator MCCAIN. Do you believe Iraq, today, is more stable than it was a year ago?

General AUSTIN. I think the stability has held, sir. I think it's fragile, and it's trending towards being more problematic, as we watch what's happening with the Kurd-Arab relationships, with the recent Sunni protests. I think a lot of that's brought on by a failure to solve some political issues.

Senator MCCAIN. So, whether we had troops there—a residual force there, or not, wouldn't have mattered?

General AUSTIN. I think that, certainly—if we could have continued to advise and assist the Iraqis, I think, certainly, it would have continued to make them better.

Senator MCCAIN. You were present in the room when Senator Graham and I asked you, after Maliki asked us, what level of troops would we, the United States, want to remain there in order to maintain that stability. Do you remember your answer? You said, "We're still working on that." Do you remember that?

General AUSTIN. Sir.

Senator MCCAIN. How long did they work on that, General Austin?

General AUSTIN. Sir, I think we worked with the Iraqi leadership all the way up until the point in time when they decided that they weren't going to be able to give us the protections that we needed to keep our troops there.

Senator MCCAIN. Because, of course, it was down to 3,500. Isn't that correct?

General AUSTIN. No decision had been made at that point in time, sir, because——

Senator MCCAIN. Wasn't our number back down to 3,500 troops left behind? Isn't that an accurate statement? It's written in Michael Gordon's book, and it's well—knowledge. Isn't that true? You were there.

General AUSTIN. I was, sir. Again, I presented a range of options——

Senator MCCAIN. But, don't you know that the administration position was back down to 3,500? They didn't tell you that?

General AUSTIN. Sir, I was aware of what the number was. I don't recall, specifically, what the final option was, being considered.

Senator MCCAIN. You really don't remember, specifically, an important issue like this, that it wasn't 3,500?

General AUSTIN. Sir, in that range of options—again, since we never closed, I've never——

Senator MCCAIN. The Chairman of the Joint Chiefs of Staff testified that the number was down to 3,500. General Dempsey did, before this committee. You didn't know that? Even though——

General AUSTIN. Sir—sir——

Senator MCCAIN.—though you were there?

General AUSTIN. Sir, I did know what the number was. And——

Senator MCCAIN. And it was 3,500.

General AUSTIN. It was a small number, yes, sir.

Senator MCCAIN. Whew. Which is why—and it's been well documented—these—the Iraqis decided that to try to obtain immunity of over 3,500 troops wasn't worth the effort. You believe Iraq is headed in a positive or negative direction?

General AUSTIN. Sir, I think—again, some of the things that we're seeing in Iraq are very troubling, with the Arab-Kurd tensions, with the Sunni protests. On the other hand——

Senator MCCAIN. Iranian aircraft overflying Iraq with arms for Bashar Assad, for the total estrangement between Barzani and Maliki, continued violence in Kirkuk and other areas along the bor-

der, the vice president of Iraq having to flee the country because there's murder charges brought against him. Does that indicate to you that Iraq is headed in the right direction?

General AUSTIN. It does not, sir. There are some things that are very troubling. There are also some things that I think indicate that, if they make the right decisions, they have a chance to move in the right direction. They're pumping 3.3 million barrels of oil a day; they've been challenged, several times, in terms of security, but the security forces have really held, and they're still loyal to the civilian leadership. They haven't fractured. There are a couple of things in there that do indicate that, if they begin to make the right decisions politically, then I think they have a chance of moving in the right direction. But, at this point, they've not made those decisions, and it is troubling.

Senator MCCAIN. General, your predecessor, General Mattis, had a well-deserved reputation of speaking truth to power, and in testifying before this committee in a frank and honest opinion. We have our responsibilities. Our responsibilities can only be carried out if we have frank and honest—as you were just asked if you would do, at the beginning of the hearing—opinions. I'm disappointed by your testimony today, that I have to draw these facts out from you, that you and I both know are facts. I hope the next time you're before this committee, that you will be more forthcoming in your answers. We deserve it. We have our responsibilities, as well as those that you will assume.

I thank you, Mr. Chairman.

Senator KAINE. Thank you, Senator.

Senator Blumenthal.

Senator BLUMENTHAL. Thank you, Mr. Chairman.

I want to join in thanking both of you for your extraordinarily distinguished career, and your families for their service and sacrifice, as well, and to wish you well in your new commands, the next chapter of your military careers.

General Austin, we had a very informative and important discussion yesterday on the subject of sexual assault, with a number of my colleagues, and a number of yours, and I would like to ask you and General Rodriguez for your commitment that you will pursue, as vigorously and aggressively as possible, the predatory crime, the vicious criminal offense of sexual assault and rape, wherever it occurs under your commands.

General AUSTIN. Sir, you have my commitment, I will do so.

General RODRIGUEZ. I will, sir.

Senator BLUMENTHAL. Thank you.

Let me ask, by the way, have each of you seen the documentary movie "Invisible War"?

General AUSTIN. I have seen it, sir.

General RODRIGUEZ. I have seen it, sir.

Senator BLUMENTHAL. Will you make it your policy and practice that, that movie, among other training aids, is seen by all of the commanders, at whatever level, under your command?

General AUSTIN. Yes, sir. As you may know, sir, in the Army, we have encouraged our leadership to use that as a training tool.

Senator BLUMENTHAL. General Rodriguez?

General RODRIGUEZ. Yes, sir, that's correct.

Senator BLUMENTHAL. I'd like to ask you for more than just encouragement, but actually make it a matter of your general order, or whatever, however you want to implement within your command, that it be used as a training device.

General AUSTIN. Sir.

Senator BLUMENTHAL. Thank you.

General RODRIGUEZ. Yes, sir, it's a requirement.

Senator BLUMENTHAL. Thank you.

Let me ask you about—General Austin—focusing on Afghanistan. I recently had the privilege of traveling to Afghanistan with a number of my colleagues, including Senator McCain, who led the trip, and Senator Graham, Senator Ayotte, and others. I want to focus, for the moment, on contracting there.

We understand, from the Special Inspector General in Afghanistan, that 43 contractors, in effect, are doing business with the enemy, but they have not been processed by the Army for suspension and debarment, partly because of obstacles—legal obstacles and others—now in the law of the United States; section 841, in particular.

I'd like your personal commitment, as CENTCOM commander, that you will personally review these cases and use the authority you have to stop U.S. taxpayers' money from being funneled to the Taliban, and that you will help us—Senator Ayotte and I, in particular, are working on this issue—help us to strengthen the law.

General AUSTIN. Sir, you have my commitment.

Senator BLUMENTHAL. Thank you. Very aptly, your prepared testimony mentions the importance of "unity of effort"—that's your phrase, and I think it's a good one—on the battlefield. I think it's equally important that we have that unity of effort in stopping American taxpayer money from, in effect, aiding the enemy in Afghanistan, where corruption has been, unfortunately, so rampant.

One of the areas where I think section 841 can be applied more effectively is in the U.S. Agency for International Development (USAID) and State Department aid. I'd like your commitment that you will help us, in effect, improve the law in that regard.

Thank you. I understand you have made that part of your commitment, that you will help us do that.

General AUSTIN. Yes, sir.

Senator BLUMENTHAL. Thank you.

Let me ask you now, General Austin, about Syria. As part of that trip, we visited the refugee camp in northern Jordan, at Zaatari. I must say, very powerful and moving experience, to see the conditions of the camp, the numbers of children, the challenges in providing education, healthcare, basic sanitary conditions. I'd like your commitment that you will do everything possible to provide a drastic and dramatic increase in humanitarian aid to the refugees in Syria and elsewhere, besides Zaatari, but also in Jordan, where there are those refugee camps.

General AUSTIN. Sir, I'll do everything within my power to work with all the appropriate elements of the interagency to ensure that we're doing everything we can to support the refugees.

Senator BLUMENTHAL. Thank you. I think a number of us also were impressed by the herculean efforts being made by the King of Jordan, and by the Jordanian people, to aid those refugees. Just

an extraordinary humanitarian effort. But also their commitment to aid in military assistance, the freedom fighters in Syria.

Let me ask you, don't you think the United States can provide more training and technical assistance, at the very least—in terms of communications equipment, logistical aid—to the opposition forces in Syria?

General AUSTIN. Sir, not being in the seat yet, my vantage point is that of many people on the outside looking in on this. I don't know the specifics, as many specifics as I'd like to know, about the opposition, and what is in the realm of the possible.

What I'd like to do is, if confirmed, I'd like to have the ability to go in and assess, to see what's possible. If there are things that are possible, what options do we have? I don't feel as if I can give you a very concrete and informed recommendation, at this point.

Senator BLUMENTHAL. I hope that you will share the sense of urgency that many of us feel about this situation and about the very dire predicament of many of those courageous fighters who are opposing the murderous and barbaric regime that the Assad Government, if it still is a government, has become. I would invite you—in fact, I'd urge you—to present to this committee your recommendation, as soon as possible, because I think we feel that sense of urgency, and I hope that more can be done, militarily, to deprive Assad of his superiority, where he has it, in the air, and his forces on the ground that he is using, very simply, to slaughter the citizens of his own country.

General AUSTIN. Yes, sir.

Senator BLUMENTHAL. Thank you.

Thank you, Mr. Chairman.

My time is expired, but, again, my thanks to each of you for your extraordinary service in the past and in the future, and again, to your families.

Thank you.

Senator KAINE. Thank you, Senator.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

I want to thank General Austin and General Rodriguez, and their families, for, absolutely, your extraordinary service to our country, and very much appreciate your being here.

I wanted to follow up to what Senator Blumenthal discussed on section 841. As you recall, Senator Brown and I had worked on this no-contracting, or the enemy provision, that has given some authority to DOD to cut off enemy funds. I just want to join what Senator Blumenthal has said, that I look forward to working with him, and look forward to your commitment to make sure that we can give you all the tools that you need, including extending those tools to the State Department to cut off funds that go to our enemies. I appreciate your commitment on that, and look forward to working with Senator Blumenthal and both of you to make sure that happens.

General Austin, I wanted to ask you—when Senator Donnelly had asked—you mentioned you had been through the process before, of deciding what a follow-on force should be. That was in the context of commanding Iraq? Is that right?

General AUSTIN. That's correct, ma'am.

Senator AYOTTE. When you were the commander in Iraq, what was your recommendation to the administration on the troop levels that should remain, assuming we could negotiate a status of forces agreement?

General AUSTIN. Ma'am, I presented a range of options to the leadership. I provided that recommendation. I've never made public what my recommendations were.

Senator AYOTTE. It was reported, at the time, that your recommendations were between 14,000 to 18,000 troops. Was that accurate?

General AUSTIN. Again, ma'am, I provided that to the President, in confidence, and I have not made that public, and would not like to make that public.

Senator AYOTTE. Let me ask you this, General. The recommendations that you provided, and the number that was ended up, that Senator McCain just asked you, was that number significantly below what you recommended?

General AUSTIN. It was, ma'am.

Senator AYOTTE. Okay. Thank you.

You have said, in answer to Senator McCain, at this point, you've not been involved in the decisions on the troop withdrawal in Afghanistan, or the follow-on force, following 2014. Is that right?

General AUSTIN. Yes, ma'am.

Senator AYOTTE. Have you spoken to either General Allen or General Dunford about this topic?

General AUSTIN. Have I spoken with them?

Senator AYOTTE. Have you spoken to them about what their recommendations are?

General AUSTIN. No, ma'am, I have not.

Senator AYOTTE. Senator McCain asked you about the 34,000 withdrawal that the President announced the other day. There was a report in the Washington Post that General Dunford, whom I'm sure you have great respect for, as well as General Allen, that they had been seeking a reduction of no more than 25,000 troops during that same period. That would have been significantly—certainly, the President's recommendation is much higher. Would that surprise you? Have you followed any of the public reporting on this?

General AUSTIN. I have read some of what's in the media. But, my experience, there, ma'am, is that, that's not always accurate, because it doesn't have the complete——

Senator AYOTTE. Let me follow up. Military officials, on background, were saying that, "Pulling out 34,000 leaves us dangerously low on military personnel, while the fledgling Afghan army and police need our support. It's going to send a clear signal that America's commitment to Afghanistan is going wobbly."

I guess I would ask you—I'm actually very surprised, as well, that you've not had conversations, given that you're taking over in CENTCOM, with General Allen or General Dunford about this very important question at this point. But, I would ask you, if we're in a position where the withdrawal puts us in a situation where we're going to be dangerously low on military personnel, I would expect you to come forward to this committee—when asked—and tell us your professional opinion as to what we should be doing. Will you do that?

General AUSTIN. I will do that, ma'am. I would say that there are a number of things that the commander considers as he makes his recommendation: the tasks that he's been presented with, that he has to accomplish; what—his assessment of the environment that he has to work in; any significant transitions—"transitions" meaning things like an election; other things, like maybe the fighting season that he has to go through. All that goes into his calculus to provide a range of options, in terms of recommendations there. As the leadership looks at it, they will consider other things, and I just don't have any idea of what, exactly, went into that specific calculus. So——

Senator AYOTTE. General Austin, I went to a troop deployment, on Sunday, in New Hampshire, of a Guard unit that's going to Khost Province in Afghanistan.

General AUSTIN. Yes, ma'am.

Senator AYOTTE. One of the worries that I have is that the numbers that are being floated by the administration on the follow-on—don't we get to a point where, if we don't have sufficient numbers there, we have to worry about the protection of our own forces?

General AUSTIN. Yes, ma'am. That clearly is one of the things that commanders must take into consideration, whether or not they'll be able to provide the adequate force protection for their troops as they're conducting operations in the area. Again, depending on what the specific missions are that they'll be asked to do, and how much of it they'll be asked to do, when you factor in force protection and other things, then that really kind of lays out what the commander thinks his requirements are. Again, typically he will present a range of options.

Senator AYOTTE. I understand it, but certainly we need to take into account the protection of our own troops there. If we get to a number that's so low that we can't protect our own troops, I'm going to be very concerned about that, and I expect your professional opinion on that as we go forward on this follow-on.

Just so that everyone understands, why does it matter? Why does a good outcome in Afghanistan matter?

I'd like an answer from both of you on that.

General AUSTIN. Yes, ma'am, thanks. It clearly is important to the region. It's important to the United States of America. We have a lot invested. We'd like to see this country continue to move forward. We'd like to see the political system begin to grow. I think, if the right things happen, it'll stabilize things in the region, and certainly it'll help us with our relationship with Pakistan and some other things.

I think it's important for the region, and it's also clearly important for the country of Afghanistan, important to the North Atlantic Treaty Organization (NATO), and important to the United States of America.

Senator AYOTTE. I know my time's up, but, General Rodriguez, I would like your opinion as to, why does this matter, in terms of the protection of our country, our interests? We've sacrificed so much there, and obviously, I think it's important that we understand, why does the stable Afghanistan, the outcome of that, matter?

General RODRIGUEZ. Stable Afghanistan, ma'am, means that's one of the things that was the objective, so that it never became a haven for al Qaeda and its adherents so they could never attack both the U.S. Homeland, U.S. interests, and our allies worldwide.

Senator AYOTTE. Thank you. I'll have followup questions for both of you.

Senator KAINE. Thank you, Senator.

Senator Reed.

Senator REED. Thank you very much, Mr. Chairman.

Generals, thank you for your service to the Army and to the Nation. I can't think of two more dedicated and experienced officers to lead our forces in the various areas of command you're being assigned.

In fact, General Austin, correct me if I'm wrong—you were a brigadier general in the invasion of Iraq, with the 3rd Infantry Division (ID), you were a major general in Afghanistan, commanding the 10th Mountain Division, you were a three-star in Iraq, in the multinational forces. You are, I think, maybe one of the few combatant commanders that are going to an AOR where you've commanded at every general officer level. Is that correct?

General AUSTIN. That's correct, sir.

Senator REED. I don't think we could find someone better acclimated to the various challenges; and there are quite a few throughout the region.

One of the issues that's been touched upon is Iraq. From your perspective, are the problems there more political in nature or more the military capacity? Because what we've seen has been, I think, a very chaotic political situation—demonstrations, sectarian tensions—but, the Iraqi security forces seem to be performing reasonably well, given the training and the investment we've made. Is that a fair assessment?

General AUSTIN. Sir, I would say from my perspective, that's a fair assessment, that the security forces have done reasonably well.

Senator REED. Going forward, the challenges there seem to be more political than any type of military threat from the outside, or an uncontrollable internal threat. Is that a fair assessment, too?

General AUSTIN. Yes, sir.

Senator REED. Thank you.

One of the key factors and key roles that you play—it's not just making sure our forces are well prepared, well organized, and well deployed—it's communicating, explicitly and implicitly, with leaders in different countries. I can think of several in your AOR. One is Pakistan, and one is Egypt, because of our relationship to the militaries. Do you have any perspective now with respect to your likely engagement with General Kayani in Pakistan and the Egyptian Army?

General AUSTIN. Yes, sir. I look forward to trying to develop a—or, not trying, but developing a good working relationship with General Kayani and the military leadership in Pakistan. I think it's essential to our overall relationship, and I think it will be very helpful in us trying to move forward with what we're doing in Afghanistan.

In Egypt, we have long enjoyed a great military-to-military relationship that's been very helpful to us. We will continue to try to build upon that, going into the future.

Senator REED. Let me ask you another question, and that's with respect to our forces in Afghanistan. As the Vice Chief of Staff of the Army, your current role, it would be highly unusual that you would be participating in the deliberations of strategy, going forward, in Afghanistan or any other area of operation. Is that fair to say?

General AUSTIN. That's correct, sir.

Senator REED. Yes. The planning was done appropriately through CENTCOM, General Mattis, beginning with General Allen and his colleague, going up into the Secretary of Defense's office, not through the Vice Chief's office, to the President for the final decision. That's the way it's done.

General AUSTIN. That's correct, sir.

Senator REED. Your collaboration has been—and it'll increase—certainly increase if you're confirmed; and I have every expectation you will—but, at that point, you will be having an opportunity to work closely with General Dunford and all of the commanders for a period of several months, I believe.

General AUSTIN. That's correct, sir. It will give me an opportunity to engage leadership on the ground, to get a clear understanding, from the staff at CENTCOM and also the Joint Staff, in terms of all of the elements that have gone into this, which is typically a pretty tightly controlled process, and rightfully so.

Senator REED. Right. Thank you very much.

General Rodriguez, again, thank you for your service. You're taking over a region which is our newest unified command, one which is facing a new set of challenges that, 4 or 5 years ago, were not relevant. I think it's appropriately—and fitting—that you're both sitting side by side, because what happens in Egypt has certain effects in your command, and what happens in your command has certain effects throughout General Austin's command. But, can you give us your sense, right now—and again, being the U.S. Army Forces Command commander, you have not, on a day-to-day basis, been engaged in deliberate planning—can you give us your sense of what the threats are in AFRICOM, and how well positioned you believe AFRICOM is?

General RODRIGUEZ. Yes, sir.

Sir, the threats in AFRICOM really revolve around three major areas. Of course, one being al Qaeda in the Islamic Maghreb, which is where the French operation, supported by the African nations and the United States, is ongoing. Then also, al Shabaab, over in Somalia, and then Boco Haram. Also the LRA, as discussed earlier here. Those are the major threats to stability, militarily; but, of course, they have significant other ones in both government as well as health issues.

Senator REED. Yes, I think you've touched on something that, again, is a critical issue that cuts across both AORs; that is, governmental capacity, the ability of government to provide basic service, the ability of governments to function, at least to respond to the true needs of their people. One of the issues that we've talked about, General Rodriguez, is that we have had military training op-

erations that have gone in, over the last several years, into African countries, as far as AFRICOM, with mixed results. Do you have any specific ideas about how you would improve the military training teams that will be a major aspect of your operational capacity?

General RODRIGUEZ. Yes, sir. If confirmed, I will look at that very, very hard. As General Ham has stated in the past, some of the training has been focused on tactical and technical, and some of the things that we did not emphasize were the values of the army, as well as the role of a military in a democracy. Those are some of the things that he's already started to work on, and I'll watch that very carefully—if confirmed—and assess that, and go forward in the best way possible, sir.

Senator REED. My time is expired, but, again, gentlemen, there are very few people who have served the Army and the Nation with your courage and your distinction and your dedication to the soldiers. For that, I thank you.

Senator KAINE. Thank you, Senator.

Senator Fischer.

Senator FISCHER. Thank you, Senator Kaine.

I, too, would like to thank you, gentlemen, and your families, for your service and dedication to this country. I would also like to thank you, and thank the servicemembers that you represent, and their families, for their service to this country, as well.

If I may, I'd like to continue on that Washington Post article that came out recently. It did suggest that the Pentagon is pushing a plan that would keep only about 8,000 troops in Afghanistan. I know that, General Austin, you weren't a part of the planning process, thus far, but can you support a plan that would schedule withdrawal of troops in advance? We're looking at a withdrawal of troops in Afghanistan, and, according to this article, from about 8,000 down to a thousand, within a very short period of time. I have questions if we can even maintain our mission, let alone complete the mission.

How can you make decisions on troop withdrawal, when, as you stated previously, so much depends upon conditions on the ground, what the government is doing, what their abilities are, up to that point? How would you approach a proposal like that?

General AUSTIN. I certainly would, first, really work hard to make sure I fully understood what the leadership wanted to get done, moving into the future. Certainly, my advice, as a commander on the ground or Commander of CENTCOM, I would provide my advice to them, based upon where I think the security forces are, and conditions in theater, and what I think we needed to do to move forward, to make sure we maintain the gains that we've achieved.

But, I think so much is tied to what it is, what policy objectives that the leadership wants to accomplish. Based upon that, I would outline the forces required. I would consider the fact that there's a NATO complement to whatever forces we're going to have. Again, it really depends on what level that we're advising and assisting the Afghan security forces at. Then, how I assess that we need to do that.

If I'm confirmed, as I go in, those are things that I will work with General Dunford on, look at very closely, early on. I know that the

leadership is still in the process of making the decisions on what it's going to look like, post-2014.

Senator FISCHER. Do you think it's useful to put those numbers out there so far in advance? Is there a military reason it's useful to put those numbers out there?

General AUSTIN. I do know that we're a part of a coalition effort. I do know that—members of the coalition are trying to determine what their commitment's going to be, going forward. They would like—my guess is that they would like as much predictability as possible.

Senator FISCHER. I appreciated Senator Reed's question that he asked General Rodriguez. How would you prioritize, General Austin, the threats in your future command? What do you see those as being?

General AUSTIN. It's a very complex and dynamic region, volatile region. We see a number of things that are kind of working together to fuel that instability. You see sectarian strife in a number of places. You see governments, that are former autocratic governments, that are either failed or failing, creating further instability. The instability is an issue there.

Again, we are certainly concerned about the Iranian aggression in the region, which adds to the complexity there. Of course, there's specific issues of Syria and the continuing work that we have to do in Afghanistan, as well. A number of things that have to be added together.

Also, there is a persistent threat from elements, like al Qaeda and al Qaeda in the Arabian Peninsula, that have the ability to generate a threat to the Homeland. That is very, very important.

Senator FISCHER. Are we going to be able to meet those, with the troops that are projected to be there? Are we going to accomplish our mission? We've had so many families, in this country, sacrifice. Is it going to be worth it to them? I know you do this every day—how do you look at families and say to them, "We're going to pull out, maybe at levels that I think might be dangerously low, as I'm getting information on this"? How are you able to do that? When do we reach a hollow force, where the men and women that we send into harm's way are no longer protected?

General AUSTIN. We're going to do everything that—the leadership will continue to do everything that we can within our power to make sure that, when our troops are introduced into a dangerous situation, or into combat, that they are ready. Whatever we have to do to prioritize resources to make sure that we support the folks that are doing the hard work of the country, we're going to continue to do that. Again, the Services have been clear about the fact that they're going to support our troops that are in combat.

As we look at the shrinking top-line budgets here—the shrinking top line of the budget—it's going to make it more challenging for us to have forces that are ready to address emerging contingencies. That's my concern, going into the future.

Senator FISCHER. I would ask both of you gentlemen for your commitment to this committee, and to me, that you will always be honest and let us know that.

General AUSTIN. You have my commitment.

General RODRIGUEZ. You have my commitment.

Senator FISCHER. Thank you so much. Again, thank you for your patriotism, your dedication, and your service to us.

Thank you.

Senator KAINE. Thank you, Senator.

Generals Austin and Rodriguez, welcome. I echo the comments made by my colleagues, of appreciation for your service, your stellar credentials.

I'm given additional confidence by the fact that you've worked so closely together in the past, because I think the CENTCOM/AFRICOM real estate and challenges have an awful lot of overlap, and that should give us confidence, as well.

Just to mix things up, I think I'll start with General Rodriguez, a few questions.

AFRICOM has an unusual mission. As I understand from our discussion, your deputy commander is a State Department official, and it is a mission that is heavily focused on partnerships with other agencies, and with the training mission with other governments. I'd like you, just for a minute, to talk about that unusual nature of the mission, and your own background. How it fits you to work in that kind of a very multilateral environment.

General RODRIGUEZ. Thank you, Senator.

As you said, the headquarters was designed a little bit differently than most of the other combatant commands, and has more interagency people assigned to the headquarters. I think all that is a great benefit to the organization, who stretches and reaches across the interagency in an effort that's required to be done that way in that interagency effort.

In the "building partner capacity" piece, all of our operations are really just like the ones that General Austin is talking about—is about helping to build the capacity of that nation to protect itself and provide stability for itself. We have worked very hard over the years, and we both have significant experience trying to build the Iraqi security forces, as well as the Afghan security forces to do it themselves, and also to work with our multinational partners to also ensure that they're part of the solution, both in our NATO allies and allies throughout the world, as well as the host-nation countries.

I look forward, if confirmed, to try to continue that effort to help Africans prepare themselves to take care of themselves.

Senator KAINE. General Rodriguez, some of the most challenging attacks on American embassies in our history have occurred in the AFRICOM footprint. I've been to two hearings, now, on the Benghazi attack—one, a Foreign Relations Committee hearing, and one a hearing of this committee—and still have some confusion about security that's provided to our diplomatic personnel around the world.

In the Benghazi situation, we were dealing with military security through the Marine security guards; we were dealing with State Department security—State Department personnel—but, also, two local militias—one unarmed, one that was apparently on some sort of strike or work slowdown because of a dispute over wages and benefits. I'd just like to hear you talk about the embassy security—recognizing that State takes lead on that—but, the embassy secu-

rity challenges in AFRICOM, and how you would approach them, as the commander.

General RODRIGUEZ. Thank you, Senator. The challenges, as you state and we discussed earlier, were about the time-and-distance factors. If confirmed, I will work very closely with Department of State, who has the primary responsibility, as you've stated, to understand and have the best situational understanding that we can have, so we have threats and warnings, so that we understand the ones who are most threatened, so that we can respond appropriately.

We also have to prioritize our collection assets for the things that we don't know, it's a joint and interagency, as well as multinational, process to get the best situational understanding we can.

The second thing is, of course, in collaboration with the State Department, to make sure that the State Department understands our responsiveness and what we can do, so that they can make the best decisions and recommendations to the leadership.

Lastly, the response forces have already increased, in the aftermath of the Benghazi attack, and some of the lessons that were learned. There is now a new Commanders in Extremis Force that is forward-stationed, and we have more forces forward-stationed, as well as a special Marine Air-Ground Task Force that is also in Djibouti right now. In another month, there'll be a regionally aligned force from the Army who is allocated to AFRICOM to help with these challenges.

Senator KAINE. Great.

General RODRIGUEZ. Thank you, Senator.

Senator KAINE. Thank you, General.

General Austin, to return to a point that we've talked about briefly, in your advance policy questions, you stated that maintaining a credible naval force in the region, covered by sufficient aviation combat power, is essential to demonstrating an enduring commitment to regional partners. We've had discussion on this committee, just this week, about the aftermath of the decision of the deferred deployment to the USS *Truman*. Just focusing on that and the sequester, from your perspective as you prepare to take command of CENTCOM, what is the impact of a reduced naval presence in the region? Will it complicate your ability to carry out your mission?

General AUSTIN. I think it will, sir. I think, certainly, again, those forces have been outlined by General Mattis as what he needs to accomplish the goals and objectives that he's laid out. That's been supported by the Joint Chiefs, and resourced by the Office of Secretary of Defense. This has gone through a pretty deliberate process to allocate those resources and forces.

When he doesn't have those available, or when a commander doesn't have them available, then, again, it really begins to take away his flexibility to address emerging situations. Once you reduce the presence in the region, you could very well signal the wrong things to our adversaries. We'll want the commander—and I'll certainly want to have, if I'm confirmed—to have as many options available as possible to address the current situation and any emerging situations or crisis.

Senator KAINE. Let me ask you this. The "send the wrong message to allies or adversaries," what about the message that it sends, just from your own experience, inside the organization, as you deal with your officers and enlisted? What's the buzz as they continually watch Congress run up against one kind of fiscal crisis after the next, that gives no certainty to the military about its resource capacity?

General AUSTIN. It certainly can be disheartening, sir, if we kind of know we have things that we're trying to accomplish, we know that we need resources, and it's difficult to get those resources. Having said that, it's the spirit of our military to try to find a way to be successful. But, we want to make sure that, if at all possible, we're resourcing them with the adequate things—with the things that they need to be successful.

Senator KAINE. Thank you very much, to both of you.

Senator Graham.

Senator GRAHAM. Thank you, Mr. Chairman.

I understand we're going to have two rounds, if you could just let me know when 7 minutes is up, I have a few more questions. I'll try not to hold everybody up.

Senator KAINE. Great. We'll move right into a second round as soon as you're finished if no one else comes.

Senator GRAHAM. Okay. Thank you very much.

This is one of the most important hearings we've had in, probably, a very long time. That's saying a lot, given the hearings we've had in recent time.

Both of you, thank you for your service. I know you well, appreciate your families. You're fine men.

General Austin, here's my dilemma. I'm not so sure—and I may be wrong—that you cannot tell us what you recommended about troop levels. I don't know if that's an executive privilege, or not. I'll have to think about that. I don't know if you have the right to do that, quite frankly.

I know what you told me. You told me, on the tarmac in Baghdad, that we needed somewhere between 18,000 and 20,000. I said, "That may be more than the market can bear." You said, "Well, look at the numbers." I know what your recommendations were; it was somewhere in the mid-15,000 to 16,000. I think the bottom line, for most people, was 10,000. I have an exchange between me and General Dempsey about how the numbers went from 19,000, I think, all the way down to 5,000, and eventually to 0.

I'd like to put in the record the exchange I had with Chairman Dempsey about the ever-changing numbers in Iraq.

[The information referred to follows:]

HEARING TO RECEIVE TESTIMONY ON SECURITY ISSUES RELATING TO IRAQ

TUESDAY, NOVEMBER 15, 2011, U.S. SENATE, COMMITTEE ON ARMED SERVICES, WASHINGTON, DC.

Senator GRAHAM. Thank you, Mr. Chairman.

Thank you both for testifying. This is a very important issue for the country, and I think we have had a good discussion.

Number one, I completely concur with the idea that American troops should not be left behind in Iraq without legal protections. It is not fair to them. To say that the Iraqi legal system is mature is being gracious. If an American soldier were accused of rape anywhere in Iraq, I do not think they would get a fair trial. So at

the end of the day, Iraq has a long way to go on the legal side and I think a long way to go on other sides.

My concern is that I have never bought into the idea that the impasse was getting the parliament to approve an immunity agreement. I will just give you one vignette. I went over with Senator McCain and Senator Lieberman in May to talk to the prime minister about a follow-on force, and I was discussing with him that no American politician, Republican or Democrat, would accept a follow-on force without legal protections. As we were talking about it, he says, well, how many people are you talking about? What is your number? I turned to Ambassador Jeffrey and General Austin and said you have not given them numbers. He says, no, we are still working on that. That is in May.

So let us get into this, General Dempsey. 16, 10, 5, cascading. Is it your testimony that we were proposing 16,000 to the Iraqis and they said no? Then we came back with 10,000 and they said no. Then we came back 5,000 and they said no. Then it got to be zero.

General DEMPSEY. No, that is not what I testified to.

Senator GRAHAM. What caused the cascading effect? General Austin told me—and I will just tell you now because it is so important—he thought we needed 19,000. and I said, Lloyd, that is probably going to be more than the market can bear. I said that because I am concerned about American politics too.

Then the numbers were around 15 to 16. Then we started about 10. It came to 10, and nobody got below 10. So I know what General Austin had on his mind.

At the end of the day, General Dempsey, you are right. It is about the missions you want that determines the numbers. We have got through it pretty well. Iraq does not have the intel capacity we do. We need to make sure they have better intelligence. They do not have an air force. We need embedders. We need trainers. We need CT. we need to referee the Kurd-Arab dispute. I think 10 or 12 is what you need. At the end of the day, we are down to zero.

I guess my question is, is Iran comfortable with a democracy on their border in Iraq, Secretary Panetta?

Secretary PANETTA. I think they are very nervous about having a democracy on their border.

Senator GRAHAM. Let me tell you what the speaker of the Iraqi parliament, a Sunni, Mr. Najaf, said. Iraq now suffers from points of weakness. If neighboring countries see that Iraq is weak and incapable of protecting its border and internal security, then definitely there will be interference. This interference does not exist now. He was talking about how Iran would step up their efforts to destabilize Iraq if we all left.

Do you agree that is a more likely scenario? They are doing it now. They are only going to do it more if we do not have anybody there.

Secretary PANETTA. I think there will be a continuing threat. I think that the reality is that the Iraqis do not want to have Iran exert that kind of influence in their country.

Senator GRAHAM. Now, if the Sunni speaker of the parliament is worried about that, is there any doubt the Kurds want us there? If it were up to the Kurds, there would be 50,000 American troops in Kurdistan. Do you agree with that?

Secretary PANETTA. Yes.

Senator GRAHAM. So we know the Sunnis are worried about this, and we know the Kurds would have 50,000 if we would agree to put them there. I would not agree to that, but they are very welcoming of U.S. troops. So I am getting a little bit concerned that all the blame on the Iraqi political system is maybe not quite fair.

Secretary Panetta, you were a politician in another life. Would it be a political problem for President Obama to announce this year that we are going to keep 15,000 people in Iraq past 2012? Did that ever get considered in this administration? Did anybody ever talk about the numbers changing because the Democratic base would be upset if the President broke his campaign promise?

Secretary PANETTA. Not in any discussions that I participated in.

Senator GRAHAM. Do you think it ever happened anywhere? Do you think anybody in the White House ever wondered about the political effect of having troops in Iraq on the 2012 election? You talk openly about the Iraqis having political problems. You do not think there are any politics going on on our side?

Let me ask you about Afghanistan, General Dempsey. Did any commander recommend that all of the surge forces be pulled out by September 2012?

General DEMPSEY. I honestly do not know, Senator.

Senator GRAHAM. Well, let me tell you. The testimony is clear. No option was presented to the President in July to recover all surge forces by September 2012, and you put General Allen in a terrible spot—the administration has. I think it is no accident that the troops are coming home 2 months before this election in Afghani-

stan, and if you believe that to be true, as I do, I do not think it is an accident that we got to zero.

Now, at the end of the day, we are at zero. Do you think the people in Camp Ashraf are going to get killed? What is going to happen to them?

General DEMPSEY. Senator, the State Department is leading an effort to ensure that we work with the Iraqi——

Senator GRAHAM. Can you tell the people back here that the likelihood of their friends and family being killed is going up greatly if there are no American forces up there policing that problem?

General DEMPSEY. I will not say anything to those people because I am not involved in the outcome.

Senator GRAHAM. Fair enough.

I asked Admiral Mullen, your predecessor, what is the risk of an Arab-Kurdish conflict over the oil reserves around Kirkuk in terms of a conflict if we are not present. He said it was high. Do you agree with that?

General DEMPSEY. I might have said moderate because of my own personal contacts with both the Kurds and the Iraqis.

Senator GRAHAM. So you believe that there is a moderate risk, not a high risk, if there are no U.S. Forces policing the Kurd-Arab borderline disputes and the Kirkuk issue.

General DEMPSEY. I do. I would like to take some time to articulate why I believe that, but if you would like me to take that for the record, I would be happy to do so.

Senator GRAHAM. I would.

Now, do you believe it is smart for the United States not to have counterterrorism forces? Is it in our national security interest not to have any counterterrorism forces in Iraq?

General DEMPSEY. It is in our national security interest to continue pressure on al Qaeda wherever we find them either by ourselves or through partners.

Senator GRAHAM. But do you think the counterterrorism problem in Iraq is over?

General DEMPSEY. I do not.

Senator GRAHAM. Secretary Panetta, you have been great about this. You said there are a thousand al Qaeda in Iraq, and I know in your old job that you are very worried that they are going to reconstitute. So will you do the best you can to convince the Iraqis—and I tell you what. I am willing to get on a plane and go back myself—that they would benefit from counterterrorism partnership with the United States?

Secretary PANETTA. I have made that clear time and time again.

Senator GRAHAM. They just tell you they are not concerned about that.

Secretary PANETTA. What they tell me is that they are concerned about that. They obviously have their forces that are dealing with that.

Senator GRAHAM. Is it your testimony the Iraqis would not have 3,000 U.S. Forces? They do not want any U.S. Forces at all. They are not willing to expend the political capital to get this agreement done because they just do not see a need for U.S. Forces. Is that the Iraqi position that they have come to the point in their political military life that they just do not need us at all?

Secretary PANETTA. I think the problem was that it was very difficult to try to find out exactly—when you say the Iraqi position, what exactly the Iraqi position was at that point.

Senator GRAHAM. What is the Kurdish position in Iraq about U.S. Forces?

Secretary PANETTA. Well, I do not think there is any question they would like to——

Senator GRAHAM. So what is the Sunni speaker of the parliament's position about U.S. Forces?

Secretary PANETTA. I think the same.

Senator GRAHAM. Well, when I was with Prime Minister Maliki in May, the next day he announced that he would accept a follow-on force if other parties would agree. So how did this fall apart?

Secretary PANETTA. I heard the same statements and read the same statements. But the problem is in the negotiations that involved the Ambassador, that involved General Austin, in those discussions they never came to the point where they said we want this many troops here.

Senator GRAHAM. Well, I can tell you—and I have taken my time. I can tell you in May they had no number given to them by us. They were in the dark as late as May about what we were willing to commit to Iraq. So this is a curious outcome when you got Sunnis and Kurds on the record and the prime minister of Iraq saying he would accept a follow-on force if the others agreed. I do not know who does the

negotiation for the United States, but if I had three people saying those things, I thought I could get it over the finish line. But we are where we are.

Thank you for your service.

Senator GRAHAM. The point, Mr. Chairman, was that the Iraqis were not saying, "18,000 too many, 15,000 was too many." That wasn't the exchange.

Did Prime Minister Maliki tell you that he thought 18,000 were too many?

General AUSTIN. No, sir.

Senator GRAHAM. Okay. So, this was coming from the White House; this is what Chairman Dempsey said, that the numbers were cascading down, were not because the commanders were saying, "I overshot." It's because the political people were saying, "That's too many," and you kept coming down and down; and at 10,000, I think, you finally said, "That's the lowest I can go." The cascading effect of the numbers being reduced were not the Iraqis saying, "We can't have all that many troops," it was that our own White House—and they have every right to do this, by the way—was saying, "We just don't agree with the commander's recommendation."

Do you remember that exchange between me and Prime Minister Maliki, in May, when we were over there, in 2011?

General AUSTIN. I do, sir.

Senator GRAHAM. He turned to me and says, "Well, how many troops are"—cause we were asked to go to Iraq—myself, Senator Lieberman, and Senator McCain—by Secretary Clinton, to see if we could push the Iraqis to make sure we had legal protections for our troops. I'm with the President on this; I wouldn't have one troop in Afghanistan or Iraq without a status of forces agreement, that he was absolutely right to insist on that. But, when Prime Minister Maliki said, "How many are you going to recommend?" I turned to you and Ambassador Jeffrey, and you said, I believe, "We're still working on that." Do you recall that conversation?

General AUSTIN. Yes, sir, I do.

Senator GRAHAM. Okay.

I was a bit astonished, because it's not that General Austin didn't know what he needed, it's just nobody would tell him what they were going to approve.

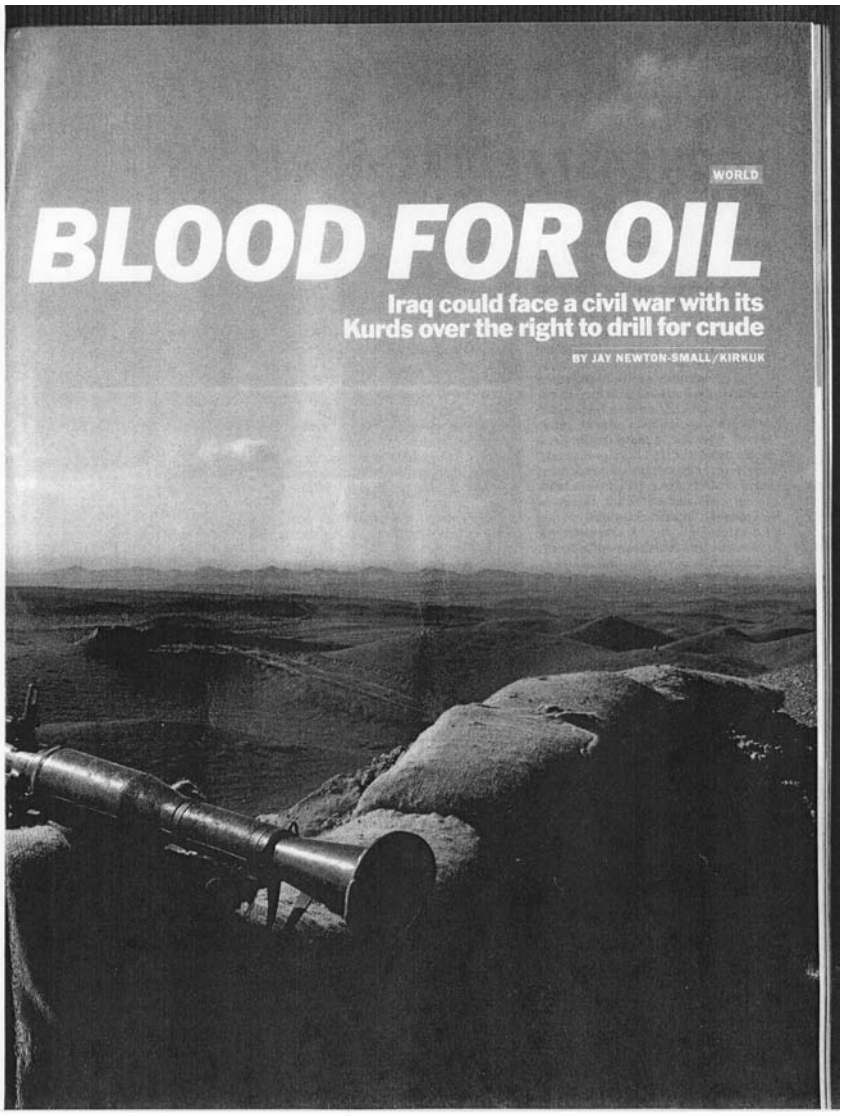
I just want people to be clear that General Austin always had a firm view that we needed—18,000 to 20,000 is what he first said, and I said, "General Austin, that may be more than the political market can bear," because I'm not insensitive to the fatigue back here at home. So, you kept putting pen to paper. I know very well that you were making the best recommendations you could.

My problem is not with you, General Austin. You put the numbers to paper, and, at the end of the day, we have none.

I just want to put into the record a load of articles about Iraq: "Blood for Oil," "Iraq's Return to Bloodshed," "Why Kurds Versus Arabs Could Be Iraq's Next Civil War," "Be Warned, Americans' Withdrawal From Iraq Heralds a World of Instability." I'd like permission to put all these articles into the record.

Senator KAINE. Without objection, they'll go into the record.

[The information referred to follows:]


WORLD
BLOOD FOR OIL
Iraq could face a civil war with its Kurds over the right to drill for crude
BY JAY NEWTON-SMALL/KIRKUK

LOOK EAST FROM THE KURDISH TRENCHES

on a dusty ridge outside the northern Iraqi city of Kirkuk and you can see the cause of it all: a rudimentary oil field where water wells are being sunk and sites are being cleared for drilling.

Now look south into the valley below the Kurdish positions and you can see two Iraqi army units poised to make sure that drilling never begins.

Since November, a crisis of oil, money and history has been building in the semiautonomous northern Iraqi region of Kurdistan. Some 30,000 Kurdish soldiers face just as many regular Iraqi army troops, setting the stage for a civil war in a country that has already endured more than its share. Under these lands lie an estimated 66 billion barrels of oil, enough to shift the global market for crude and alter Iraq's economic fortunes—provided the resource doesn't tear apart the country first.

Both armies arrived in Kirkuk at the end of November after a gas-station shoot-out nearby between Iraqi police and Kurdish troops left one dead and both sides furious. The forces have been tripping over each other since, in patrols through the divided city of Kirkuk and throughout the surrounding disputed territory, which is a bit larger than Kuwait. The situation has become tense for both sides. "I'm going to fight them," Iraqi Prime Minister Nouri al-Maliki warned his staff and allies in December. "I will use force to prevent them from working in the disputed area." With the two armies mustered in such close proximity, war may not wait; a suicide bomber killed at least 36 people and wounded more than 100 at a Kirkuk police station on Feb. 3. "Accidents happen," says Harry Schute, a former U.S. Army colonel who led U.S. forces into Kurdistan in 2003 and returned in his retirement to advise the Kurdish government on security issues. "This could blow up to be a war that no one wants."

Civil Affair

THE TINDERBOX HAS BEEN YEARS IN the making. Kurds—a nomadic Indo-European ethnic group spread across parts of Turkey, Syria, Iran and Iraq—have sought an independent state since 1920, with limited success. But Kurds in northern Iraq were largely able to govern themselves from 1991 to 2003 in Iraq and had little or no contact with Baghdad. Only after the fall of Saddam Hussein, however, did the Iraqi Kurds begin to flex their muscles on energy policy, claiming the right to sign deals with foreign oil companies and drill on lands they historically claimed. When the Kurdistan Regional Government opened up to drilling in 2004 it sweetened the offer by allowing foreign oil companies to keep far more of the profits than the post-Saddam government was offering from oil fields in southern Iraq. Baghdad in 2011 threatened to cancel all its contracts with companies drilling elsewhere in the country if they signed up with the Kurds, but that didn't deter more than 50 multinationals from making deals with the north, including majors like ExxonMobil, Chevron, Total and Gazprom. "U.S. firms want to be able to work anywhere in Iraq and base their business decisions on which province or region is the most attractive for investors," says Hussain Qaragholi, president of the U.S. Business Council in Iraq, whose board includes ExxonMobil and Chevron.

Of course, oil isn't worth much unless you can ship it to the people who want to buy it, and Iraqi Kurdistan is landlocked. So last month the Kurds struck a provisional deal with neighboring Turkey to build a pipeline to carry any oil drilled on Kurdish lands—or even disputed territory—out of Iraq. There's just one problem: under the new Iraqi constitution, Baghdad controls all oil exports. And without a pipeline to move the crude to market, drilling in Kurdistan makes little sense. The result is an increasingly nasty standoff that's brought to the surface deep divisions between the Kurds and Baghdad.

The Iraqi government has threatened to forcibly halt any Kurdish exports of oil by truck—about 70,000 barrels a day head out by road to Turkey—and to stop the pipeline's construction, which is scheduled to begin later this year. Last May, al-Maliki sent President Obama a letter asking him to persuade ExxonMobil to either abandon or slow down its Kurdish activity. The appeal had little effect; Obama informed al-Maliki that he has no control over private companies, though the White House warned all U.S. oil firms working in Iraq that signing contracts without the approval of Baghdad exposed them to international legal risks.



DIFFERENT TAKES

$1.50

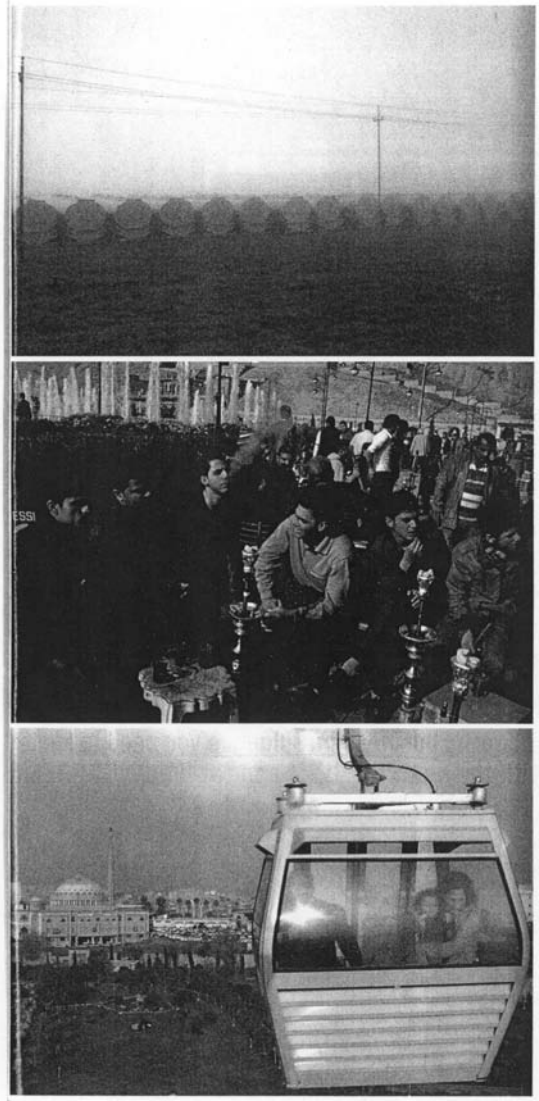
Amount of profit per barrel that the Iraqi government allows oil companies

$30.00

Amount of profit per barrel that the Kurdish government allows oil companies

The company with the most at stake is ExxonMobil, the first oil major to sign on with the Kurds in 2011. It is the only company to own contracts—three of its six Kurdish parcels—in the disputed territory. The company began exploratory work on one of those disputed plots early this year, and ExxonMobil representatives arrived in Baghdad in January to try to negotiate a peaceful solution. Those talks are ongoing. For ExxonMobil and the other oil majors, the political risk of taking sides in a civil dispute is balanced by major potential rewards. Some of the best oil fields in all of Iraq happen to be in territory that's under dispute. A 2012 International Energy Agency report predicted that with the right investment, Iraq as a whole could double oil production to 6.1 million barrels a day by 2020 and raise it to 8.3 million barrels by 2030, making it the single biggest contributor to global oil-supply growth.

But that can happen only if Baghdad and the Kurds can reconcile their differences, and by late November, it became clear just how dire the dispute



A separate people *From top: tankers are lined up to export oil; young Kurdish men smoke* shisha *in Erbil; a Kurdish family rides a gondola high over the city*

was. An estimated 60,000 Kurdish and Iraqi troops marched to Kirkuk, taking up positions across the disputed territory. On Dec. 19, the *peshmerga*, as the Kurdish troops are called, fired on an Iraqi helicopter. The disputed region has been hit by a wave of sectarian bombings in the past month that have killed more than 90 people and injured more than 500—violence that alarmed State Department officials. Administration officials, including U.S. Ambassador to Iraq Robert Beecroft, have stepped in to try negotiating a settlement, but no timeline has yet been set for troops to withdraw. On top of everything else, Iraqi President Jalal Talabani, a Kurd and an experienced peacemaker, has been incapacitated since suffering a stroke on Dec. 17.

Battle Lines

DESPITE THE DRAMA, WAR SHOULD STILL be avoidable, in part because peace would be a lot more profitable. Until they can start exporting their oil in bulk, the Kurds remain reliant on Baghdad for revenue. When the new Iraqi government was formed, the Kurds were given 17% of all oil revenue annually, which today accounts for nearly all the Kurdistan Regional Government's budget. Turkey, thirsty for oil and concerned with its own Kurdish population, prefers to maintain the peace. For its part, Baghdad has its hands full with an outbreak of Sunni violence in recent weeks spilling over from neighboring Syria, including mass protests and a bombing of Shi'ite pilgrims after al-Maliki moved against his Sunni Finance Minister Rafia al-Issawi.

Still, nerves are so tense that even a minor blunder could spark a war that neither side really desires. Back in Kirkuk, a Kurdish soldier named Weli Abdulla stands on that dusty ridge looking down through the row of machine guns and rocket-propelled-grenade launchers aimed at his fellow Iraqis below. In between the weapons someone has propped a solitary rose and a tiny Kurdish flag. "We do not want to fight," he says, grasping the rifle slung diagonally across his chest and glaring down the hill. "But if we have to fight, we will defeat the Iraqi army." There will be oil—or there will be blood. ■

The Washington Post

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Iraq's return to bloodshed

By Kimberly Kagan and Frederick W. Kagan, Published: February 8

Kimberly Kagan is president of the Institute for the Study of War. Frederick W. Kagan is director of the Critical Threats Project and a scholar at the American Enterprise Institute.

Eighteen days of protests in Egypt in 2011 electrified the world. But more than twice that many days of protest in Iraq have gone almost unnoticed in the United States. Iraqi army troops killed five Sunni protesters in Fallujah on Jan. 25, after a month of anti-government protests in Anbar, Nineveh and Salahuddin provinces and elsewhere for which thousands turned out. Al-Qaeda in Iraq and Iranian-backed Shiite militias are re-mobilizing. Iraq teeters on the brink of renewed insurgency and, potentially, civil war.

This crisis matters for America. U.S. vital interests that have been undermined over the past year include preventing Iraq from becoming a haven for al-Qaeda and destabilizing the region by becoming a security vacuum or a dictatorship that inflames sectarian civil war; containing Iranian influence in the region; and ensuring the free flow of oil to the global market.

While tensions have risen over the past two years, the triggers for recent eruptions are clear. Prime Minister Nouri al-Maliki, a Shiite, had the bodyguards of Finance Minister Rafie al-Issawi, who is Sunni, arrested for alleged terrorist activities on Dec. 20 — almost exactly one year after he ordered the arrest of Sunni Vice President Tariq al-Hashimi's security detail. Hashimi fled to Turkey and is unlikely to return soon to Iraq, where he was sentenced to death after Maliki demanded his trial in absentia for murder and financing terrorism.

The threat to Issawi, a moderate technocrat from Anbar, galvanized Iraqi Sunnis, who rightly saw Maliki's move as sectarian and an assault on government participation by Sunnis not under the prime minister's thumb. Three days after the arrests, demonstrations broke out in Ramadi, Fallujah and Samarra. Three days after that, a large protest closed the highway from Baghdad to Syria and Jordan. The popular resistance spread to Mosul on Dec. 27.

These protests erupted during a constitutional crisis and as an expanding Arab-Kurd conflict has become increasingly militarized. Iraqi President Jalal Talabani was incapacitated by a stroke on Dec. 17 and has been out of the countryfor treatment. Iraq's constitution specifies a line of succession — but with one vice president in exile and the other a Shiite and obvious Maliki proxy, Iraq has been, in effect, operating without a president. Political processes that require presidential involvement have been paralyzed, including moving forward with long-standing efforts by Sunnis and Kurds to hold a parliamentary vote of no-confidence in Maliki.

Talabani had been the critical link holding Baghdad and Kurdistan together since tensions rose following a 10-day standoff between Iraqi army units and Kurdish pesh merga troops in October, after Maliki sent the army toward the disputed city of Kirkuk. That move followed a series of skirmishes and mobilizations along the "Green Line" separating Kurdistan from Arab Iraq and a series of attacks in the area by al-Qaeda in Iraq.

The recent protests underscore the collapse of the inclusive political accommodation reached in 2007, which had been reconfirmed by the formation of a grand Sunni-Shiite-Kurd coalition government after parliamentary elections in 2010. By November 2012, Maliki had evolved to openly discussing his intention to form a "majoritarian government" that would exclude the most important Sunni representatives. In mid-December he participated in creating a Shiite grand alliance as the launching pad for that government. The principal Sunni political leaders, including Issawi, parliamentary speaker Osama al-Nujaifiand Anbari tribal leader Ahmed abu Rishaannounced their intention to form their own coalition. In short, Iraqi politics was re-fragmenting along sectarian and ethnic lines even before the protests began.

Understood in this context, the Iraqi army's killing of protesters in Fallujah last month is a watershed event similar to the destruction of the Askariya shrine in Samarra in February 2006, though the crisis will not escalate as quickly. Sunni-Shiite tensions have hitherto played out in political forums. The key actors in today's crisis are not the Sunni political leaders but, rather, Anbari tribal leaders, including Ali Hatem Ali Suleiman, one of the most powerful leaders of Iraq's largest Sunni tribe. Suleiman and fellow leaders of the Dulaim tribe were essential to engineering the Anbar Awakening in 2007 and Sunni participation in the government, for which they rejected al-Qaeda in Iraq and renounced violence against the state. They responded to the killings of protesters last month by threatening open war against the state for the first time since 2007. So far at least, they have restrained protesters and resisted violent confrontation.

For his part, Maliki has sought to deescalate the conflict and to mollify protesters. Tehran has also been working — to persuade Iraq's Sadrists, whom Maliki has alienated in his consolidation of power, to abandon their support for their Sunni brethren. Their combined efforts appear to be working: The Sadrist Bloc, which had refused Maliki's request for suggestions to replace Issawi and other Sunni politicians, has put forth a substitute finance minister.

These efforts, ostensibly toward political resolution, actually increase the likelihood of sectarian war by continuing the marginalization of Sunni political leaders without addressing Sunni tribes' core grievances — and by re-creating a Shiite front that had splintered.

Al-Qaeda in Iraq has already taken advantage of this situation through its front group, the Islamic State of Iraq, which deployed combat teams in Fallujah last month that targeted Iraqi army positions and killed several soldiers. The jihadists' black flags have appeared at Sunni protests and memorial ceremonies for the fallen. The group is back in the havens it held in 2006. If Maliki does not allow proper Sunni representation in government, al-Qaeda will gain greater popular tolerance and foreign support.

Over the past year, the situation in Iraq has become explosive while sectarian sentiment and armed violence in neighboring nations have escalated dramatically. Americans have become accustomed to watching Iraq approach the precipice and draw back. But circumstances have changed with the withdrawal of all U.S. forces and Maliki's year-long efforts to intimidate his opponents through political, judicial and military maneuvers. If Maliki does not accept many of the protesters' reasonable demands and allow meaningful Sunni participation in government, prospects for stopping Iraq's descent into sectarian conflict are grim.

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TIME
Wednesday, Jul. 22, 2009

Why Kurds vs. Arabs Could Be Iraq's Next Civil War

By Andrew Lee Butters

With a projected capacity of about 40,000 bbl. a day, the new oil refinery inaugurated on July 18 by the Kurdish regional government of northern Iraq is modest even by the standards of Iraq's dilapidated oil industry. But its significance shouldn't be underestimated: in Kurdish minds, the region's ability to refine the oil it pumps is a vital step toward deepening its autonomy from the Arab-majority remainder of Iraq. (Read "The Reasons Behind Big Oil Declining Iraq's Riches.")

Until recently, Iraqi Kurdistan had no refineries of its own, and though the area is sitting on a huge pool of oil, it had to rely on gasoline supplies from elsewhere in Iraq, Turkey or Iran. Fearful of giving Iraq's ethnic Kurdish minority any control over the country's most precious resource, Saddam Hussein had not only declined to build refineries in the region; he made sure Iraq's oil pipelines bypassed Kurdish areas, and his army forcibly removed much of the Kurdish population from Kirkuk — the most important oil-producing area in the north — and repopulated the city with Arabs from the south.(Watch a video about the gas shortage in Iraq.)

Since Saddam's demise, however, the autonomous Kurdistan Regional Government (KRG) is steadily developing an independent oil industry in northern Iraq. It has discovered and begun to develop new oil fields inside its boundaries, and has entered production-sharing deals with foreign oil companies that were made without the consent of the federal government in Baghdad. Those deals have raised suspicions among Iraq's Arab-dominated government that KRG is not simply taking on more of the prerogatives of sovereign statehood but is actually laying the economic infrastructure for independence.

For their part, Kurdish officials suspect that Baghdad's failure to pass a national oil law (which would give Iraq's provincial governments greater control over the industry in their territory) and its failure to press ahead with a referendum to settle Kurdish claims to Kirkuk and other disputed areas are signs that the Arab majority plans to settle matters in its favor.(Read "The U.S. Military: Mediating Between Kurds and Arabs.")

Such is the enmity, in fact, that KRG's president, Massoud Barzani, and Iraqi Prime Minister Nouri al-Maliki haven't spoken in over a year. Recently, KRG Prime Minister Nechirwan Barzani said that Arab-

Kurdish relations in Iraq are at their lowest point since Saddam was in power. With Iraq's Sunni-Shi'ite sectarian violence largely in check, the Kurdish-Arab dispute has become the most worrisome fault line in Iraq.

Ever since the U.S. invasion, the Kurds of northern Iraq have enjoyed many of the trappings of sovereignty. Kurds have their own parliament and executive government, plus an 80,000-strong army (the Pesh Merga militia) and control over their borders, which Baghdad-controlled security forces are not allowed to enter. Despite the fact that the vast majority of Kurds want independence from Iraq, their leaders have proceeded with caution, mindful of the risks. Their small, landlocked region is surrounded by neighbors — Turkey, Syria, Iran — whose own restive Kurdish minorities make them hostile to the prospect of an independent Kurdish state emerging in Iraq. (See why Arab-Kurd animosity threatens Iraq's fragile peace.)

While the rest of Iraq was in the grip of insurgency and sectarian civil war, the Kurds quietly advanced their economic-development policies, building an international airport, business hotels and hydro-electric dams and — most important — doing oil deals. They explained this autonomous engagement with international oil markets on the grounds that they couldn't wait for the barely functional Iraqi state to get its house in order. Indeed, such is the dismal state of Iraq's oil production (not yet back at pre-invasion levels, which were a fraction of its full potential) that in June, the Iraqi government allowed the Kurds to begin pumping oil extracted from newly developed Kurdish oil fields through federal pipelines for export sale to Turkey. (Currently, only Iraqi government companies can sell oil, the revenue from which is shared among the regions.)

Kurds have also grown impatient with Baghdad's stance on disputed territories. According to the Iraqi constitntion, the central government should hold a referendum in the Kurdish-populated areas of four Iraqi governorates in northern Iraq (including Kirkuk) to determine whether they should remain under Baghdad's control or become part of the KRG. But even before that takes place, the constitution commits the Iraqi government to a potentially explosive reversing of Saddam's "Arabization" policies in these areas, moving Arabs out and Kurds in.

The Iraqi government has postponed the referendum several times from its original date in 2007, citing the understandable excuse that it could spark a new civil war between Kurds and Arabs.

But now that Iraq's government is increasingly stable, Kurdish leaders fear that Baghdad is merely playing for time, allowing the Iraqi military to grow in strength and capability as the U.S. moves to draw down, allowing the Iraqi government eventually to settle the issue the old-fashioned way: with tanks. Already, Kurdish and Iraqi forces have nearly clashed on several occasions in the disputed territories.

Last month, Kurdish lawmakers passed a regional constitution that unilaterally laid claim to the disputed territories and the oil resources in them. Though some Iraqi officials have said that the constitution amounts to a Kurdish declaration of independence, Kurdish leaders are pushing for a referendum to be held on the constitution as early as August.

Meanwhile, the domestic politics of both the Kurdish region and the wider Arab Iraq are pushing the two sides toward confrontation. In Kurdistan, where parliamentary elections will be held on June 25, a new party called Change is mounting the first significant challenge to the duopoly of Barzani's Kurdistan Democratic Party and the Patriotic Union of Kurdistan, led by Iraqi President Jalal Talabani. The new party is gaining ground by tapping into growing dissatisfaction with government corruption and nepotism. Although the parties credited with delivering today's de facto independence are likely to win, they have moved to strengthen their position by sharpening their tone toward Baghdad as the election approaches.

Baghdad has troubles of its own, which creates an incentive for Kurd-bashing. Most Iraqi Arabs have even less faith in their corrupt leadership class than Kurds have in theirs. And as al-Maliki consolidates his grip on power and styles himself as Iraq's new strongman, he may find that promising to push back against Kurdish efforts to dismember Iraq could help rally Arab Iraqis, both Sunni and Shi'ite, behind him. Hey, it worked for Saddam.

See pictures of the wars in Iraq and Afghanistan on LIFE.com.

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Rising Strife Threatens Tenuous Iraqi Stability



Azhar Shallal/Agence France-Presse — Getty Images

Police forces removed the body of man killed in a clash with the police at a checkpoint in Ramadi, Iraq, in Anbar Province.

By MICHAEL S. SCHMIDT
Published: January 22, 2012

BAGHDAD — Violence and political instability have escalated across Iraq since the withdrawal of American forces, as political and sectarian factions have fought for power and influence in a struggle that, within weeks, has threatened to undo the stability that allowed the pullout in the first place.

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The most recent turbulence came over the weekend when a Shiite governor threatened to blockade an important commercial arterial road from Baghdad to the semi-autonomous Kurdish region in the north if Kurdish officials did not hand over Vice President Tariq al-Hashimi to government authorities. The Shiite-led national government has accused Mr. Hashimi, a Sunni, of running a sectarian death squad.

On Sunday, the advocacy group Human Rights Watch said the Americans had left behind a "budding police state," with the country's Shiite leadership increasingly ruling by force and fear. Insurgent attacks have surged across the country, and as security forces loyal to the Prime Minister Nuri Kamal al-Maliki, a Shiite, have pressed a campaign against Sunni politicians, arresting several in the past week.

The turmoil has come at a time when Iraqis had hoped their leaders would be emboldened by their new independence to tackle the nation's multitude of problems — finally confronting the social, economic and religious divisions that were papered over by the presence of American troops.

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But while there remains hope that Iraqis can still unite, the country is far from the "sovereign, stable and self-reliant" place President Obama described it as last month.

"Before the United States withdrew, our politicians were saying that we are a government of national unity, and that we are a democracy, and that is all they talked about," said Dr. Basam Edis, 45, a physician from the northern city of Mosul. "Now people are wondering if militias will take control of the cities again. It is all happening because our politicians are now fighting for a bigger piece of the pie."

He added, "Our politicians have become vampires who do not care about us."

The worst break came when Mr. Maliki ordered Mr. Hashimi's arrest last month. In response, Sunni politicians boycotted Parliament and cabinet meetings, bringing an already unproductive political process to a halt. Sunni-majority provinces began talking about greater autonomy or even breaking away from the central government.

Amid the paralysis, Mr. Maliki publicly threatened to release secret information that he said would implicate politicians in terrorist plots. Then, last week, Mr. Maliki stripped the boycotting Sunni ministers of their posts. Sunni politicians responded by calling him a dictator.

The political dysfunction has become so acute that it is considered a positive sign that Shiite and Sunni leaders are at least arguing about who will attend meetings to discuss where a next round of meetings will be held. Those meetings would then aim to resolve the political crisis.

"All these years, the United States stayed here trying to polish the political process so they would have an excuse to leave Iraq victorious," said William Warda, an analyst in Baghdad. "But the fact is, they left a very shaky political structure, one that has a very weak foundation. It is like a building standing on a match. What has happened since the withdrawal has proved this even more."

The criticisms from Human Rights Watch were released in their annual report on human rights in various countries. The group said that the Iraqi government had significantly restricted freedom of expression in the nation over the past year and that security forces had intimidated, beaten and detained activists, demonstrators and journalists.

"After the formal withdrawal last month, the political clampdown has intensified, and Maliki has threatened his political opponents with jail," the group's Middle East director, Sarah Leah Whitson, said in an interview.

At the same time, Al Qaeda has increased its attacks while shifting its focus toward Iran's influence in Iraq. On three different days in the past month, the daily death toll rose past 60, and on more than a dozen days the toll was more than 10. Without the help of American Special Operations forces, the Iraqi military and police forces have appeared unable to curb attacks on religious pilgrims, civilians and security officers.

"The United States withdrew rapidly after being repeatedly attacked by our mujahedeen in order to save their military from a quagmire," Al Qaeda in Iraq said in a recent posting on its Web site. "The American military withdrawal is a defeat in every sense of the word, but the war is not over because Iran is trying to establish a Shiite buffer zone in Iraq and extend its Islamic revolution to Medina and Mecca," it said, referring to Muslim holy sites in Saudi Arabia

Al Qaeda said the Iranian government, which trained and financed militias in Iraq involved in sectarian violence and attacks on American troops, had helped destroy Iraq by "killing the best families, the elite, the educated."

As problems have persisted inside Iraq, its leaders have struggled to deal with neighbors, including Turkey, one of the largest foreign investors.

According to members of Mr. Maliki's bloc, the Turkish prime minister, Recep Tayyip Erdogan, called Iraqi politicians about 10 days ago and told them that they should peacefully deal with one another as they try to resolve their differences.



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Around the same time, Mr. Erdogan called Vice President Joseph R. Biden Jr. to express his concern about the tensions between Shiites and Sunnis in Iraq, warning that the crisis could lead to a sectarian war.

The calls angered Mr. Maliki because he felt that Mr. Erdogan, a Sunni, was criticizing how he was dealing with the country's affairs. In a television interview, Mr. Maliki said that Mr. Erdogan was acting as though he controlled Iraq, and said that Mr. Erdogan should stop meddling.

The issue has lingered. Last week, the head of Iran's Quds Force was reported to have said that Iraq and southern Lebanon were under Iranian control. In response, top Kurdish, Sunni and Shiite politicians in Iraq called on Mr. Maliki to reprimand the Iranians as he had the Turks.

"I expected a lot of wisdom and a sense of calm between the Iraqi officials, especially after the United States troops withdrew," said Abdul Baqi Abboud, 59, a teacher from Basra. "But the contrary has happened, and they have acted recklessly and without a sense of responsibility. They have proved that they are teenagers, and we will now expect more problems."

Reporting was contributed by Yasir Ghazi, Duraid Adnan and Omar al-Jawoshy from Baghdad, and an Iraqi employee of The New York Times from Mosul.

A version of this article appeared in print on January 23, 2012, on page A4 of the New York edition with the headline: Rising Strife Threatens Iraqi Stability.

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For Iraq, Year Ends the Way It Began, With Guns Drawn



Azad Lashkari/Reuters

Officials in Baghdad, including American diplomats, are trying to mediate a dispute with the Kurdish government in the north.

By TIM ARANGO and DURAID ADNAN
Published: December 3, 2012

BAGHDAD — It was just the sort of episode that observers have long worried could provoke a serious conflict: when federal police agents sought to arrest a Kurdish man last month in the city of Tuz Khurmato in the Kurdish north of the country, a gunfight ensued with security men loyal to the Kurdish regional government.

When the bullets stopped flying, a civilian bystander was dead and at least eight others were wounded.

In response, the Iraqi prime minister, Nuri Kamal al-Maliki, rushed troop reinforcements to the area, and Masoud Barzani, the president of Iraq's semiautonomous northern Kurdish region, dispatched his own soldiers, known as the Peshmerga, and the forces remain there in a tense standoff.

Almost a year after the departure of the United States military closed a painful chapter in the histories of both nations, Iraq finds itself in a familiar position: full-blown crisis mode, this time with two standing armies, one loyal to the central government in Baghdad and the other commanded by the Kurdish regional government in the north, staring at each other through gun sights, as officials

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Azad Lashkari/Reuters

Kurdish security forces, called the Peshmerga, have been in a standoff with the Iraqi Army near Kirkuk, a

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northern city claimed by Arabs and Kurds.

in Baghdad, including American diplomats and an American general, try to mediate.

Like bookends, Iraq is closing the year just as it began, with a major confrontation that has exposed sectarian and ethnic rifts that hundreds of billions of American dollars and thousands of lives have not reconciled. At the outset of the year, it was the sectarian divide between Shiites and Sunnis that was on vivid display when the government of Mr. Maliki, a Shiite, issued an arrest warrant on terrorism charges against the Sunni vice president, Tariq al-Hashemi.

"The year started with the warrant against Hashemi and is ending with tanks on the edge of the Kurdish mountains," said Sarmed al-Tai, a columnist for the newspaper Al Mada, which ran a story on Sunday on the anniversary of the American military's departure, describing the exit as "leaving a large vacuum and a significant deterioration of the national partnership."

As American troops left at the end of 2011, Mr. Maliki sent tanks to surround Mr. Hashemi's home in the Green Zone of Baghdad. An arrest warrant led to Mr. Hashemi's self-imposed exile, first in the Kurdish north and then Turkey; a trial in absentia followed, then the handing down of not one but two death sentences. Mr. Hashemi now lives in a suburban high-rise apartment in Istanbul, where he is protected by Turkish guards and remains defiant.

"Legally, I am still a vice president," he said in a recent interview, adding, "I do have a lot of time to look after the future of my country."

The latest crisis is an ethnic one, between Kurds and Arabs, and the consequences are potentially more serious because the Kurds, in contrast to the Sunni Arabs, enjoy a measure of autonomy in the north, control their own security forces and have longstanding ambitions for independence.

Tuz Khurmato, the city where the clash occurred, is of mixed ethnicity, where Turkmens, Arabs and Kurds compete for power. It lies in a region around the city of Kirkuk, an area of vast potential oil wealth that is at the center of a longstanding power struggle between Kurds and Arabs. As part of his brutal rule, Saddam Hussein moved tens of thousands of Arabs into the area, to dilute what was historically a Kurdish stronghold. After his fall, thousands of displaced Kurds demanded the right to return to the homes they had been driven from, creating tensions that have yet to subside.

The latest crisis began after Mr. Maliki sought to consolidate his control over security in Kirkuk, where Kurdish and Iraqi forces have shared responsibility for security, and it reached a critical stage after the gunfight.

"This is a red line for the Kurds," said Joost R. Hiltermann, an Iraq expert at the International Crisis Group. "Maliki is essentially taking control of the police. And the Kurds will never give up the city."

Efforts at mediation, backed by the Americans, have so far failed to reach resolution. On Monday, Mr. Maliki and Mr. Barzani sent more troops to the area, with each side accusing the other of doing so first. Mr. Maliki warned the Kurds of the "seriousness of their behavior" and warned of its "consequences." A spokesman for the Peshmerga said, "Anything is possible."

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Tim Arango reported from Baghdad, and Duraid Adnan from Baghdad and Kirkuk, Iraq.

A version of this article appeared in print on December 4, 2012, on page A6 of the New York edition with the headline: For Iraq, Year Ends The Way It Began, With Guns Drawn.

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The Kurds (Iraqi Kurdistan)

Updated: Dec. 6, 2012

The Kurds are a distinct ethnic group without a nation of their own.

About 25 to 30 million live in the Middle East. Throughout history, the majority inhabited the mountains and plateau regions where Iran, Iraq and Turkey meet. About half the Kurds live in Turkey, accounting for an estimated 20 percent of the total population there. There are believed to be approximately 5.7 million Kurds in Iran and about 1.5 million in Syria. There also important communities of Kurds in Armenia, Azerbaijan, Germany, the Netherlands and Sweden.

America's involvement with Iraq, where Kurds make up about 20 percent of the population, has led to the creation of a semi-autonomous region that is the closest thing to a Kurdish state since the end of World War I.

But while the Kurds of northern Iraq have prospered, the growth of their power there has been at the price of the dream of true independence. And while they have exploited their role as holding the balance of power in a country divided between a Shiite Muslim majority and a resentful Sunni minority, their position will remain vulnerable as long as Iraq lurches from political crisis to crisis.

On top of the tensions in Iraq and long-simmering Kurdish autonomy movements in Iran and Turkey, the civil war in Syria is presenting the Kurds with a new set of hopes and dangers.

The Kurdish militias in northern Syria had hoped to stay out of the fighting there. They were focused on preparing to secure an autonomous enclave for themselves within Syria should the rebels succeed in toppling the government. But slowly, inexorably, they have been dragged into the fighting and now have one goal in mind, their autonomy, which also means the balkanization of the state.

Analysts fear this combustible environment could presage a bloody ethnic and sectarian conflict that will resonate far beyond Syria's borders. There is concern that Iraq's Kurds, who are already training Syrian Kurds to fight, may jump into the Syria fight to protect their ethnic brethren. That could also pull in Turkey, which fears that an autonomous Kurdish region in Syria would become a haven for Kurdish militants to carry out cross-border attacks in the Kurdish areas in southeastern Turkey.

A Standoff Between Kurds and the Iraqi Government

Meanwhile, in Iraq, as 2012 drew to a close, violence erupted in a standoff between the northern Kurds and the Baghdad government. The crisis began after Nuri Kamal al-Maliki, the Iraqi prime minister, sought to consolidate his control over security in the city of Kirkuk, where Kurdish and Iraqi forces have shared responsibility for security. In November, federal police agents sought to arrest a Kurdish man, and a gunfight ensued with security men loyal to the Kurdish regional government.

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Defying Common View, Some Syrian Kurds Fight Assad

By C. J. CHIVERS; Sebnem Arsu contributed reporting from Antakya, Turkey

Thousands have taken up arms on the rebels' side, saying that they have also suffered under President Bashar al-Assad.

January 23, 2013, Wednesday

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A list of resources from around the Web about the Kurds as selected by researchers and editors of The New York Times.

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Tensions Rise in Kurdish North
Daily Analysis, Feb. 8, 2008

Turkey's Iraq Surge
Dec. 18, 2007

Inside the Kurdish Worker's Party
Backgrounder: Oct. 19, 2007

The Iraqi Kurdish Question
April 23, 2007

FROM THE INTERNATIONAL CRISIS GROUP

The Brewing Battle Over Kirkuk
July 18, 2006

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A Washington Post report with background information about the Kurds.

"The Survival of Saddam: The Kurds' Story", Frontline

BOOKS

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By Aliza Marcus [2007]
A modern history of the Kurds
By David McDowall [2000]
No Friends but the Mountains: The Tragic History of the Kurds
By John Bulloch and Harvey Morris [1992]

DOCUMENTS

The Kurds in Post-Saddam Iraq
Congressional Research Service, Sept. 25, 2008

Is Iraqi Kurdistan a Good Ally?
American Enterprise Institute for Public Policy Research, January 2008

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Iraq-Kurd deal offers hope, but challenges remain

9:55a.m. EST December 15, 2012



(Photo: Emad Matti, AP)

BAGHDAD (AP) — A deal brokered by Iraq's president this week gives the central government and the Kurdish minority an opportunity to step back from a military standoff that has threatened to tip the country back into armed conflict just a year after the last American troops left.

The Kurds, a different ethnic group from Iraq's majority Arabs, have their own armed fighters and enjoy considerable control over an increasingly prosperous enclave in Iraq's mountainous north. Thursday's accord calls for the eventual withdrawal of Iraqi military and Kurdish fighters who in recent weeks moved into disputed areas where both seek to extend their influence.

There is no timetable governing the pullout of troops, tanks and artillery on either side, meaning tensions could quickly flare back up. Distrust remains high, and the two sides are far from reaching a lasting deal over how to manage energy resources and divvy up the growing profits oil brings in.

"This is only the symptom," Martin Kobler, the U.N. envoy to Iraq, said of the military standoff in an interview this week. "We have to go to the root. And the root is the Arab-Kurdish understanding. … Distribution of wealth in this country is distribution of power, period."

The dispute that has played out over the past month shows just how unstable Iraq remains nearly a decade after the U.S.-led invasion, and injects an added level of uncertainty into a Middle East grappling with the potential collapse of Syria, on Iraq's doorstep.

A shootout between Iraqi police and Kurdish guards in the disputed northern city of Tuz Khormato kicked off the most recent bout of brinksmanship in mid-November. One civilian was killed and several police officers were wounded in the gun battle, the first deadly clash between the two sides in years.

Both sides responded by moving additional troops into the disputed areas. The buildup happened after Iraqi Prime Minister Nouri al-Maliki created a new military command overseeing security forces in contested areas bordering the Kurdish region. Kurds saw that as a provocation.

Tensions spiked earlier this week when the president of the Kurdish region appeared on television inspecting his green camouflage-clad troops near Kirkuk, an oil-rich city outside the Kurds' autonomous enclave that has long been seen as a likely flashpoint for ethnic conflict. Massoud Barzani was shown alongside one of his sons, who was outfitted in full combat gear.

Iraqi Arabs bristled at the symbolism of the visit, which drew barbed comparisons to ousted dictator Saddam Hussein. Yassin Majid, an Iraqi lawmaker allied with al-Maliki, was among the most vocal.

"Barzani's visit to Kirkuk was meant to send a message of war to all Iraqis. … This reminds us of Saddam when he used to take his sons while visiting military units on the front lines," Majid said. "Barzani is acting like the president of a neighboring country to Iraq and … he is pushing things toward war."

Despite the bluster, both sides benefit from not allowing the standoff to spiral into a shooting war.

Full-blown fighting would spook the foreign investors who have flocked to the Kurds' self-rule region. It would also set back the central government's efforts to restore stability and security after years of violence.

Those realizations may have helped push Barzani and al-Maliki to agree to Thursday's deal, which calls on both sides to halt all media campaigns that could lead to more tension and work toward eventually withdrawing their military forces from disputed areas.

Under the plan, committees will be set up to create security forces made up of local inhabitants — a process that could prove tricky because it will have to balance competing ethnic and sectarian claims.

Iraqi President Jalal Talabani, himself a Kurd, helped negotiate the accord.

Ali al-Moussawi, a spokesman for al-Maliki, said he is optimistic but noted that the "real test will be the actual withdrawal of the deployed forces." The

Kurds likewise remain cautious about the issue of security forces for the disputed areas.

"This issue is sensitive and it needs work on the tiniest details so that any agreement, if reached, would guarantee that what has happened recently would not be repeated," the Kurdistan Regional Government said in a statement.

The remaining risks are real. Iraqi and Kurdish officials, as well as foreign diplomats, fear that a miscalculation by a single soldier on either side might spark a firefight that could escalate.

The American military kept tensions between the two sides in check over much of the past decade. But the last American troops left on Dec. 18, 2011 — except for a small number of personnel attached to the U.S. Embassy that are responsible for facilitating Iraqi arms purchases and training Iraqis to use the weapons.

"After 2011, Iraqi politics are operating under their own logic again," said Toby Dodge, an analyst at the International Institute for Strategic Studies think tank in London. "Al-Maliki's consolidating and expanding (power). The Kurds are the last autonomous force that stands in his way."

American military commanders were aware of the risks of Arab-Kurd friction, which they described as one of the biggest threats to Iraq's security in the years before the U.S. pullout. Concerns about ethnic violence prompted the U.S. to create checkpoints jointly run by American, Iraqi and Kurdish forces in the disputed areas, effectively forcing the two sides to work together.

In recent weeks, American officials have pressed the Iraqi government and the Kurds to stop their troop movements and provocative statements while working toward some type of agreement.

Troops from both sides faced off near the Syrian border over the summer too, but American observers viewed the latest standoff as more worrying.

"There's an intensity here that wasn't present back in July on the Syrian border," said a U.S. Embassy official, who was not authorized to speak publicly about the matter so insisted on anonymity. "It's an on-the-ground form of negotiation that's really risky."

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Conflicts Brew Between Kurds, Arabs In Iraq

by KELLY MCEVERS

November 26, 2012 3:00 PM

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Arab-Kurd skirmishes in southern Iraq late last week injured dozens of people and killed at least one. Now troops from both sides are escalating and tensions are high again. This all comes as Kurdistan president Massoud Barzani battles Iraqi Central government Prime Minister Nouri al-Maliki. Analysts say Barzani has been emboldened by independent oil contracts, the increasing support of Turkey, and ongoing events in Syria.

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MELISSA BLOCK, HOST:

And now to Iraq, where it's been almost a year since American troops pulled out. The U.S. had hoped to leave a few thousand soldiers behind, but couldn't strike a deal with the Iraqi government. The fear was, without U.S. troops to mediate, lingering conflicts between Arabs and Kurds would escalate. Well, that fear now seems to be coming true.

NPR's Kelly McEvers sent this report from northern Iraq, where a small skirmish has sparked a major escalation.

KELLY MCEVERS, BYLINE: So we're standing here, along a pretty major thoroughfare. We're about - what, 70 kilometers south of the city of Kirkuk. This area right here, Tuz Khurmatu, is where the trouble started a few days back. We're about to talk to a man who

owns a restaurant here, where we're standing, and a bakery just up the road. He says he saw what happened.

ABBAS SAEED MOHAMMAD: (Speaking foreign language)

MCEVERS: The restaurant owner is Abbas Saeed Mohammad. He says the latest troubles between Arabs and Kurds started a little more than a week ago, when a carload of guys stopped for gas along this road, but refused to pay. The gas seller was a Kurd. The guys in the car were Arabs, who claimed to work for the federal police.

MOHAMMAD: (Through translator) And then one of the federal police took out his gun and pointed it at his head. They say, I'll shoot you dead if you ask for money.

MCEVERS: Kurdish bodyguards, posted on a roof nearby, saw the confrontation; and shot at the Arabs in the car.

MOHAMMAD: (Through translator) And - you know, everybody started to shoot, after the first bullet was shot...

MCEVERS: Ten people were injured, and one passerby was killed. In another place, this incident might have been contained. But this is the so-called disputed territory of Iraq, where Arabs, Kurds and Turkmen live side by side - not always happily. For months, Kurdish and Arab leaders have been sparring at the national level. The president of the semi-autonomous Kurdish region, Massoud Barzani, tried - but failed - to oust Iraq's Arab prime minister, Nouri al-Maliki, earlier this year. Then, Maliki's forces opened a command center for the central government's troops in the disputed territory. Kurds saw this as an encroachment, and answered back with threats of their own troop buildup. Then came the shooting at Tuz Khurmatu.

(SOUNDBITE OF VEHICLES)

MCEVERS: On our way into the town, we saw Arab troops - from Baghdad - heading into Kirkuk. And over the weekend, Kurdish officials released a video of their own tanks heading into Kirkuk, too.

(SOUNDBITE OF CROWD CHATTER)

MCEVERS: At this press conference in Tuz Khurmatu, local officials - representing Kurds, Arabs and Turkmen - hold hands to show they're unified at the local level, and they don't want any trouble. But

it seems that the local leaders have little say in the matter. Saad al Mutallabi is part of the ruling, Arab-dominated party in Baghdad. He says Kurdish leader Massoud Barzani is emboldened by the presence of oil and gas in Kurdistan; and by contracts with super-giants like Exxon Mobile.

SAAD AL-MUTALLABI: And the thing that he doesn't understand - that one artillery shell that lands close to Exxon Mobil, Exxon Mobil will leave the country.

MCEVERS: That sounds like a threat, I say.

AL-MUTALLABI: Well, if it's - I think Iraqi people will retaliate when they see that their national interest is at risk.

MCEVERS: The question is: Is all this tough talk from Arabs and Kurds real threats, or just bluster? Joost Hilterman, of the International Crisis Group, says it's mainly bluster. He says Kurdish leader Barzani has been emboldened by the oil contracts, but also by better ties with Iraq's neighbor Turkey. But he says Barzani still relies on Maliki's central government, for a chunk of Kurdistan's budget. And despite possible Kurdish gains in nearby Syria, Barzani's dream of an independent Kurdistan is still way off.

JOOST HILTERMAN: The Kurds will make progress in the current period. They can take advantage of the new opportunities created in the region - in Syria and in Iraq, and in Turkey. But I don't think that independence will be the result - at least, not now.

MCEVERS: Kurdish and Arab military leaders tentatively agreed today to pull their troops back to previous positions. But the restaurant owner back in Tuz Khurmatu, is not optimistic. It's not the politicians in high places who suffer from this war of words, he told us. It's us, the people on the ground.

Kelly McEvers, NPR News.

(SOUNDBITE OF MUSIC)

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Middle East



In Iraq, Exxon oil deal foments talk of civil war

By Ben Van Heuvelen, December 18, 2012



The damage from a car-bomb attack in the Iraqi city of Kirkuk on Nov. 27. The... (Marwan Ibrahim/AFP/Getty...)

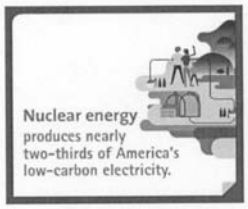
BAGHDAD — With their opposing armies massed on either side of the contested border dividing southern and northern Iraq, leaders in Baghdad and the semiautonomous Kurdistan region are warning that they are close to civil war — one that could be triggered by Exxon Mobil.

Although leaders on both sides are negotiating a walk back from the brink, they also say their armies could easily be provoked into battle. One of the most sensitive tripwires is Exxon, which is preparing to drill for oil in the disputed territories at the heart of the military standoff. Iraq's two most explosive political conflicts — over land and oil — are primed to combust.

"The prime minister has been clear: If Exxon lays a finger on this territory, they will face the Iraqi army," said Sami al-Askari, a member of parliament and confidant of Prime Minister Nouri al-Maliki. "We don't want war, but we will go to war, for oil and for Iraqi sovereignty."

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Iraq's major ethnic groups have laid competing claims to a belt of land between the Kurdistan region and southern Iraq. An unofficial "line of control" bisects the disputed areas, demarcating the southern border of Kurdistan-governed territory.

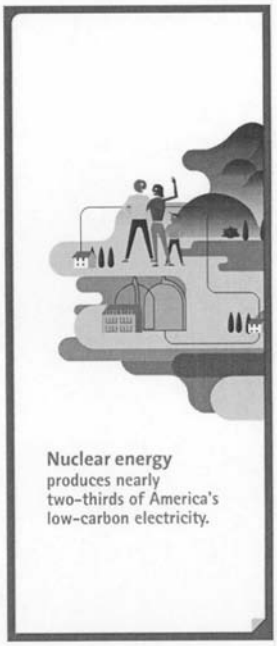
The crisis began after a Nov. 16 battle in the town of Tuz Khurmatu, whose ethnic tensions are typical of the disputed areas. A shootout erupted when federal forces tried to arrest a Kurdish fuel seller, who asked Kurdish soldiers, known as the pesh merga, to protect him.

Maliki and the Kurdistan region's president, Massoud Barzani, quickly ordered thousands of reinforcements to move toward the line of control. "We do not want war," Barzani said in a speech to troops on the front lines, "but if war comes, then all Kurdish people are ready to fight."

Iraqi Kurds are scarred by memories of Saddam Hussein's campaigns of ethnic cleansing. After the fall of his regime, they staked out substantial autonomy in northern Iraq, and now the Kurdistan region has many features of an independent state.

Many of the region's southern Iraqi neighbors, however, complain that the Kurds are grasping for territory that is not rightfully theirs. Authorities in Baghdad say they had to deploy thousands of Iraqi troops to prevent further Kurdish encroachment.

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Kurdistan conflict threatens to bring new violence to Iraq

War in Syria exacerbates religious and ethnic tension amid speculation over a declaration of independence

Christophe Ayad
Guardian Weekly, Tuesday 14 August 2012 08.59 EDT



Iraqi Kurdish peshmerga fighters. Last month they prevented the Iraqi national army reaching a crossing into Syria. Photograph: Safin Hamed/AFP/Getty Images

Just how far will the dispute between Iraq and Iraqi Kurdistan go? Clashes between the Iraqi prime minister, Nouri al-Maliki, and the Kurdish president, Massoud Barzani, have been escalating since the US withdrawal at the end of 2011, leading to speculation about the declaration of an independent Kurdish state. Certainly the hypothesis of an armed conflict between the central Iraqi government and the autonomous Kurdish region cannot be excluded.

One recent example of current tensions occurred last month when the Kurdish peshmerga prevented the Iraqi national army from reaching the Fishkhabur crossing into Syria in the Zimar region, one of the "disputed territories". According to AFP, an anonymous Iraqi source has accused the Kurdish authorities of illegally buying anti-aircraft and anti-tank weapons "with help from a foreign country". Fingers point to Turkey, which supports Iraqi Kurdistan and is in conflict with Baghdad. Last spring Barzani tried in vain to dissuade the US from selling F16 fighter planes to Iraq.

This tension has been exacerbated by the war in Syria. Barzani supports the rebels whereas Maliki, who is pro-Iran supports Bashar al-Assad. Profiting from this situation, the Iraqi branch of al-Qaida has resurfaced and on 23 July claimed responsibility for a series of attacks that killed 116 people.

Baghdad and Erbil have an endless list of grievances, ranging from border controls and the integration of the peshmerga to the Iraqi national army, to the delimitation of Kurdistan and the sharing of wealth between the centre and the autonomous region – especially oil.

There is a fear that growing Kurdish independence will serve as an example to the Sunni provinces, or even to the oil-rich Shia province of Basra in the far south of Iraq, which produces 2m of the 2.5m Iraqi barrels a day. "Al-Maliki would far rather be the leader of

a large country than the master of a 'Shia-istan' in the south of Iraq," was one western diplomat's analysis. Conversely, Barzani sees himself as the defender of Iraqi minorities in the face of Shia "hegemony". That is why he granted asylum to the Sunni vice-president Tariq al-Hashemi in December 2011, after he was judged in abstentia in Iraq for having headed a death squad during the civil war (2005-2008).

The Kurdish-Sunni rapprochement, promoted by Turkey, has led to a coalition that is seeking to overthrow Maliki – so far without success. In retaliation, the Iraqi prime minister denounced his opponent's corruption and nepotism on a private Kurdish television station last June, pointing out that Barzani's son heads the autonomous region's security services while his nephew is prime minister.

At the core of this friction lies the issue of Iraqi Kurdistan's independence. According to one diplomat, Barzani's dilemma is as follows: "He knows that Kurdistan is not ready and that other countries in the region would not appreciate a declaration of independence. But he is also aware that the longer he waits, the stronger Baghdad will become."

This article originally appeared in Le Monde

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UPDATE 2-Iraqi Kurds defend oil policy, reject BP Kirkuk deal

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Fri Jan 18, 2013 5:09am EST

* KRG calls plan with BP for Kirkuk illegal

* Baghdad and Kurdistan locked in long oil dispute

* Kurdish region has begun to truck oil to Turkey

By Patrick Markey

BAGHDAD, Jan 18 (Reuters) - Iraq's Kurdistan has defended its oil policy as constitutional, and rejected a deal between Baghdad and BP for an oilfield in the disputed city of Kirkuk as an "illegal" step in the autonomous region's feud with the central government.

The statement came after Iraq's oil minister said Baghdad's government would sue companies exporting crude from Kurdistan, warned of cuts to the self-ruled region's federal budget and announced an accord with BP in Kirkuk.

Iraq's Arab-led central government and Kurdistan Regional Government or KRG, run by ethnic Kurds, are locked in a widening dispute over control of oil revenues, oilfields and territory that is fraying the country's uneasy federal union.

The ethnically mixed city of Kirkuk, sitting on the internal border between Iraq and Kurdistan, is at the heart of their long-running battle over constitutional rights to the OPEC member's crude reserves, the world's fourth-largest.

"Iraq's citizens are simply tired of this sort of language of threat and intimidation, which in the cynical pursuit of narrow political agendas serves only to create division and strife," the KRG said in a statement on its website.

"In terms of oil and gas management, the KRG firmly believes in, and abides by, the letter and spirit of Iraq's permanent, federal constitution."

Speaking to Reuters on Wednesday, Oil Minister Abdul Kareem Luaibi said Baghdad intends to sue Genel Energy - the first company to export oil directly from Kurdistan - and may slash the government's allocated 17 percent budget to the region unless it halts what he rejected as smuggling.

Luaibi announced a preliminary agreement with BP to revive the northern Kirkuk oil field, which - apart from being at the centre of the fight between Kurdistan and Iraq - is suffering massive output declines.

"He reveals details of an illegal and unconstitutional plan to allegedly allow BP to enhance the recovery of some of the depleted fields in Kirkuk... without consulting and obtaining approval of the other parties to the dispute," the KRG said.

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The feud between Baghdad and the Kurdistan enclave, which has run its own regional administration and armed forces since 1991, has escalated since the KRG began signing deals with oil majors like Exxon Mobil and Chevron.

Iraq's government claims only it has the constitutional authority to export crude oil and sign deals, but Kurdistan says the constitution allows it to agree to contracts and ship oil independently of Baghdad.

Baghdad and Kurdistan late last year both sent troops to reinforce positions along their internal border in a major escalation of tensions between the two regions, but neither appeared to have the stomach for open conflict.

The KRG has given permission to Genel to truck exports directly from Kurdistan's Taq Taq oilfield to Turkey, bypassing the federal pipeline system linking Kirkuk with the Turkish Mediterranean port of Ceyhan.

While the central government dismisses that as smuggling, the KRG said the barter with Turkey was making up part of Kurdistan's entitlement to 17 percent of refined products since Baghdad was not supplying the full amount.

The regional government also rejected Luaibi's suggestion that Baghdad might cut Kurdistan's 17 percent allocation of the federal budget.

"The federal oil minister is stepping well beyond his remit in speaking about the federal budget, creating yet another smokescreen for the incompetency of his ministry and of the federal administration," it said.

The move to truck oil directly to Turkey came after Kurdistan exports were halted via the Baghdad-controlled Iraq-Turkey pipeline due to a dispute over central government payments to oil companies working in Kurdistan.

Baghdad has made one payment in 2012, but Iraqi officials said last month they would not pay firms a second installment because Kurdistan had failed to reach agreed production under a deal made in September.

The central government says Kurdistan is expected to provide 250,000 bpd to Iraq's 2013 oil export target of 2.9 million bpd. In 2012, the KRG was to contribute 175,000 bpd to the federal budget, but handed an average of 61,000 bpd, Luaibi said.

"Had it not been for the federal government's obstructionist policies, the Kurdistan Region could now be exporting 500,000 barrels per day or some $18 billion per year," the KRG said.

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January 17, 2013 6.02 pm

Kurds hit out in Iraq oil conflict

By Michael Peel in Abu Dhabi

Iraq's internal battle over oil deepened on Thursday as the semi-autonomous Kurdistan region condemned a threat from Baghdad to cut its budget over its decision to start independently exporting crude to Turkey.

The Kurdistan Regional Government (KRG) warned that "intimidation" from the Iraqi capital would create "division and strife" – a resonant message after a string of sectarian terrorist attacks across the country killed more than 50 people in the past two days.

Analysts say the escalating dispute over control of Kurdistan's oil is one of the biggest threats to the stability of Iraq's fragile, post-US occupation, political settlement and the ambitions of Nouri al-Maliki, prime minister, to entrench his authority.

"The oil issue is an existential threat to Maliki," said Toby Dodge, author of a soon-to-be-published book called *Iraq: From War to a New Authoritarianism*. "And the Kurdistan Regional Government and Maliki know it."

Abdul Kareem al-Luaibi, Iraq's oil minister, made the Kurdistan budget cut threat this week, warning the region's authorities that it was "high time" they stopped the "very dangerous behaviour" of "illegal" crude exporting.

Mr Luaibi threatened to sue Genel Energy, the independent oil producer headed by Tony Hayward, the former BP chief executive, which has just started transporting oil from one of its Kurdistan fields to Turkey.

Genel declined to comment, although one person close to the company said it was "very clear" that its contracts enabled it to export crude with the KRG's approval.

Safeen Dizayee, a KRG spokesman, said Mr Luaibi's threat reflected "a degree of panic and desperation" and a "lack of respect" for the Iraqi constitution and the people or Kurdistan. He said: "Iraq's citizens are simply tired of this sort of language of threat and intimidation, which – in the cynical pursuit of narrow political agendas – serves only to create division and strife.

"It would appear the overriding philosophy is that if your own policies have failed, lash out and blame others."

While the Iraq government disputes Kurdistan's right to exploit and export the oil on its territory independently, Baghdad has grown increasingly alarmed as leading oil companies, such as ExxonMobil, Chevron and Total, have signed production-sharing deals with the authorities in Erbil, Kurdistan's capital.

The struggle over Kurdistan's resources is part of a complex series of overlapping political fights in Iraq between Mr Maliki – a Shia Muslim Islamist – and factions including Moqtada al-Sadr, a firebrand Shia cleric, and Sunni minority representatives who have been holding street protests in recent weeks.

Insurgents, widely thought to be Sunni extremists, killed 22 people in Iraq on Thursday in bomb attacks aimed maiuly at Shia pilgrims. The slaughter came a day after another wave of bombings killed at least 33 people, with one targeting an office of the Kurdistan Democratic party of Massoud Barzani, the KRG president, in the disputed town of Kirkuk.

The balance of Iraq's volatile politics will be tested in local elections due in April, while the forthcoming national budget may give Mr Maliki an opportunity to shore up some deteriorating relationships, especially with the Kurds.

"Maliki has probably been provoked by this [oil dispute] and he doesn't quite know how to respond," said Reidar Visser, an Iraq specialist and editor of the Gulf Analysis website.

"In the past, Maliki has often used the budget to build bridges to the Kurds at the last minute."

Additional reporting by Guy Chazan in London

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(Reuters) - Iraqi Kurdistan will press ahead with building its own oil export pipeline to Turkey, the region's energy minister said on Thursday, despite U.S. objections due to fears the project could lead to the break-up of Iraq.
The autonomous Kurdish region is locked in a turf war with the central government in Baghdad over how to exploit Iraq's hydrocarbon riches and divide up the proceeds.
Baghdad says it alone has the authority to control exports of the world's fourth largest oil reserves, while the Kurds say their right to do so is enshrined in Iraq's federal constitution, drawn up following the U.S.-led invasion of 2003.
"We want to have an oil pipeline to ourselves," Iraqi Kurdish Minister for Natural Resources Ashti Hawrami said at a news conference in the regional capital Arbil. "It is currently in the works and we will continue until it is completed."
Crude from the Kurdistan region used to be shipped to world markets through a Baghdad-controlled pipeline to Turkey, but exports via that channel dried up in December, from a peak of around 200,000 barrels per day (bpd) due to a row over payments with Baghdad.
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The United States says the solution lies in a national hydrocarbons law that has been delayed for years by a power struggle between Iraq's Sunni, Shi'ite and Kurdish factions, which has intensified since U.S. troops withdrew a year ago.

"The Iraqis have been struggling to pass a hydrocarbons law. It is very important that they succeed in that," U.S. Ambassador to Turkey Francis J. Ricciardone said in Ankara on Tuesday.

Reluctant to wait, Kurdistan has been looking to resource-hungry Turkey for answers. A broad energy partnership between them ranging from exploration to export has been in the works since last year.

Majority Sunni Turkey's deepening ties with the Kurdistan region in northern Iraq have heightened tensions between Ankara and the Shi'ite-led government in Baghdad.

"If Turkey and Iraq fail to optimize their economic relations... There could be more violent conflict in Iraq and the forces of disintegration within Iraq could be emboldened," Riccardione said.

Kurdistan is already bypassing the federal pipeline network by trucking small quantities of crude over the Turkish border in exchange for refined oil products.

"The issue is that we are entitled to 17 percent of (Iraq's)refined products, but the central government sends us only 3 percent and our refining capacity is not enough to satisfy domestic demand," Hawrami said.

(Reporting by Isabel Coles in Arbil and Nick Tattersall in Ankara; Editing by Anthony Barker)

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Middle East



Iraq's relations with Arab world deteriorating days after Baghdad summit

By Liz Sly, April 04, 2012



Arab leaders gathered for the annual Arab League summit in Baghdad last... (Karim Kadim/AP)

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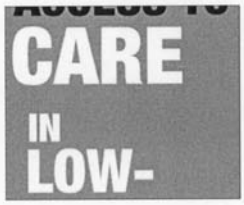
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BAGHDAD — Iraq's fugitive vice president, Tariq al-Hashimi, flew to Saudi Arabia on Wednesday as the goodwill generated between Iraq and its Arab neighbors by an extravagant summit in Baghdad last week began unraveling.

The visit by Hashimi, who is wanted by Baghdad authorities on charges of terrorism, came as Iraqi officials announced they had called off a national reconciliation conference planned for Thursday that was supposed to ease tensions between Shiite Prime Minister Nouri al-Maliki and the Sunni and Kurdish factions in his coalition government.

Parliament speaker Osama al-Nujaifi told reporters that the meeting had been postponed indefinitely because of "mounting differences" on a range of issues, just one of which is the arrest warrant that the Shiite-led government has issued for Hashimi, a Sunni.

Hashimi's visit to Saudi Arabia and the cancellation of the conference highlighted the danger that the increasingly intractable political crisis in Iraq will draw in the country's neighbors at a time of increasing polarization in the region over how to address the unrest in Syria.



Maliki had agreed to hold the reconciliation conference as a last-minute concession to the Sunnis and Kurds ahead of the Baghdad summit, which the government hoped would showcase Iraq as stable, safe and assuming its rightful place in the firmament of Arab nations after the withdrawal of U.S. troops late last year.

But relations with Arab states have since been deteriorating fast, along with any hopes that Iraq will soon be able to resolve its own internal problems. On Sunday, Maliki issued a forceful defense of Syrian President Bashar al-Assad, saying his ouster would destabilize the region. On the same day, at a U.S.-backed gathering of "Friends of Syria" in Istanbul, Saudi Arabia endorsed a plan to fund and equip Syrian rebels.

Maliki's comments triggered blistering attacks in Saudi newspapers, which often reflect official thinking.

In an editorial in the Saudi-owned al-Sharq al-Awsat, editor Tariq Alhomayed called for sanctions on Maliki "to prevent the emergence of a new Saddam or another Bashar."



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Iraq, Kurds, Turks and oil

A tortuous triangle

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The governments of Turkey, Iraq and Iraqi Kurdistan play a dangerous game

Dec 22nd 2012 | ERBIL | From the print edition

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SNAKING their way from Kirkuk, a city 240 kilometres (150 miles) north of Baghdad, through Kurdistan and across Turkey's eastern region of Anatolia to the Mediterranean are pipes that once carried 1.6m barrels a day (b/d) of Iraqi oil to the global market and yielded fat transit fees to Turkey along the way. The infrastructure underpinned the two countries' mutual dependence. But nowadays the balance of power has shifted. A third party, the Iraqi Kurds, has changed it. It is unclear who will emerge on top. But Iraq's central government in Baghdad is on the defensive.

Wars, saboteurs and, since the 1990s, economic sanctions have left the Iraqi sections of the pipeline system in a mess. Barely a fraction of its capacity is used. One of the two parallel lines stands empty and the source that once fed them, the giant Kirkuk oilfield, is dilapidated. The oil ministry in Baghdad has vague ideas about revamping the pipeline, perhaps to carry crude extracted near Basra, in the far south, though this would need an expensive new pipeline to link both ends of the country.

But Turkey is hatching a different plan for its section of the Kirkuk-to-Ceyhan pipeline. Its souring relations with the government in Baghdad have spurred it to cultivate new ties with the Iraqi Kurds' regional government in Erbil, which oversees the oil and gas that Turkey's growing economy craves. A wide-ranging energy deal is in the works that will see state-backed Turkish firms and Western oil majors plough money into Kurdish infrastructure and oilfields, connecting them to Turkey and the world beyond. The deal could eventually allow for up to 2m b/d of Kurdish oil exports to go through Turkey.



Last year, trade between Turkey and Iraqi Kurdistan amounted to $8 billion. Turkish money has paid for pristine airports in Erbil and Dohuk, an Iraqi Kurdish city further north, and for other large projects. Not long ago, Turkish politicians, wary of their own large and restless Kurdish minority still fighting for autonomy (or more) in eastern Turkey, barely acknowledged Iraq's autonomous Kurdish region.

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War and conflict
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Now Turkey's government is using its commercial clout to press the Iraqi Kurds' president, Masoud Barzani, to help restrain militant Kurds within Turkey. A stroke recently suffered by Jalal Talabani, a Kurd who is president of federal Iraq and who has often mediated between his kinsmen and the rulers in Baghdad, may make it even harder to keep the calm.

Oil and gas are at the core of this warm new relationship between Turkey and Iraq's Kurds. "Turkey has made a strategic shift in its relations with us," says an official in a ministry in Erbil. "Whatever the scenario, our market is in Turkey."

Nuri al-Maliki's government in Baghdad, dominated by Shia Muslims, has unwisely pushed Turkey into this oily Kurdish embrace. Mr Maliki's close ties to Iran and support for President Bashar Assad in Syria have angered Turkey's government and convinced it not to rely on Iraq. The refuge offered by Turkey to Tariq al-Hashemi, Iraq's vice-president, who was sentenced to death in absentia by a court in Baghdad in September, has also upset Mr Maliki, who has duly insulted Turkey's leaders. In November his government expelled Turkey's state oil company from a block in Iraq, plainly out of political spite. In December he ordered his air-traffic controllers to deny landing rights to Turkey's energy minister, Taner Yildiz, who was en route to Erbil for an investor conference.

Iraq's central government seems bent on wrecking the Kurds' thriving oil industry, saying that their regional government has no legal authority to export oil independently or sign contracts with developers. The government in Baghdad has delayed payments to Iraqi Kurdistan's oil producers, who say they are owed about $1.5 billion. Some explorers fret that they will never recoup their cash. Pars Kutay, an executive at Genel Energy, a Turkish oil-producer in Kurdistan, says that depending for payment on Iraq's central authorities is like "pumping oil into a black hole". Kurdish oil exports are now said to have collapsed to around 30,000 b/d.

This helps no one. Oil explorers in Kurdistan, now including big spenders like ExxonMobil and Chevron, are said to have so far invested about $10 billion. Future exports of 2m b/d, as envisaged by the regional government in Erbil, would yield far greater sums. Under Iraq's revenue-sharing scheme more than four-fifths of the money from such sales would go to Baghdad, 17% to the Kurds. If the region's oil were allowed to flow, Kurdistan, now a drain on Iraq's budget, would soon be a net contributor, says Ashti Hawrami, the Kurds' oil minister. "It is a win-win."

But the centralising Mr Maliki is deeply loth to give the Kurds their head. Their oil policy, he says, threatens to tear Iraq's fragile federation apart by fostering similar aspirations in its oil-producing provinces in the south. Western governments, fearing that Iraq's disintegration would strengthen Iran, are siding with Mr Maliki. The Americans are pressing Turkey to tone down its support for Iraq's Kurds.

In recent weeks Mr Maliki has mobilised Iraq's army along the fault-line that divides the Kurdish region from the rest of Iraq. Bombs have killed at least ten people in the past fortnight in Kirkuk. Kurdish leaders say that they are ready to fight and have sent thousands of their fighters, known as *peshmerga*, to face down the Iraqi army. From a ridge north-west of Kirkuk, they peer through binoculars at Iraqi troops massing a few hundred yards below on the plain. "If one *peshmerga* is killed," says a Kurdish officer, "it is war."

From the print edition: Middle East and Africa

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Sunni sheikh to al-Maliki: Hand over soldiers behind shootings or 'face losses'

By **Mohammed Tawfeeq and Chelsea J. Carter**, CNN
updated 10:18 AM EST, Sat January 26, 2013

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Iraqi soldiers fire on protesters.

STORY HIGHLIGHTS

- Four Iraqi soldiers have been killed in clashes in Falluja, officials say
- Four soldiers also have been abducted, police officials say
- Sheikh Ahmed Abu Risha is demanding the prime minister hand over the soldiers involved
- At least seven people were killed and 47 wounded in shootings during protests Friday

Baghdad (CNN) -- Thousands of mourners turned out in Falluja Saturday, hours after a powerful Sunni sheikh called on Iraq's Shiite prime minister to hand over soldiers responsible for killing anti-government protesters in Anbar province or face "losses among their ranks."

The warning came as reports emerged that four soldiers were killed and four were abducted after security forces fired on a Sunni anti-government protest in Falluja, raising fears of retaliations that could ignite sectarian violence.

Sheikh Ahmed Abu Risha, who is credited with rallying Sunni tribal leaders to turn on al Qaeda in Iraq, gave Prime Minister Nuri al-Maliki's government seven days to hand over to Anbar's criminal court those involved in the shootings.

"We warn al-Maliki that the people of Anbar have another choice, if their demand is not met," Abu Risha told supporters in a televised statement broadcast by a number of Iraqi news outlets. Abu Risha's words carry weight, as he is head of a 160,000-member clan, a subset of the Dulaim tribe, one of the largest of all Middle East tribes.

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Provincial health officials said that at least seven people were killed and 47 wounded in the shootings Friday during the demonstration in Falluja in the western Anbar province, a Sunni stronghold where protesters have been denouncing what they call second-class treatment by the Shiite-dominated government.

In an interview with Al-Baghdadiya TV, Abu Risha also demanded al-Maliki withdraw troops from Falluja ahead of Saturday morning's funeral procession for those killed.

"They need to go back to their barracks and be stopped, or there may be losses among their ranks or the ranks of the police. With all honesty, Falluja is boiling," he said.

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The funeral procession drew thousands of mourners who shouted, "God is great, God is great" and "al-Maliki is the enemy of God," and demanded that al-Maliki be removed from office.

"Al-Maliki is a leader of militias, he is a criminal, he should be fired from his position immediately" Ahmed Ismaeil, one of the mourners, told CNN.

"Al-Maliki should be tried for crimes he has committed against Iraqi people. This is one of his crimes" Ismaeil added.

35 killed in Iraq suicide bombing, police say

The caskets bearing the bodies of the dead were carried on the shoulders of mourners and were buried in Falluja's famous Martyr's Cemetery.

Abu Risha is head of the Anbar Awakening Council, a group composed primarily of Sunni Arab fighters who turned on al Qaeda in Iraq, which was made up of predominantly Sunni extremists, in late 2006 and who joined forces with the U.S.-led coalition.

While a number of the members of the council, also known as the Sons of Iraq, have been integrated into Iraq's security forces, Abu Risha has said he maintains a militia of about 80,000. Al-Maliki's government has put the number at 50,000, according to published reports.

Abu Risha took over as head of the province's Awakening Council after his brother Sheikh Abdul Sattar -- also known as Abu Risha -- was assassinated in 2007.

Abu Risha's demand that troops withdraw from Falluja was backed by a number of religious leaders in the city.

By nightfall Friday, Iraqi soldiers withdrew from several security posts in and around the city and went back to their main military headquarters in Falluja, according to police officials in the city.

There were conflicting accounts about what led to the shootings.

Witnesses told CNN that Iraqi soldiers opened fire after they ordered the demonstrators to stop filming dozens of Iraqi security forces on the rooftops surrounding al-Etisam Square, while others said Iraqi soldiers fired when protesters started throwing objects at them.

Security officials said the shootings occurred when protesters began throwing rocks. When the soldiers opened fire, protesters responded by burning military vehicles and civilian cars.

By Friday night, dozens of angry protesters had attacked an army checkpoint in southern Falluja, setting the building on fire and burning an army vehicle, police officials said. The officials, who spoke on condition of anonymity, were not authorized to release details to the media.

Two soldiers were killed in that attack, the officials said. Two more soldiers were killed by snipers on Saturday morning, they said.

That was followed Saturday by the abduction of four soldiers from near a military base near Falluja, the officials said. The four, who were in civilian clothing, were on their way home for a short vacation when they were kidnapped, they said.

Al-Maliki on Friday said the violence in Falluja doesn't surprise his administration. He cited "conspiracies" plotted by regional intelligence services, vestiges of the old regime, al Qaeda and those with sectarian agendas.

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That galaxy far, far away is apparently bigger than first thought. The "Star Wars" franchise will get two spinoff movies, Disney announced.



The government, he said, has warned before about "those who have hostile agendas against Iraq, its political process and its democracy." He said dangers are "increasing day after day in an attempt to blow up the security situation in the country and drag the armed forces into confrontations."

The protest in Falluja was the latest in a series held in predominantly Sunni regions of Iraq. They have been countered by mostly Shiite, pro-government demonstrations, raising fears that the sectarian division could bring violence in the streets.

The protests have grown in recent weeks. They began in late December when Sunni demonstrators took to the streets in Anbar province, which borders Jordan and Syria, to protest al-Maliki's order to arrest the bodyguards of Finance Minister Rafaie al-Esawi, a Sunni.

The arrest of al-Esawi's bodyguards came just hours after President Jalal Talabani, a Kurd who is widely viewed as a stabilizing political force in Iraq, left the country about two weeks after suffering a stroke.

The protesters also are demanding the release of detainees they said are held without charges, calling the government corrupt and accusing it of unfairly targeting Iraq's Sunni people.

Iraq's Arab Sunnis and Kurds have accused al-Maliki and his Shiite political party of working to consolidate power in Iraq by cutting them out of the political process, an allegation that comes as U.S. lawmakers raise concerns about Iraq strengthening its ties with Shiite -dominated Iran.

Sunnis make up about 20% of Iraq's estimated population of more than 27 million, whereas about 60% to 65% are Shiite.

Since the fall of Saddam Hussein's Sunni-dominated regime in 2003, Sunnis in Iraq have been largely disaffected. The gulf was widened in 2005 when Sunnis boycotted the country's election, opening the way to a heavily dominated Shiite government.

The sectarian divisions translated into violence in the streets in 2006 and 2007, with fighting that nearly ripped the country apart.

CNN's Mohammed Tawfeeq reported from Baghdad and Chelsea J. Carter from Atlanta. CNN's Amir Ahmed contributed to this report.

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updated 2:13 AM CST, Fri February 8, 2013

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Iraq's Sadr Encourages Antigovernment Demonstrations

By YASIR GHAZI and CHRISTINE HAUSER
Published: January 1, 2013

BAGHDAD — A populist Shiite leader in Iraq, Moktada al-Sadr, expressed support on Tuesday for fresh protests against Prime Minister Nuri Kamal al-Maliki, a fellow Shiite but his political opponent, saying that Mr. Maliki bears "full responsibility" for the unrest in the country.

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Moktada al-Sadr spoke in Najaf on Tuesday.

As with many developments in Iraq, the timing and venue of Mr. Sadr's comments to reporters were as notable as their meaning. He spoke in Najaf, one of the holiest cities of his Shiite sect, just as Iraq ended its bloodiest year since 2009, a reflection of unabated ethnic, sectarian and political tensions among the country's Kurdish, Arab, Sunni and Shiite populations.

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Several times during the gathering, Mr. Sadr directed his remarks at Mr. Maliki, who has taken recent steps that suggested he was asserting greater control over many aspects of the government and that prompted fears he was cracking down on his political opponents. Mr. Sadr's remarks could indicate that he is trying to test the political waters or possible support from the street before Iraq's provincial elections, which are scheduled for the spring.

Mr. Sadr also tried to assert broader credibility for the anti-Maliki protests by comparing them to the movements that have swept many Arab countries in the past few years, calling for new government leaders and better representation.

"The Iraqi spring is coming," Mr. Sadr said, in a tone that implied a warning to Mr. Maliki.

"We are with the demonstrators, and Parliament must be with them, not against them," he said. "The legitimate demands of the demonstrators, by which people know what they want, should be met."

Mr. Sadr was careful to appear moderate and to say he was speaking for all Iraqis in his remarks, which his media office distributed to journalists throughout the country. He said he supported the widespread demonstrations as long as they were peaceful and did not seek to create divisions, driving the last point home by adding that he was willing to go to Sunni-dominated Anbar Province to take part in protests.

Demonstrations against Mr. Maliki's Shiite-dominated government erupted in Sunni areas last month in response to a raid by security forces on the office and home of the Sunni finance minister, Rafie al-Issawi. In one protest last week, tens of thousands of Sunni Muslims blocked Iraq's main trade route to neighboring Syria and Jordan, Reuters reported.

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Aside from reaction in the street, the raid had immediate political fallout. Mr. Issawi described it as a "pre-election blow" intended to weaken Mr. Maliki's rivals. Leaders from the Sunni-dominated bloc, Iraqiya, threatened to pull out of the government and called for a no-confidence vote on Mr. Maliki.

Mr. Sadr's voice has now added his voice to the discord that has left the country in disarray a full year after the withdrawal of American forces left seemingly intractable problems among political factions and ethnic groups.

Tensions between the Kurds in the north and the government in Baghdad, who were already at odds over sharing oil revenues, have risen as soldiers squared off with Kurdish militias after Mr. Maliki sought to consolidate his control over security in the north.

Further political uncertainty occurred at the end of 2012 when the Kurdish president, Jalal Talabani, suffered a stroke and was flown to Germany for treatment.

Sunni Arab and Kurdish officials have accused Mr. Maliki of trying to monopolize power before. In September, Tariq al-Hashimi, the vice president of Iraq and a prominent Sunni Muslim, was convicted of murder and sentenced to death in absentia on accusations that he oversaw death squads. Sunni supporters accused the Shiite-led government of trying to sideline them.

The discord has translated into bloodshed. While attacks have not been as frequent or widespread as they were during the height of the insurgency, Iraqis marked the end of 2012 with a grim milestone.

Iraq Body Count, a nonprofit group that tallies casualties, said Tuesday that civilian deaths from attacks in Iraq rose to at least 4,471 in 2012 from 4,136 in 2011, the first annual rise since 2009. Deaths during the final two weeks were still being tallied.

"Over all, 2012 has been more consistent with an entrenched conflict than with any transformation in the security situation for Iraqis in the first year since the formal withdrawal of U.S. troops," the group said.

Yasir Ghazi reported from Baghdad, and Christine Hauser from New York.

This article has been revised to reflect the following correction:

Correction: January 5, 2013

Because of an editing error, a headline on Wednesday about antigovernment protests in Iraq misstated the title of the country's leader, Nuri Kamal al-Maliki. As the article correctly noted, he is the prime minister of Iraq — not the president, a head of state position held by Jalal Talabani.

A version of this article appeared in print on January 2, 2013, on page A5 of the New York edition with the headline: Shiite Rival Encourages Protests Against President of Iraq.

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Senator GRAHAM. Thank you, Mr. Chairman.

I just want everybody to know, General Austin thought long and hard about a residual force.

Now, do you remember, when you were first getting the job, taking it over from General O. (Odierno), we had an exchange where I said, "In football terms, how would you put us, in terms of our situation in Iraq in June 2010?" He said, "I think you've—I did, sir. I think we're on the 10 yardline, and I think that the next 18

months will determine whether we get to the goal line or give, really, the Iraqis an opportunity to get to the goal beyond 2011." I said, "We're having a new quarterback," and you said, "Sir, I'll take the ball." You agreed with me that we were inside the 10, that we needed a residual force. You talked about the Arab-Kurd conflict. You told me, in no uncertain terms, "One of the friction points in Iraq was at Kirkuk." Do you remember that?

General AUSTIN. I do, sir.

Senator GRAHAM. Do you remember the Lions Brigade concept, where you had Iraqi security forces?

General AUSTIN. I do, sir.

Senator GRAHAM. You had the Peshmerga Brigade, and you had U.S. Forces, working as a team. I think that may have been your idea. It was working so well, because the Peshmerga are, basically, paramilitary forces that are Kurds. Now you see a shooting war about to erupt, I'm afraid, between the Peshmerga and the traditional Iraqi Security Forces. You told me that, if we had about 5,000 people at the Article 140 boundary line, we could keep tensions down. Do you remember that?

General AUSTIN. I do, sir.

Senator GRAHAM. Do you remember telling me that we were one perceived slight or insult away from these guys shooting each other, and we need to have a follow-on force to keep tensions low?

General AUSTIN. That was my assessment, sir.

Senator GRAHAM. It was a good assessment.

What you see now, Mr. Chairman, is the "Blood for Oil" article is a story, last week, about how close they've come to firing at each other over the oil problems in Kirkuk.

I want to introduce into the record the exchange I had with General Dempsey, General Odierno, and General Austin, in 2010 and 2011, about what happened in Iraq.

Senator KAINE. Without objection, it will be entered into the record.

[The information referred to follows:]

NOMINATIONS OF GEN RAYMOND T. ODIERNO, USA, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND COMMANDER, U.S. JOINT FORCES COMMAND; AND LTG LLOYD J. AUSTIN III, USA, TO BE GENERAL AND COMMANDER, U.S. FORCES-IRAQ

THURSDAY, JUNE 24, 2010, U.S. SENATE, COMMITTEE ON ARMED SERVICES, WASHINGTON, DC.

Senator GRAHAM. Thank you, Mr. Chairman.

Congratulations to both of you on the job you have done and the new jobs you're going to undertake, here.

General O—I always butcher your name, I'm just going to call you General O—there must be a height requirement for these jobs. [Laughter.]

We mentioned yesterday the World Cup is going on and it's fun to watch, and I'm pulling for the U.S.A., but I have really no idea what they're doing when they play soccer. So, we're going to talk football. I think you indicated, we're probably on the 10-yard line when it comes to Iraq?

General ODIERNO. I did, Senator. I do think we are on the 10-yard line. I think the next 18 months will determine whether we get to the goal line, or really give the Iraqis an opportunity to get the goal line beyond 2011.

Senator GRAHAM. But, from our national perspective, we're on the 10, and I think you said we probably have four downs? It's first and 10 on the 10, we have a new quarterback coming in.

General ODIERNO. That's right.

General AUSTIN. I'll take the ball, Senator.

Senator GRAHAM. I couldn't have found a better guy to be the new quarterback.

Now, the Sons of Iraq, how is that going, General O, in terms of getting those people integrated in the Iraqi security forces?

General ODIERNO. We started out with about 103,000 Sons of Iraq. About 40,000 have been transitioned into other Government of Iraq jobs. They actually stopped the transition because they were starting to realize the value in many areas of what they were providing in terms of intelligence and other things, so they've slowed that down, and they're now doing some reevaluation of the Sons of Iraq program, and how they want to transition that.

Senator GRAHAM. Are they still getting paid?

General ODIERNO. They are.

Senator GRAHAM. One thing that we need to watch for, General Austin, is you have thousands of young Sunnis that are receiving a government paycheck, I think it's like $90 a month, is that right?

General ODIERNO. Three hundred.

Senator GRAHAM. Three hundred? Okay, $300 a month. We have to make sure that if that pay stops that we have a plan, do you agree with that, General Austin?

General AUSTIN. I absolutely agree with that, Senator. I was there, again, in the early days we begin to transition the Sons of Iraq to working for the government and work along with the Prime Minister to outline a plan to effectively transition them. I think they've done a pretty good job, and we need to continue to do that in the future.

Senator GRAHAM. Okay, who's paying? Is that coming from the Iraqi budget?

General AUSTIN. Absolutely.

Senator GRAHAM. Okay.

Now, Article 140 boundary dispute issues, I think there are a couple of trip wires left in Iraq and one of them that stands out to me is how do you resolve the Arab-Kurdish conflict in Kirkuk and the boundary dispute. If you could both give me, maybe, a 30-second overview of where we're at and what could we do in Congress to help you?

General ODIERNO. We have established a tripartite security architecture in the disputed areas for about 6 months now, and it's been very successful in reducing tensions. It's Pesh Merga, Iraqi Army and U.S. Forces manning checkpoints and joint security areas where they do patrolling in these areas, and it has calmed things down considerably. The United Nations (U.N.) is now taking on the role of now mediating the long-term issues of the border issues and the status of Kirkuk and other issues.

Senator GRAHAM. Do you think that will get resolved for this new government in a year?

General ODIERNO. It depends. My guess is, some of that will be discussed during the governmental formation process. How well that goes could determine how quickly it could happen. I do believe though, to solve the whole problem, it will be longer than a year.

Senator GRAHAM. General Austin, do you agree that is one of the big outstanding issues that the Iraqi people have to resolve?

General AUSTIN. Senator Graham, I absolutely do.

I think that, I would be delighted if it could be resolved in a year but——

Senator GRAHAM. Probably not.

General AUSTIN. I really believe that it's going to take awhile.

Senator GRAHAM. Do you feel like we have enough resources and focus to help them get it resolved?

General AUSTIN. I think that we're doing the right things in terms of working with the government to help them build confidence—bring about confidence-building measures to bring the two sides closer together. I think, again, it's encouraging to see that the U.N. is continuing to try to help, we'll require their help in the future.

Senator GRAHAM. Okay.

General AUSTIN. But this is going to take a lot of work.

Senator GRAHAM. Okay.

The hydrocarbon law. Have you had to pass the hydrocarbon law, is that right, General O?

General ODIERNO. That's correct, Senator.

Senator GRAHAM. From my point of view, for what it's worth, is that until the Iraqis have a statute that divides the oil up between each group where everybody feels like they're getting the resources of the country fairly shared, it's going to be a tough go. Do you see a breakthrough in the hydrocarbon law any time soon?

General ODIERNO. I think the hydrocarbon law, itself, probably might not get passed. But, I think there are other alternatives.

Senator GRAHAM. They do it year-by-year, budgeting-wise, don't they?

General ODIERNO. Yes, year-by-year, but also they get a revenue sharing agreement——

Senator GRAHAM. Right.

General ODIERNO.—I think would be important. I think that's something that people are looking at now, and I think that would help significantly.

We've had some thawing, there was an argument about whether the Kurdistan Region could develop their own oil, they have solved that problem. They have now begun to develop that. The Government of Iraq, the Central Government is helping them, so that's a breakthrough. We're starting to see small breakthroughs in the overall resolution of this. But again, there's still work that has to be done in that area.

Senator GRAHAM. The rules of engagement—as I understand it, we're partnering with the Iraqi security forces, we have right of self-defense, obviously, but when you make a raid, now, at night, do you have to get a warrant?

General ODIERNO. Under the security agreement, all operations must be warranted.

Senator GRAHAM. Is that working okay?

General ODIERNO. It is working very well.

Senator GRAHAM. Do you have good confidence in your judicial system, there are no leaks?

General ODIERNO. It's not perfect.

Senator GRAHAM. Not perfect.

General ODIERNO. No system is perfect. But our ability to present evidence and get warrants, we absolutely have the ability to do that. That's working well.

Senator GRAHAM. That's very encouraging.

One last question to both of you. General O, we're talking about the consequences to the United States of winning in Iraq, and I think they're enormous. Probably a good time now, given Afghanistan and where we are at in the world—if, for some reason, we didn't make it into the end zone, what would be the consequences of Iraq failing?

General Austin, if you could tell this committee, what are the one or two things that keep you up at night when you think about Iraq?

General ODIERNO. First, if we had a failed state in Iraq, it would create uncertainty and significant instability, probably, within the region. Because of the criticality of Iraq, its relationship to Iran, its relationship to the other Arab states in the region, if it became unstable, it could create an environment that could continue to increase the instability. If it becomes unstable and ungoverned, it opens the area, potentially, for terrorists, in order to allow Iraq to become a place where terrorism could be exported.

Now, I don't believe we're close to that. I believe we're far away from that happening. I think we're definitely on the right path. But those are the kinds of things that would happen if we had a complete breakdown inside of Iraq.

General AUSTIN. Senator Graham, we will be successful in Iraq, we will get the ball into the end zone. I believe that because of all of the great work that our young men and women continue to do on a daily basis and the commitment of this entire country to accomplishing that in the right way.

You mentioned the thing that keeps me awake at night, the one thing that is foremost in my mind is that if their leadership is unable to transfer power in a peaceful manner, that would create conditions that would cause us to, perhaps, revert to sectarian behavior and people to lose confidence in their ability to be properly represented. That is one of the major things.

But I am confident that, based upon what we've seen thus far, this peaceful transition will occur. It will just take some time for them to form a government.

Chairman LEVIN. Thank you, Senator Graham.

Senator GRAHAM. Thank you very, very much.

Now, let's move to Afghanistan. I'm not going to block your nomination, that's not my intent. But, I do believe it's only fair to the committee that you go talk to General Allen. Pick up the phone. I know he's on leave. Do you agree he's one of the finest officers you've ever served with?

General AUSTIN. He is a fine man, sir. Yes, sir.

Senator GRAHAM. Do you agree with that, General Rodriguez?

General RODRIGUEZ. Yes, sir.

Senator GRAHAM. You all have been at this for a very long time. All of you. I just can't thank you enough. My time's about to expire, so we'll do a second round.

What I would like you to do—and you can give this to me in writing—I want you to go talk to General Allen about his recommendations in Afghanistan, and see if they make sense to you, because—and I'm not going to reveal this to the committee—I know, exactly, his bottom line. I know Senator Ayotte knows his bottom line. I want to find out what's the proper role of this committee in divulging information, because I really do believe we have a right to know what commanders are recommending, as much as the Commander in Chief, because we fund wars. This idea you can't tell us is something I want to explore.

I'm going to stop now, let my colleagues do a second round. Would you please go to General Allen and get briefed on his recommendations—bottom line, top line—and write to me as to whether or not you think they're sound, before we vote. This could be done, I think, relatively quick.

[The information referred to follows:]

UNITED STATES ARMY
THE VICE CHIEF OF STAFF
Washington, DC 20310-0201

15 February 2013

The Honorable Lindsey Graham
United States Senate
290 Russell Senate Office Building
Washington, DC 20510

Senator Graham,

As you requested, I have spoken with General Allen about his recommendations for U.S. troop reductions and troop levels in Afghanistan post-2014 (a range of options reflecting a top and bottom line). I know that General Allen put considerable thought into his assessment of the conditions on the ground, and what it will take to accomplish the currently assigned missions sets, sustain the gains achieved over the past 12+ years, successfully conduct transition/ retrograde and properly secure our forces. Based upon my experiences in Iraq and my current understanding of operations in Afghanistan I believe the recommendations Gen Allen made are sound.

If confirmed, one of my first priorities will be to visit Afghanistan, talk with Gen Dunford and conduct a complete assessment of all factors and conditions on the ground.

Respectfully,

General Lloyd J. Austin III
Vice Chief of Staff, Army

Senator GRAHAM. Thank you.

Senator KAINE. We'll move to a second round.

I just want to point out that the questions that the witnesses both answered at the beginning indicated that they would provide answers unless they had a good-faith reason, in consultation with

the committee, not to provide them. I believe some of General Austin's answers have kind of been along that scheme. But, to follow that instruction, and he will come back to the committee.

Senator GRAHAM. That's it, Mr. Chairman, I——

General AUSTIN. Yes.

Senator GRAHAM. Really, I think we have a right to get this, but I don't want to put these gentleman in a bad spot.

General AUSTIN. Right.

Senator GRAHAM. That's why I'm going to wait.

Senator KAINE. Either we'll get the answer or a good-faith description for why you believe certain conversations cannot be revealed. We'll get one or the other.

We'll move to a second round of questions, with no one here who has not asked a first round.

I'll go to Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

I share Senator Graham's request, and, obviously, would like to understand, if you can't provide that information, why that is, because I think that is something important for this committee to take up, because we have to make decisions on resources that are very important, and we have an oversight function. I very much respect the President's function as Commander in Chief, but this is a very important issue.

We were on the same trip to Afghanistan, and having seen the conditions on the ground, and having been to a recent deployment ceremony, I just want to make sure, also, when our guys are still there, that we have enough people there to protect the guys and gals we have on the ground. I appreciate that very much.

I have a question for General Rodriguez. Can you help me understand what's happening in eastern Libya right now with the Qaddafi arms cache that was not secured after the NATO activity in Libya? What is happening with those arms? Where are they going? What efforts are we making to secure those arms?

General RODRIGUEZ. Yes, ma'am. They had significant arms caches throughout Libya; and many of them, of course, in eastern Libya, which is the most unstable part of Libya right now. The Intelligence Community has assessed that those continue to move. Many of them have moved southwest, toward the northern Mali issue, and has increased the capacity of al Qaeda in the Islamic Maghreb.

The United States and allies have several initiatives to try to attempt to stem that flow. Most of them are on training and equipping efforts for both the Libyan army as well as the Libyan border control people who benefit from some of the training that we're doing.

Then, the military-to-military relationships and the coordination that we're doing are all focused to try to get those under control and limit the ability of that to continue to migrate away from Libya and into the hands of terrorists.

Senator AYOTTE. Just so we understand—when we were on our trip, we also went to Egypt—those arms are being trafficked through the Sinai; the arms are going into Syria; they are also going into Mali and other places, where they're getting in the wrong hands. That continues, as we sit here today.

General RODRIGUEZ. Yes, ma'am, that continues, again, in all those directions, that's right. It's not only toward Africa, ma'am.

Senator AYOTTE. In eastern Libya right now, we have those military-to-military relations, but we don't have a position where the Libyan Government is actually stopping the transfer of those arms, right now, to the wrong people.

General RODRIGUEZ. Eastern Libya is the most destabilized place, and the militias—there's no state control of many of those militias, and that's a challenge that the government is dealing with right now.

Senator AYOTTE. So, we still really need to get much tougher on these arms. This is a dangerous situation, there have been reports that some of these arms may include Manportable Air-Defense Systems (MANPADS), correct?

General RODRIGUEZ. Yes, that's correct, ma'am.

Senator AYOTTE. I hope that, certainly, we need to take greater action on this, because these arms are very dangerous. They're getting into the hands of terrorists, and this is continuing. I look forward to supporting you and the administration to take whatever steps need to be taken to make sure that happens.

I would also point out that I believe that this is one of the reasons when we think about the concept of a light footprint, and we're engaged in an area, that those arms should have been secured right following our involvement so that we weren't in the situation where we're chasing them around, trying to get them from dangerous individuals, who are then using it to attack us and our allies.

General RODRIGUEZ. Yes, ma'am.

Senator KAINE. General Austin, General Rodriguez, a quick question. Would you agree with me that the number of troops in any theater is not an end, but it is a means to an end, a means to accomplishing a defined mission?

General RODRIGUEZ. Yes, sir.

General AUSTIN. Yes, sir.

Senator KAINE. If you are each confirmed in your positions, do you agree that, at any time, if you think that the number of troops assigned, or the number of troops you're dealing with, is not sufficient to accomplish the end that you are charged with accomplishing, that you'll share that concern, under appropriate channels, with your colleagues and superiors?

General RODRIGUEZ. I will, sir.

General AUSTIN. I will.

Senator KAINE. All right.

Senator Graham.

Senator GRAHAM. If we told both of you that you're the only two soldiers left in Afghanistan, you would stay and fight to the end, wouldn't you?

General AUSTIN. If there's work to be done, Senator, I would.

Senator GRAHAM. Would you also tell us, "We have a high opinion of ourselves, but the chance of success would be pretty low"?

General AUSTIN. That's correct.

Senator GRAHAM. Okay. What I want to know is, do you agree with me, General Austin, the last card to play in Afghanistan is

the residual follow-on force, in terms of our presence of "closing the deal"? This is a very important decision to make.

General AUSTIN. Yes, sir, I would.

Senator GRAHAM. Okay. I appreciate that very much.

Senator Kaine, you're absolutely right about numbers, but General Austin, is Iran watching what we're doing in the region?

General AUSTIN. They clearly are, sir.

Senator GRAHAM. Do you agree with that, General Rodriguez?

General RODRIGUEZ. Sir, everybody's watching what we're doing.

Senator GRAHAM. Okay. If Syria is deteriorating—and we seem to be leading from behind there—if Iraq is deteriorating, and we pick a number in Afghanistan that makes it a high likelihood of failure, that would be sending the wrong signals, do you agree, to the Iranians, if what I say is true?

General AUSTIN. I would, sir, I would agree with that.

Senator GRAHAM. Okay. If you had a recommendation of 8,000 troops in 2014, by 2017 we would be down to 1,000, don't you think the enemy would be focusing on the 1,000, not the 8,000?

General AUSTIN. I clearly think that they would, sir. I think that would——

Senator GRAHAM. Yes. I think that everybody would be focusing on the low number, not the high number.

I don't know what the numbers are going to be, but I do want to say this to the administration. I know the war is unpopular. I want to end it well. Like Senator Levin, I think we can be successful in Afghanistan. The key is their security forces. But, we have to have enough capability to keep them moving forward. I know the number General Allen picked.

NATO will not stay, in any numbers, if we have 1,000 troops. Do you agree with that? No NATO nation's going to get to our right.

General AUSTIN. That's my assessment, yes.

Senator GRAHAM. I'll wrap this up, Mr. Chairman, by saying that—I'll make some of my questions in writing—I believe we're at a pivotal moment in the war in Afghanistan, that NATO is not going to stay unless we show a willingness to stay beyond Kabul itself, and that the enemy will look at the bottom number, not the top number. But, if the President will follow General Allen's recommendations, within reason—and he's the President, not me; he has every right to pick the number; every military commander agrees with it, and I agree with that—but, as a member of the opposition party, and as somebody who cares about this, I will either stand with him or lodge my objections. I just want the administration to know that, if they can leave a sufficient force behind, beginning in 2014—and it can be as low as 9,000 or 10,000—that I will stand with them, that I will keep funding the Afghan army, that I want this to turn out well. I know it won't be popular at home, but it's the right thing to do. I do want the administration to know, they have every right to make this decision, but if they overrule the commanders and create a force that cannot, in my view, be successful, I cannot, in good conscience, vote to continue this operation.

Mr. Chairman, I can't think of a worse outcome for America than for us to lose in Afghanistan after a dozen years of fighting, bleeding, hundreds of billions of dollars. That's the place we were at-

tacked from. How do you win in Pakistan if you lose in Afghanistan?

Mr. Chairman, I will end with this thought. If we don't get this residual force right to continue the momentum, Afghanistan will fall apart quicker than Iraq, and all hell is going to break out.

Thank you very much.

Senator KAINE. Thank you, Senator.

A third round of questions, also 3 minutes.

Senator Ayotte.

Senator AYOTTE. General Rodriguez, would you consider Boco Haram a terrorist organization?

General RODRIGUEZ. Senator, Boco Haram has committed some acts that can be associated with terrorism. That's a policy decision that has to be made. If confirmed, I'll study that issue and make my recommendations on whether it gets classified as a terrorist organization, or not, ma'am.

Senator AYOTTE. I would very much like your opinion, given some of their activities, including a car bomb attack against the United Nations headquarters.

General RODRIGUEZ. Yes, ma'am.

Senator AYOTTE. I would certainly appreciate your opinion on that.

[The information referred to follows:]

Boco Haram has committed some acts that can be associated with terrorism. Designating Boco Haram as a terrorist organization is a policy decision. I will study this issue and make my recommendation on whether Boco Haram should be classified as a terrorist organization.

Senator AYOTTE. Also, General Rodriguez, in thinking about what happened in the attacks on our consulate in Benghazi, from your assessment—and obviously, you'll be taking over that area of responsibility, and you and I have talked about it—what are some of the lessons learned, do you think, from that?

General RODRIGUEZ. Ma'am, lessons learned, that both DOD and the Department of State are taken on as the gaps that were created—or were there, in intelligence—that didn't provide the sufficient indication or warnings for us to be able to respond properly. The security decisions that get made by the Department of State have to be well informed by the Department of Defense, so we need to do some closer cooperation there.

Then, the response forces that are available to the combatant commanders need to be continually looked at and appropriate for the situations that are out there throughout the region.

Senator AYOTTE. You talked about the forces that would be—as I understand it, going to Stuttgart, that we would have in place, that we didn't previously have in place—but, how's that response time, though, when you think about it? Because we're not going to be Djibouti or Aviano—and also, thinking about the air assets; will we have any AC–130s or anything that, if we had to go to that area again to respond—how would we handle it?

General RODRIGUEZ. Yes, ma'am. I think that, again, we'll—if confirmed, place those requirements on the Department of Defense. Again, they'll have to make some risk decisions, based on the situation across the combatant command's area of responsibility, where to put those. The best we can do is to make sure everybody under-

stands the risk that they're incurring, so we can make good decisions on where to keep our people and where not to keep our people.

Senator AYOTTE. I look forward to continuing to—as you're confirmed, to work with you on that. I think that's a challenge that we face in that area, and particularly with what we talked about, with the arms that are still flowing in that area, that are very dangerous, to a whole host of areas that are getting in the wrong hands of al Qaeda and other terrorist organizations.

General RODRIGUEZ. Yes, ma'am.

Senator AYOTTE. Thank you.

Senator KAINE. Thank you, Senator Ayotte.

I return the gavel to Chairman Levin.

Chairman LEVIN [presiding]. Thank you so much.

I very much appreciate, Senator Kaine, your taking over the gavel this morning.

Just a few questions, if they haven't already been asked. I was trying to catch up to what questions were being asked.

General Austin, in your judgment, are the Afghan security forces on track to assume the lead responsibility for security in Afghanistan, starting this spring?

General AUSTIN. My judgment's based upon my interaction with the commanders in the field. I was just recently in Afghanistan—during the Thanksgiving holiday—and, as I went around the country, the commanders that I talked to felt that the Afghans had developed significant capability, and were in the lead, in many cases, throughout the country. They were hopeful and very positive about where they were, and very hopeful that things would continue in the right direction.

Based upon that assessment, I think the Afghans will be capable of taking the lead in the prescribed timeline.

Chairman LEVIN. When Senator Jack Reed and I traveled to Afghanistan in January, we heard, from our military commanders, that the Afghan National Security Forces are in the lead already in the vast majority of operations and in the very challenging Regional Command East, that Afghan security forces were conducting operations by themselves in 87 percent of the operation. Have you heard that figure? If not, would that not be a very reassuring fact?

General AUSTIN. Sir, I've heard similar reports, and it is, indeed, reassuring. Again, I talk to both brigade commanders in that area and also the division commander, and they were very positive about the performance of the Afghan security forces.

Chairman LEVIN. Thank you.

One more question on Afghanistan, and that's a subject which I've gotten into repeatedly, and Senator Graham and I have worked together to make the same point, and that has to do with the future size of Afghan security forces. The current proposal is to reduce the size of the National Security Forces in Afghanistan by about a third after 2014, from 352,000 down to approximately 230,000. I believe it sends the wrong signal to the Afghans to do that. They are looking for reassurance that the United States and our allies are committed to an enduring relationship with Afghanistan. We wrote the President again last year—Senator Graham, Senator McCain, Senator Lieberman, myself—to convey that point.

At the time when we are drawing down our troops, it is the wrong message to be drawing down or suggesting the drawdown of Afghan forces from their current level to a significantly lower level.

I'm wondering, General Austin, whether or not you feel that we should keep the Afghan security forces at the 352,000 level beyond 2014.

General AUSTIN. Sir, I think keeping the larger-sized force would certainly, as you pointed out, reassure the Afghans. It would also reassure our NATO allies that we remain committed.

In addition to that, sir, I think a larger Afghan force would help to hedge against any future Taliban mischief. You could reasonably expect that an enemy that's been that determined, that agile, will very soon, after we transition, begin to try to test the Afghan security forces. Further, I think that size of a force provides additional capability to allow the political processes to mature a bit. I think, because of that, it seems to me that a larger force would be of benefit.

Chairman LEVIN. Thank you.

Just one question for you, General Rodriguez, and this has to do with the in-extremis force that is desirable, and other contingency response forces that would be useful, to put the AFRICOM commander in a stronger position to respond to contingencies such as we saw in Benghazi. If you've not been asked that question, can you tell us whether you would look for ways to find the greater capability to provide contingency response forces, beyond what they currently are, and were, in the case of the Benghazi matter?

General RODRIGUEZ. Yes, Senator, I would. If confirmed, that will be one of the top priorities I have, and I'll report back to the committee on that. They've already made some significant improvements in that, and we have to continue to do that.

Thank you.

Chairman LEVIN. Thank you.

Thank you both. We look forward to your confirmation.

Again, I want to thank Senator Kaine for taking over this morning. It's very much appreciated.

General RODRIGUEZ. Thank you, sir.

Chairman LEVIN. We will stand adjourned.

[Whereupon, at 12:05 p.m., the committee adjourned.]

[Prepared questions submitted to GEN Lloyd J. Austin III, USA, by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the military departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. The Department has made great progress in the joint arena since the enactment of Goldwater-Nichols. The Services and Joint competencies have proven their effectiveness and capabilities in more than a decade of war. While there is no

room for complacency, I don't believe there is a need for any major modifications to the act.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. I do not believe there is a need for any major modifications to the Goldwater-Nichols Act. Beyond the Act, however, Congress may want to look at ways to increase integration of non-military agencies in appropriate training and force readiness environments in order to build a more effective whole-of-government approach to crisis prevention and resolution.

RELATIONSHIPS

Question. Section 162(b) of title 10, U.S.C., provides that the chain of command runs from the President to the Secretary of Defense, and from the Secretary of Defense to the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander, U.S. Central Command (CENTCOM), to the following officials:

The Secretary of Defense.

Answer. Subject to direction from the President, the Commander, CENTCOM performs duties under the authority, direction and control of the Secretary of Defense. In addition, the Commander, CENTCOM is responsible to the Secretary of Defense for the preparedness of the command to carry out its missions.

Question. The Under Secretaries of Defense.

Answer. Commander, CENTCOM coordinates and exchanges information with the Under Secretaries of Defense as needed to set and meet CENTCOM priorities and requirements for support.

Question. The Assistant Secretaries of Defense.

Answer. Commander, CENTCOM coordinates and exchanges information with the Assistant Secretaries of Defense as needed to set and meet CENTCOM priorities and requirements for support.

Question. The Chairman and Vice Chairman of the Joint Chiefs of Staff.

Answer. The Chairman is the principal military advisor to the President, National Security Council and the Secretary of Defense. Section 163 of title 10, U.S. Code, allows communication between the President or the Secretary of Defense and the combatant commanders to flow through the Chairman. As is custom and traditional practice, and as instructed by the Unified Command Plan, I would communicate with the Secretary through the Chairman of the Joint Chiefs of Staff. I anticipate a close dialogue with the Chairman on all significant matters.

I would communicate and coordinate with the Vice Chairman of the Joint Chiefs of Staff as required and in the absence of the Chairman of the Joint Chiefs of Staff.

Question. The Service Secretaries and Service Chiefs.

Answer. The Secretaries of the Military Departments are responsible for the administration and support of forces assigned to the combatant commands. Commander, CENTCOM coordinates closely with the Secretaries to ensure that requirements to organize, train, and equip forces for CENTCOM are met.

Commander, CENTCOM communicates and exchanges information directly with the Service Chiefs to facilitate their responsibility for organizing, training and equipping forces. Successful execution of the CENTCOM mission responsibilities requires close coordination with the Service Chiefs. If confirmed, I intend to work closely with the Service Chiefs to understand the capabilities of their Services to clearly communicate to them the CENTCOM theater's requirements and to ensure effective employment of the Services' capabilities in the joint and coalition execution of the CENTCOM mission.

Question. Commander, U.S. Special Operations Command.

Answer. Commander, CENTCOM maintains a unique relationship with Commander, U.S. Special Operations Command, due to the volume of collaboration required to successfully execute missions within the area of responsibility. Our relationship, like those with other combatant commanders, is critical to the execution of our National Military Strategy and characterized by mutual support, frequent contact and productive exchanges of information on key issues.

Question. The other combatant commanders.

Answer. Commander, CENTCOM maintains a close relationship with other geographic and functional combatant commanders. These relationships are critical to the execution of our National Military Strategy and are characterized by mutual support, frequent contact and productive exchanges of information on key issues.

Question. Commander, North Atlantic Treaty Organization (NATO) International Security Assistance Force (ISAF), Afghanistan/Commander, U.S. Forces-Afghanistan (USFOR–A).

Answer. Commander, CENTCOM maintains operational control (OPCON) over U.S. Forces assigned to NATO–ISAF in his role as the Commander, USFOR–A, which is CENTCOM's current main effort and top priority for mission support. For forces further assigned from USFOR–A to NATO–ISAF, this OPCON authority is largely transferred to Joint Forces Command Brunssum and Supreme Allied Commander Europe as "NATO–OPCOM". Thus mission direction for NATO–ISAF is a shared responsibility between CENTCOM and SACEUR chains of command. For this reason we moderate any interactions with Commander NATO–ISAF by close coordination with Commander JFC Brunssum and SACEUR.

Question. The respective U.S. Chiefs of Mission within the CENTCOM AOR.

Answer. Commander, CENTCOM maintains a close working relationship with all U.S. Ambassadors to countries in the CENTCOM region. We coordinate carefully to ensure that operational and security cooperation activities remain consistent with each Ambassador's priorities and Mission Strategic Plan as needed to ensure unity of effort between U.S. military and other U.S. Government activities in the CENTCOM region.

Question. The respective U.S. Senior Defense Officials/Defense Attachés (SDO/DATT).

Answer. Commander, CENTCOM is in the rating scheme for Defense Attachés and maintains close relationships and coordination with Senior Defense Officials. The commander relies on the SDOs to provide the information necessary to ensure that CENTCOM's security cooperation activities stay in-step with each Ambassador's priorities and Mission Strategic Plan.

QUALIFICATIONS

Question. If confirmed, you will be entering this important position at a critical time for CENTCOM.

What background and experience do you have that you believe qualifies you for this position?

Answer. Over the course of my 37-plus years serving in the U.S. military, I have commanded at every level, to include at the Corps and Theater levels. I spent much of the past decade commanding forces throughout the CENTCOM region. At the two-star level, I commanded 10th Mountain Division and Task Force-180 in Afghanistan. At the three-star level, I commanded Multi-National Corps-Iraq. Most recently, as Commander of U.S. Forces-Iraq, I commanded all forces in that country and oversaw the successful transfer of responsibilities to the Iraqi Security Forces and U.S. State Department representatives, as well as the transition of military forces and equipment out of Iraq. I have worked closely with partners from across the Interagency and have existing relationships with civil and military leaders throughout the CENTCOM AOR. My past experiences have afforded me an in-depth understanding of the nuanced challenges and opportunities that exist in that region of the world. I also served previously as Director of the Joint Staff and as CENTCOM Chief of Staff. These experiences have provided me with an understanding of the command as well as some of the relationships and processes that exist at the highest levels.

MAJOR CHALLENGES AND OPPORTUNITIES

Question. If confirmed as the Commander of CENTCOM, you will be responsible for all military operations in the CENTCOM area of responsibility.

In your view, what are the major challenges and opportunities that would confront you if you are confirmed as the next Commander of CENTCOM?

Answer. The Middle East represents an extremely complex and dynamic environment. Ethnic, sectarian and ideology-based conflicts are continuing to play out within countries and between countries across the region. Challenges abound; as do opportunities. Among the many challenges we are faced with is the significant threat posed by violent extremist organizations. Our priorities in the near-term are: (1) Afghanistan—we must continue to support the mission, with some ~66,000 servicemembers still serving in country; (2) Iran—we want to see a non-nuclear Iran that respects its neighbors; (3) Syria—we would like to see an end to the civil war and a stable government; and (4) The broader Middle East—we want a region where stability and security prevails; we want the conditions set to allow for economic growth and opportunity; and, representative government that is underpinned by rule of law. In general, we want a region where all States play a constructive role in managing and maintaining stability. Our key opportunities lie in the domain of

collective security and building regional partners' security capacities. Many of our partners in the region have shown interest and made steady progress to date in taking on their share of regional security. We will continue to encourage this interest and capacity building across the region.

Question. If confirmed, what plans do you have for addressing these challenges and opportunities?

Answer. I will address these challenges and opportunities using four principle levers: military-to-military engagements, plans and operations, security cooperation programs, and posture and presence. CENTCOM will employ these levers always focused on working by, with and through our partners to the greatest extent allowable to bolster regional security and promote stability. Military-to-military engagements lay the foundation for and bolster our broader diplomatic and political relationships. It is often the bedrock of the relationship and affords us the trust necessary to dialogue quietly about contentious issues. Plans and operations are developed and executed in conjunction with our fellow combatant commands, interagency organizations and international partners as necessary to address developing contingency and crisis situations. Security Cooperation Programs build partner capacity as the responsible way to reduce U.S. presence in the region and effectively support their ability to carry more of the region's security burden. Posture and presence in the future will be leaner but supported by a base infrastructure that enables rapid reinforcement.

Question. One challenge with which you may have to deal, if confirmed, is the impact of the combination of sequestration and the Continuing Resolution on the ability of the Military Services to meet the demands of the combatant commanders as well as the execution of your operating budget. Admiral Winnefeld, the Vice Chairman of the Joint Chiefs of Staff was recently quoted as saying, "We are taking a very close look at how we 'appetite suppress' some of the demand signals that are out there," he said. "We find that there are some forces out there in the world today that have been asked for and have been provided to (combatant commanders) that might be servicing a lower level of interest."

What is your understanding and assessment of the impact of pending Defense budget cuts to CENTCOM's operational planning, requests for forces, and operating budgets? If confirmed, how would you prioritize the use of available funds?

Answer. All Service Chiefs have been clear and consistent in saying that sequestration will have devastating impacts on operations. That said, they've also been clear in stating that they will continue to support the ongoing operations in Afghanistan, first and foremost. But, there is shared concern about the impact of cuts on the readiness of forces responding to emerging contingencies. If confirmed, I will continue to work closely with the Military Service components to address any concerns they have with meeting our high priority operational requirements. I will also defend the authorities which support our strategic partnerships which are vital to our ability to promote regional security and stability throughout the region.

Question. In your opinion, what are your considerations or alternatives if an adequate aircraft carrier presence in the Gulf cannot be sustained by the Navy beyond March 2013?

Answer. The prudent measure is to maintain continuous aircraft presence in the Arabian Gulf region, with two carriers in assessed periods of heightened risk. Maintaining a credible naval force in the region covered by sufficient aviation combat power is essential for demonstrating an enduring commitment to regional partners, building trust and relationships, and the rapid projection of power in a crisis. While naval and air component commanders continue to work alternative strategies to deliver combat power in the Arabian Gulf from a single carrier positioned outside of the Gulf, these alternatives are predicated upon uninterrupted access to overseas bases and facilities.

Question. If sequestration were to occur, what would be your assessment of the level of risk to the U.S. national security objectives in the CENTCOM AOR?

Answer. Sequestration would significantly increase the risk to ongoing missions in the CENTCOM AOR. Certainly we can expect that if sequestration occurs those units that are required to address emerging challenges will be less ready than in the past or have less capability. While the effects of sequestration will negatively impact all of the services and combatant commanders, sequestration will arguably have the greatest operational impact on the CENTCOM AOR due to geography, the pace of ongoing combat operations and the likelihood of numerous contingencies.

DEFENSE STRATEGIC GUIDANCE

Question. The Defense Strategic Guidance, "Sustaining U.S. Global Leadership: Priorities for the 21st Century Defense", announced by President Obama on Janu-

ary 5, 2012, includes, among other things, the intention of the administration and the Pentagon to "rebalance toward the Asia-Pacific region." In his associated remarks, Secretary Panetta explained that the "U.S. military will increase its institutional weight and focus on enhanced presence, power projection, and deterrence in Asia-Pacific. . . . At the same time, the United States will place a premium in maintaining our military presence and capabilities in the broader Middle East."

What do you anticipate will be the impact of this guidance on the operations and activities of CENTCOM?

Answer. The guidance does increase emphasis on the Asia-Pacific region while enhancing U.S. technological capabilities in the PACOM area of responsibility (AOR). However, our Defense Strategic Guidance reflects a global strategy. The world we live in remains complex and extremely volatile. In fact, much of the instability resides in the CENTCOM AOR where significant challenges persist. While I understand that in an era of constrained resources we must prioritize; the combatant commander is responsible for ensuring that, at all times, the command is postured to protect vital national interests in the region. If confirmed, I will continue to assess conditions in the CENTCOM AOR and request the resources required to sustain operations.

READINESS OF FORCES

Question. What is your assessment of the readiness of U.S. Forces that have been deployed to Operation Enduring Freedom?

Answer. Our forces are the best-trained, best-equipped, and most experienced in our Nation's history; and, that includes forces deployed to Afghanistan in support of Operation Enduring Freedom (OEF). Pre-deployment training at the various joint training centers provides tailored counterinsurgency scenarios and incorporates up-to-the-minute lessons learned from troops on the ground in Afghanistan. I have worked hard in my current position as Vice Chief of Staff of the Army to ensure that all levels of command are appropriately focused on ensuring the continued and future readiness of U.S. Forces in theater.

Question. Have you observed any significant trends in or apparent gaps with respect to personnel, equipment, or training readiness in units as they deploy to or upon their arrival in Afghanistan?

Answer. No. Overall, the readiness of units arriving in the AOR has been high and the Services have done well preparing units to deploy. Where issues have arisen, the Services have been adaptive and they have routinely incorporated feedback from theater thereby making necessary adjustments in force preparations.

Question. What are your views, if any, on the growing debate over whether U.S. Forces are putting too much emphasis on preparing for counterinsurgency and irregular warfare operations or too little emphasis on preparing for high intensity force-on-force conflict and full spectrum operations?

Answer. This debate reflects how the U.S. military has adapted over the past decade-plus of war. Army doctrine reflects this adaptation, stating that our formations must be capable of performing unified land operations across a broad range of operations: offense, defense, stability, and defense support to civil authorities. There is a recurring dialogue between commanders at all echelons to ensure that there is a shared understanding of the essential tasks that must be trained. The commanders' assessment of the situation, mission, time, and resources drives how commanders execute unit training and preparation. Ultimately, this is a dynamic process. It is at the heart of the military's efforts to build and sustain readiness, and it ensures that our formations are capable of accomplishing the mission across the full range of operations.

Question. What is your opinion on adding a third maneuver battalion to the Brigade Combat Team structure?

Answer. The addition of the third maneuver battalion will greatly enhance the depth, versatility and combat capability of our Brigade Combat Teams (BCT). Analysis shows that the redesigned BCT will provide equal capacity to meet combat commander demand while providing a more robust formation at the point of decision. The three battalion design is more lethal, survivable and flexible. Importantly, it also increases the commander's options as the formations execute operations across the full range of military operations. Ultimately, the addition of the third maneuver battalion is a key development for the Army as it transitions from current fight and postures for the next conflict.

AFGHANISTAN COUNTERINSURGENCY STRATEGY

Question. Do you support the counterinsurgency strategy for Afghanistan?

Answer. Yes, I support the current approach of: (1) building Afghan National Security Forces (ANSF) capacity; (2) countering violent extremist organizations; and (3) setting conditions for final transfer to ANSF control and change of mission by the end of December 2014.

Question. If confirmed, are there changes you would recommend to the U.S. strategy in Afghanistan?

Answer. The current strategy is showing progress; and, I have every confidence in the commanders leading the effort. That said, if confirmed, I will continually assess the situation on the ground, consult with U.S. leaders, partners, regional leaders and NATO commanders and provide my best military advice on this matter to my chain of command. I will also follow up with the members of this committee, as requested.

Question. What is your assessment of the progress of the campaign in Afghanistan?

Answer. Efforts to counter the insurgency and prevent terrorist safe havens have been and remain effective. Coalition operations have continued to focus on degrading insurgent networks while building the capacity of our ANSF partners to maintain security. We were largely successful during the 2012 fighting season and we met our campaign objective to force the enemy out of population centers. We continue to transition the responsibility for security to the ANSF and we have seen a decrease in violence in areas under ANSF responsibility. That being said, challenges remain—particularly in areas along the border with Pakistan and areas in southern Afghanistan where the Taliban continues to operate. There also remain the dual challenges of narcotics and corruption that threaten long-term stability. Afghanistan's nascent government and upcoming elections scheduled for 2014 also pose significant challenges with respect to maintaining the gains achieved in recent years.

SECURITY TRANSITION IN AFGHANISTAN

Question. President Obama and Afghan President Karzai recently announced that the transition to an Afghan lead for security throughout Afghanistan will occur this spring, a few months ahead of schedule. As part of the ongoing transition, coalition forces are shifting increasingly to an advise-and-assist mission but will continue to support Afghan security forces until the International Security Assistance Force (ISAF) mission concludes by no later than the end of 2014.

Do you support the announced transition of the security lead to Afghan security forces throughout Afghanistan by this spring?

Answer. Yes, I support plans for ANSF assuming the lead for security across all of Afghanistan by mid-2013, as agreed to at the Chicago NATO Summit in May 2012. The current security situation and capability of ANSF supports continued adherence to the transition plan. Afghans have already assumed the lead through much of the country and have validated NATO's incremental decisions to make these transfers. That said, we will certainly incorporate lessons learned from our experiences in Iraq. Among them we recognize that ISAF will be called upon to provide critical enablers and advisory support to the ANSF as they assume the lead for security operations. ISAF will also be required to maintain sufficient combat power to respond to contingencies and conduct operations alongside the ANSF.

Question. Do you support the shift in the mission of coalition forces to an increasingly advise-and-assist role in support of Afghan security forces?

Answer. Yes. The current situation supports the shift to an advise-and-assist mission in support of ANSF. If confirmed, I will monitor changing conditions and dialogue with commanders, regional leaders and partners to ensure the situation supports the employment of general purpose forces in a Security Force Assistance (SFA) role. Balanced SFA enables ISAF to provide tailored forces that support sustainable development of the ANSF as they move into the lead, as well as special and general purpose forces to support developing Afghan Army and Police operations through 2014. The ultimate aim is to build ANSF capacity and set conditions for them to assume lead for the security of their country. Much like in Iraq, as the ANSF capabilities and capacity improve, coalition forces will provide less frequent training and advice at the lower levels and focus efforts at the higher echelons to better integrate our enabler support.

Question. Do you agree that the success of the mission in Afghanistan depends on having Afghan security forces, rather than coalition forces, taking the lead for security and conducting unilateral operations to the maximum extent?

Answer. Yes. History has shown that indigenous forces are best suited to assume lead responsibility for the security of their country. A great deal of the country has already transitioned to ANSF in the lead, and we have seen low levels of violence

in these transitioned areas. ISAF will continue to provide critical enablers and advisory support to ANSF formations as they assume lead responsibilities.

Question. What is your assessment of the capacity and performance of the Afghan security forces in assuming the lead for security in areas designated for transition, including in contested areas?

Answer. Over the past several years, we have helped grow the ANSF into a force that will eventually reach 352,000. The ANSF is steadily improving in military capability and professionalism. There is still work to be done before they will be self-sufficient and capable of providing sustainable security for the long term. However, the ANSF is on track to assume full security responsibility across Afghanistan by the end of 2014. During 2012, the Afghan National Army demonstrated their ability to plan, conduct and sustain large-scale operations. Their combat enabler capabilities are still developing due to late fielding, but they are improving in their ability to conduct fire support, rotary wing support and even limited medical evacuation.

Question. Do you believe that a responsible transition of the mission for U.S. Forces in Afghanistan from combat to a support role should be based on conditions on the ground in Afghanistan?

Answer. Yes. If confirmed, I will work closely with leaders in theater, to include General Dunford, to assess the conditions on the ground and provide my best military advice with respect to the transition of mission to my chain of command.

Question. Under the current conditions in Afghanistan, would you support making such a transition by no later than the end of 2014?

Answer. I support the current plan to complete the transition by the end of 2014, per the President's policy. If confirmed, I will continue to assess the situation, along with the leaders on the ground, and provide my best military advice on the timeline and related transition requirements.

Question. What conditions, if any, would drive you to recommend to the President to not transition from a combat to a support role?

Answer. We are transitioning from leading partnered counterinsurgency operations to providing Security Force Assistance through training, advising and assisting the ANSF based on the current assessment of conditions on the ground. A number of factors were considered when making the decision on pace and course of our transition efforts. Indeed, it would be difficult to name a single factor that would drive a commander to recommend a change to the current plan. If confirmed, I will continue to assess conditions on the ground and provide my best military advice to my chain of command.

DRAW DOWN OF U.S. FORCES IN AFGHANISTAN

Question. In September 2012 the drawdown of the 33,000 U.S. surge force in Afghanistan was completed, bringing U.S. troop levels down to approximately 68,000. President Obama recently reaffirmed his pledge to continue the drawdown of U.S. Forces from Afghanistan at a steady pace. He also stated he would soon announce the next phase of the U.S. drawdown based on the recommendations of the ISAF Commander and other commanders on the ground in Afghanistan.

What is your understanding of the missions to be conducted by any residual U.S. Force that may remain in Afghanistan after 2014?

Answer. My understanding of the missions to be conducted by residual U.S. Forces remaining in Afghanistan after 2014 will be counterterrorism; train, advise, and assist the ANSF; and provide support to Department of State civilian missions. Most importantly, force protection is inherent in everything we do in theater.

Question. In your current position as Vice Chief of Staff of the Army, have you provided any recommendations on the size and missions of any residual U.S. Force that may remain in Afghanistan after 2014?

Answer. No.

Question. Based on your experience as the Vice Chief of Staff of the Army and your experience in the Iraq drawdown, what missions and force size do you recommend for a residual U.S. Force in post-2014 Afghanistan?

Answer. I am not currently in a position to provide such a recommendation. I would defer to the current CENTCOM commander and the commander on the ground to provide their recommendations.

Question. In your view, how should the requirement to provide force protection for our troops be taken into consideration in any decision on the size of a residual U.S. Force in Afghanistan post-2014?

Answer. Force protection is an inherent part of everything we do and therefore must be included in the planning effort.

Question. How does the early transition to Afghan lead for security announced by Presidents Obama and Karzai impact our mission and objectives for the 2013 and 2014 fighting seasons?

Answer. The transition is and has always been conditions and capability based. The early transition announcements reflect the improving security situation in Afghanistan and ANSF's capabilities to assume the lead and should have no impact on our mission objectives.

Question. What force structure do you think is appropriate for the 2013 and 2014 fighting seasons?

Answer. If confirmed, I will assess the force structure capabilities and capacities that we will maintain over the next 2 years to ensure they continue to meet our objectives. We will transition to full security lead by the Afghans in the spring and we will need to ensure that we have set the proper conditions for successful elections in 2014. We will also need to ensure that we have the proper forces to smoothly transition to the train, advise and assist mission by December 2014.

Question. What, in your view, should be the pace of reductions in U.S. Forces during each of 2013 and 2014?

Answer. This is an operational maneuver. As such, the pace of reductions should be based on the commander's assessment, the enemy situation, conditions on the ground, to include ANSF capabilities, and mission requirements in order to maintain the campaign's momentum and to avoid jeopardizing the gains we have made. At the same time, we must be clear that we will not abandon Afghanistan. This is a decisive time in the country's history and decisions we make now regarding degrees of support, how the U.S. drawdown proceeds, to include the preservation of enablers in terms of logistics, medical evacuation, communications, and air support will be essential for our partners.

LOGISTICAL CHALLENGES

Question. What is your assessment of the speed and reliability of logistical convoys through the Pakistan Ground Lines of Communication (GLOC) to support our forces in Afghanistan?

Answer. Movement in Pakistan is subject to a number of recurring challenges including environmental conditions, political factors and the ongoing security situation. We have cleared out nearly all cargo previously stranded in Pakistan as a result of the closure that began in November of 2011, and we recently commenced test shipments of new cargo. We anticipate challenges as the Government of Pakistan (GOP) struggles internally to implement new transit processes that were agreed to during 2012. The GOP appears committed to resolving these issues and facilitating successful, sustained cargo movement. It is our intent to use the PAK GLOC consistent with route capacities, GOP capabilities, the security situation, and environmental conditions.

Question. In your view, what improvements, if any, need to be made in light of the logistical throughput rate of the Pakistan GLOC?

Answer. The current proven capacity of the PAK GLOC will support the volumes that we anticipate being shipped via Pakistan. Infrastructure improvements are not required to support anticipated volumes, but may provide a positive impact supporting longer term nation building, transit and trade in the region.

Question. To what extent has CENTCOM developed a common operating picture to improve its processes for tracking equipment and supplies in Afghanistan?

CENTCOM leverages both automated systems of record and manual reporting processes to obtain a common picture of equipment and supplies in Afghanistan. In addition, CENTCOM is partnering with the Joint Staff and U.S. Transportation Command (TRANSCOM) to develop a common operating picture to track the end-to-end retrograde process.

Question. General Austin, you served as the Commanding General of U.S. Forces-Iraq during the withdrawal of U.S. Forces from Iraq consistent with the 31 December 2011 deadline in the U.S.-Iraq Security Agreement.

Taking into account your experience in Iraq, what are the biggest risks and mitigation strategies associated with drawing down U.S. Forces from Afghanistan and retrograding military equipment to the United States?

Answer. The geographic and topographic complexities of Afghanistan will make the retrograde of materiel and personnel very challenging. The largest risk to retrograde operations is the threat of disruption to PAK GLOC and the Northern Distribution Network (NDN) operations. To mitigate this risk, the CENTCOM Materiel Recovery Element (CMRE) was established to increase both volume and velocity of retrograde efforts. Transition and retrograde will also need to be conducted while

contending with an able and determined enemy. As the size of our footprint shrinks, force protection and availability of enablers will increase in importance.

Question. How do you intend to address any conflicts between the objectives of mission accomplishment in the 2013 and 2014 fighting seasons and the logistical challenge of drawing down forces and retrograding military equipment?

Answer. The accomplishment of our mission in 2013 and 2014 fighting seasons will be inextricably linked to the imperative of drawing down forces and retrograding equipment. The drawdown and retrograde are in themselves significant military operations that must be fully nested within the ground tactical plan and plans for operational maneuver. Fighting season considerations, force levels and retrograde actions cannot be considered in isolation. The ground commander must plan operations, assess risk and mitigate conflicts as a whole to ensure all efforts within theater are nested and synchronized.

STATUS OF FORCES AGREEMENT FOR AFGHANISTAN

Question. As called for in the Enduring Strategic Partnership Agreement signed in May, the United States and Afghanistan are holding talks on a Bilateral Security Agreement, which will provide essential protections for any limited U.S. military presence in Afghanistan after 2014.

Do you agree that it is essential that any status of forces agreement for U.S. military forces in Afghanistan after 2014 provide immunity for U.S. troops from prosecution in Afghan courts?

Answer. Yes. Exclusive jurisdiction is an essential requirement.

Question. If confirmed, would you recommend that the United States withdraw its military forces from Afghanistan if those forces do not have such immunity?

Answer. Yes. Without jurisdiction over our troops, our activity in Afghanistan must be limited to traditional security assistance. Combat and training activities cannot be conducted without this protection.

Question. Based on your experience in the Iraq drawdown, what are the risks associated with removing all U.S. military forces from Afghanistan?

Answer. Removing all U.S. military forces threatens the achievements gained in Afghanistan over the last 12 years of sustained combat. Such a withdrawal could open the door to a return of al Qaeda, collapse of the Government of the Islamic Republic of Afghanistan and lead to increased instability in the region. Also, it could delay the maturation of Afghan forces at a critical point in their development.

AFGHANISTAN NATIONAL SECURITY FORCES

Question. What is your assessment of the progress in developing a professional and effective Afghanistan National Security Forces (ANSF)?

Answer. ANSF operational effectiveness continues a general upward trend as they continue to improve and professionalize. The ANSF have increasingly taken the lead in areas previously secured by U.S. surge forces, and have been able to expand their reach, occupying patrol bases and combat outposts that had previously been too dangerous to hold. The ANSF have also increased their abilities to plan, carry out, and sustain high-level kinetic actions involving multiple ANSF forces.

Question. What is your assessment of the capacity of the ANSF to take the security lead and to conduct unilateral operations?

Answer. The ANSF have made substantial progress during the past year, and are steadily building a force that will assume full responsibility for security operations throughout Afghanistan by the end of 2014. The ANSF are unilaterally conducting the vast majority of operations in Afghanistan, although many of these are routine patrols. Force generation and development efforts continue to yield advancements in operational effectiveness. During the previous year, ANSF made strides in performance, increasingly moving into the lead for security operations. As of the end of the last reporting period, ANSF partnered with ISAF on more than 90 percent of all operations and was in the lead in more than 50 percent of these actions.

Question. What do you see as the main challenges to building the capacity of the ANSF and, if confirmed, what recommendations, if any, would you make for addressing those challenges?

Answer. There are five key challenges to building the capacity and capability of the ANSF: leadership, logistics, counter-IED, attrition and literacy. Counter-IED continues to pose a significant challenge. Attrition rates have improved; however, we must continue to monitor levels. We must also continue to help the ANSF to professionalize the force; train and develop leaders; build their enabler capacity; and, further expand literacy which will have a lasting impact on the country. If confirmed, I will work closely with General Dunford to ensure that he has the resources

necessary to develop a sufficient and sustainable ANSF that can operate independently of coalition assistance.

Question. Do you support plans for building and sustaining the ANSF at 352,000 personnel?

Answer. Yes. The target end strength provides the capacity for achieving security and stability in Afghanistan.

Question. Do you agree that any reductions in the ANSF from this 352,000 level should be based on security conditions in Afghanistan at the time those reductions would be expected to occur?

Answer. Yes. A sufficient and sustainable ANSF is necessary for Afghanistan's long-term stability and security. The current ANSF sustainment plan will maintain Afghan forces at surge strength of 352,000 through 2018, to allow for continued progress toward a sustainable secure environment in Afghanistan. As security conditions on the ground continue to improve, ANSF will undergo a gradual, managed force reduction to a final force structure that is both adequate to meet security requirements and fiscally sustainable in the long term.

INSIDER THREAT

Question. In 2012 the number of so-called "green-on-blue" incidents, in which ANSF personnel or ANSF impersonators attacked U.S. or coalition soldiers, increased significantly. The rise in the number of insider attacks has led U.S. and Afghan military leaders to take a number of precautions against such insider threats, including expanding Afghan counterintelligence efforts to identify possible Taliban infiltrators, increasing cultural sensitivity training, and expanding the "Guardian Angel" program to protect against the insider threat in meetings between coalition and Afghan forces.

What in your view are the causes of the increase in insider attacks and what has been their impact on the military campaign in Afghanistan?

Answer. Insider attacks are an insurgent tactic designed to create a seam and sow mistrust between ISAF and ANSF forces. Most likely the increase in insider attacks reflects a combination of factors including the increase in the number of ANSF personnel and a greater number of Coalition Force (CF) trainers living and working with the ANSF. Overall, these attacks, while tragic, have not had a significant impact on the campaign.

Question. What is your assessment of the impact of these green-on-blue attacks on the level of trust between coalition and Afghan forces?

Answer. Clearly these types of attacks have the potential to impact morale and to compromise bonds among coalition members. However, during my recent visit to Afghanistan I did not see indications of either low morale or mistrust among coalition and Afghan forces.

Question. What is your assessment of the measures that have been taken by ISAF and Afghan leaders to address the insider threat? Are there additional steps that you would recommend to address this threat, if confirmed?

Answer. Since January 2012, there has been a significant increase in the ISAF and ANSF efforts to mitigate insider attacks. In August 2012, ISAF and the ANSF forces formed the Insider Threat Action Group and the Insider Threat Mitigation Team to jointly identify and implement insider threat mitigation efforts. Steps are being taken by Afghans to institute a number of insider threat countermeasures and supplement the vetting process in order to remove undesirable members of the ANSF. If confirmed, I will work closely with the Commander, ISAF, to ensure appropriate measures are being taken and the necessary resources allocated to protect coalition forces.

Question. In light of the spike in insider attacks, do you see a need to reconsider current plans for embedding small Security Force Assistance Teams of U.S. military advisors with Afghan military units to assist in the transition to an Afghan security lead?

Answer. Presently, no; but, this is a critical question and if I am confirmed, I will work with General Dunford as conditions warrant to evaluate the potential risks to our embedded advisors as transition progresses.

RECONCILIATION

Question. In your view, what should be the role of the United States in any reconciliation negotiations with the Afghan Taliban and other insurgent groups?

Answer. Achieving a durable peace in Afghanistan will require some form of political settlement among Afghans. That settlement must ultimately be brokered among the Afghans themselves. Afghanistan is adamant that the Afghan Government must maintain control of any reconciliation negotiations. The U.S. role should acknowl-

edge that the Afghanistan Government is the lead for reconciliation and focus on acting as a mediator and encouraging other nations to play a constructive role.

Question. What additional steps, if any, should the United States be taking to advance the reconciliation process?

Answer. The United States could work to bring other key AOR partners with a vested interest in securing a stable Afghanistan into the reconciliation dialogue to offer their assistance in support of the peace process.

Question. In your view, what should be the role of Afghanistan's neighbors, in particular Pakistan, in the reconciliation process?

Answer. Neighbors in the region have legitimate interests in Afghanistan and need to play a constructive role in the reconciliation process. Specifically Pakistan must take steps to ensure that militant and extremist groups cannot continue to find safe haven in Pakistani territory. It should actively support the Afghan-led process. Ultimately, Pakistan and the other regional neighbors will benefit from improved stability in Afghanistan.

SPECIAL OPERATIONS IN AFGHANISTAN

Question. Special Operations Forces depend on general purpose forces for many enabling capabilities, including intelligence, surveillance, and reconnaissance (ISR); logistics; and medical evacuation. Admiral McRaven, Commander of U.S. Special Operations Command, has said "I have no doubt that special operations will be the last to leave Afghanistan" and has predicted that the requirement for special operations forces may increase as general purpose forces continue to be drawn down.

If confirmed, how would you ensure adequate enabling capabilities for Special Operations Forces (SOF) as general purpose forces continue to draw down in Afghanistan?

Answer. If confirmed, I will work with SOCOM to assess SOF enabling requirements and source them with existing CENTCOM assets or through the request for forces process.

Question. The find-fix-finish operational model is greatly enhanced by opportunities to capture and interrogate enemy personnel, but that capability may be eroded as the U.S. military and intelligence footprint is reduced. An inability to mount capture operations could lead to a greater emphasis on lethal actions, potentially affecting public opinion.

What long-term risks are imposed on counterterrorism operations in Afghanistan as a result of fundamental changes in the operational environment for SOF?

Answer. As coalition and U.S. SOF are reduced in size and scope with the drawdown, the ANSF will play an ever-increasing greater role in counterterrorism. U.S. and coalition operational risk is reduced as these forces step back and settle into a train, advise and assist capacity. Long-term strategic risk lies with the capability and capacity of ANSF SOF to efficiently and effectively execute counterterrorism. However, this risk is also reduced through adequate ANSF SOF training and with the provision of adequate operational enablers to ANSF SOF.

Question. Last April, the United States and Afghanistan signed a Memorandum of Understanding (MOU) on the "Afghanization" of direct action counterterrorism missions in Afghanistan, which reflected the shared intention of having Afghan security forces in the lead in the conduct of such operations with U.S. Forces in a support role.

Why is it important for Afghan Special Operations Forces to be in the lead on night raids?

Answer. As a sovereign nation, Afghanistan certainly should be in the lead in these types of operations. Historically, indigenous forces defeat insurgencies. Successful transition will be characterized by our Afghan partners taking increasing responsibility for the planning and command of these night operations.

Question. General Allen and others have praised the Village Stability Operations (VSO) and Afghan Local Police (ALP) programs—both U.S. Special Operations missions—as critical elements of the counterinsurgency strategy in Afghanistan. However, President Karzai recently stated his position that U.S. Forces should withdraw from Afghan villages.

What are your views on the value of these programs and do you believe they should be part of the long-term strategy in Afghanistan (i.e. post-2014)?

Answer. Denying adversaries control over populations is essential to prevailing in a contest to establish governance. The VSO and ALP programs have proven effective by enabling local security and re-establishment or re-empowerment of traditional local governance mechanisms. "Bottom-up," population-focused stability efforts to improve security and development undermine hostile influence and control in con-

tested, strategically important areas. These programs will prove valuable and effective as part of the long-term strategy in Afghanistan.

Question. What is your understanding of President Karzai's position with regard to the VSO and ALP programs?

Answer. President Karzai desires an Afghanistan that is protected and secured by Afghans. His support for the VSO and ALP programs hinges on them being Afghan-led, and the traditional "arbaki" (local militia) aspect of the programs. Support for these programs at the local level has heavily influenced his support for them at the national level.

Question. Recently, the Special Operations Joint Task Force-Afghanistan (SOJTF–A), was established to improve coordination among U.S., coalition, and Afghan special forces. This new command structure unified, for the first time, command of all capacity building, counterinsurgency, and counterterrorism activities conducted by special operations forces in the country.

Do you believe unified command of all special operations activities is important and if so, why?

Answer. Yes. Synchronization and unity of effort among special operations activities is absolutely critical and what a unified command provides. The recent establishment of NATO Special Operations Component Command-Afghanistan, and the Special Operations Joint Task Force-Afghanistan (NSOCC–A/SOJTF–A) into a combined organizational structure provides a robust, properly sized and structured headquarters that avoids duplication and ensures the best use of available funding, manpower and infrastructure.

Question. Do you believe general purpose forces could be assigned to the new Special Operations Joint Task Force, as has been done previously, to augment special operations forces carrying out the Village Stability Operations and Afghan Local Police programs?

Answer. General purpose and Special Operations Forces are task organized to produce superior results. It is my experience that when different forces work together they achieve outcomes that exceed their capabilities when operating alone.

AFGHAN PUBLIC PROTECTION FORCE

Question. What is your opinion of the progress and future prospects for the Afghan Public Protection Force (APPF) and its ability to transition all ISAF fixed-site and convoy security missions by March 2013?

Answer. National Training Mission-Afghanistan (NTM–A) assesses that APPF cannot achieve complete transition before September 2014 even though Presidential Decree (PD) 62 requires that all ISAF sites and convoys currently secured by Private Security Companies (PSC) be transitioned to APPF by 20 March 2013. According to PD62, if policy does not change it will be illegal to contract services of PSCs after 20 March 2013. ISAF does not currently have the process or manpower in place to undertake this task and the APPF lacks the capacity to replace all PSC-provided functions at ISAF locations. ISAF is finalizing a contingency plan relating to APPF.

NO CONTRACTING WITH THE ENEMY

Question. A year ago, at the request of the Department of Defense (DOD), we enacted the "No Contracting with the Enemy Act," which gives CENTCOM important new tools to ensure that DOD funds do not go to support individuals and entities that actively support the insurgency or actively oppose U.S. or coalition forces in Afghanistan. Earlier this month, DOD officials informed us that little action has been taken pursuant to these new authorities.

What is your understanding of the reasons for CENTCOM's failure, to date, to make aggressive use of the No Contracting with the Enemy Act?

Answer. Based on my experience in Iraq, I understand the importance of preventing funds from getting into the hands of the enemy. If confirmed, I will certainly work to ensure that CENTCOM is in compliance with the "No Contracting with the Enemy Act" provisions.

Question. What steps, if any, will you take if confirmed to ensure that CENTCOM takes full advantage of the authority provided by Congress to ensure that DOD funds do not go to support individuals and entities that oppose our interests in Afghanistan?

Answer. If confirmed, I will rely on my commanders in Afghanistan and intelligence sources to identify companies or persons that may be subject to the "No Contracting with the Enemy Act". When presented with evidence of support to the enemy or opposition to the United States or coalition, I will issue findings against

those companies or persons in accordance with the authorities granted to me by Congress.

AFGHANISTAN AIR FORCE

Question. How do you believe the delays and disruptions in programs to buy airlift and light tactical aircraft for Afghanistan's air force have affected Afghanistan's ability to accept responsibility for its own security?

Answer. To date, there have been no known short-term impacts. However, as the transition continues, the ANSF will experience more equipment and personnel challenges without planned aircraft enablers. ANSF will be required to rely more on indirect fires and mobile land forces with reduced close air support.

U.S. STRATEGIC RELATIONSHIP WITH PAKISTAN

Question. What is your assessment of the strategic relationship between the United States and Pakistan? What would you consider to be areas of shared strategic interest between the two countries?

Answer. The strategic relationship between the United States and Pakistan remains strained, but is improving. Pakistan's willingness to cooperate on key U.S. goals has been limited primarily to issues such as counterterrorism and Afghanistan. As such, we have reduced the scope of our security assistance to focus on those areas where our strategic interests overlap, namely counterterrorism and counterinsurgency capabilities.

Question. What do you consider to be the major challenges in the U.S.-Pakistan strategic relationship?

Answer. Challenges do exist in the U.S.-Pakistan relationship. Among them, Pakistan's at-times divergent interests in Afghanistan, its existential fear of India and its nuclear arsenal remain roadblocks to establishing a long-term, strategic partnership. That said, Pakistan is, and will remain important to achieving U.S. goals in the region, especially as we transition in Afghanistan. The reality is that most challenges can be managed by exercising strategic patience and taking the long view on the relationship.

Question. If confirmed, what changes, if any, would you recommend for U.S. relations with Pakistan, particularly in terms of military-to-military relations?

Answer. The overall military-to-military relationship continues to improve and I believe we should seek to continue this trend. The continued importance of the Pakistan military lends credence to the continued provision of security assistance as an important engagement tool for maintaining access and influence. We must continue our "whole-of-government" approach towards Pakistan to ensure all avenues of engagement remain open.

U.S. SECURITY ASSISTANCE TO PAKISTAN

Question. Since 2001, the United States has provided significant security assistance to Pakistan. In addition, the United States has provided significant funds to reimburse Pakistan for the costs associated with military operations conducted by Pakistan along the Afghanistan-Pakistan border and other support provided in connection with Operation Enduring Freedom.

In your view, how effective has the assistance and other support that the United States has provided to Pakistan been in promoting U.S. interests?

Answer. Overall, U.S. support to Pakistan has been moderately effective in promoting U.S. interests. At best, our assistance has enabled the Pakistani military to increase its effectiveness against violent extremists. It has also enabled us to sustain military-to-military relations. However, the high level of financial support has not fully translated to the desired effects the United States anticipated.

Question. Do you support conditioning U.S. assistance and other support to Pakistan on Pakistan's continued cooperation in areas of mutual security interest?

Answer. Putting specific conditions on U.S. assistance helps to ensure that our support to Pakistan furthers U.S. interests. Without such caveats, Pakistan may be tempted to apply our support towards efforts they deem to be in their national interest, which may or may not overlap with ours.

COMBATING TERRORISM

Question. What is your assessment of the threat posed by al Qaeda (AQ) and its associated forces to the U.S. Homeland, U.S. interests overseas, and Western interests more broadly?

Answer. Despite the immense pressure placed on al Qaeda leadership in Pakistan, Afghanistan, Iraq and the Arabian Peninsula, the global al Qaeda movement re-

mains resilient. Regional instability in CENTCOM's AOR and evolving security conditions resulting from the Arab Spring are creating opportunities and potential safe havens for the AQ movement. AQ, its affiliates and allies are exploiting weak governments in places like Yemen to gain new footholds, plan attacks against U.S. Forces, our interests, those of our Western partners and potentially the U.S. Homeland. AQ's affiliates and allies pose an enduring and persistent threat to the U.S. Homeland and Middle East stability and security.

Question. Within the CENTCOM AOR, what do you consider the highest counterterrorism priorities?

Answer. I believe the counterterrorism priorities are Pakistan, Afghanistan, Yemen, Iraq, and, in the near-term, Syria. Despite our efforts, the AQ movement remains resilient due to the rapidly changing and emerging geopolitical environment in the Middle East and North Africa. AQ senior leadership in Pakistan will likely retain their safe haven and continue to provide leadership and moral authority to AQ affiliates as U.S. and coalition forces withdraw. AQ in the Arabian Peninsula is emerging as the most dangerous of the AQ affiliates and persists as the Yemeni Government tries to dislodge the group from its southern Yemen safe haven. AQ in Iraq is reconstituting, increasing attacks meant to destabilize the Iraqi Government and incite sectarian conflict. Finally, AQ in Iraq's Syria-based offshoot, the Al-Nusrah Front, is increasing in capability and influence.

Question. What is your understanding of the Department's role in the U.S. strategy to combat terrorism in the CENTCOM AOR?

Answer. The Department's role in the U.S. strategy to combat terrorism in the CENTCOM AOR is to disrupt, dismantle, and defeat al Qaeda and any Violent Extremist Organization (VEO) that poses a direct threat to U.S. assets, allies, and interests abroad. The Department must be part of a "whole-of-government" approach to combating long-term terrorism threats. Combined with diplomatic and economic mechanisms against state-enablers of terrorism, DOD can provide intelligence collection, training, support, and targeting to support counterterrorism efforts.

Question. Given your current knowledge of CENTCOM programs, do you believe the Command's resources are aligned in a manner consistent with these counterterrorism priorities?

Answer. Yes. CENTCOM resources are utilized to employ a whole-of-government approach to reach many of its desired end states mentioned above. Partnerships with U.S. Government entities such as the State Department, the Federal Bureau of Investigation, the Drug Enforcement Agency, the U.S. Agency for International Development, and the like are paramount in the efficient utilization of resources.

IRAQ LESSONS LEARNED

Question. Did you agree with the President's decision on the withdrawal of U.S. military forces from Iraq? If so, why? If not, why not?

Answer. Yes. Given the unwillingness of the Iraqi Government to grant protections and immunities to our servicemembers, thereby putting them at risk from prosecution in Iraqi courts, the United States had very few options. Our mission in Iraq today, which operates as part of the diplomatic mission, has been very successful at sustaining the crucial military-to-military relationship with the Iraqi Armed Forces.

Question. What do you believe are the major lessons learned from the Iraq invasion and the follow-on efforts to stabilize the country through 2011?

Answer. I believe the most significant lesson learned was that the U.S. military is as capable and resilient—people, equipment, systems, and leadership—as at any time in our history, and it reaches its full potential when integrated and synchronized across a joint framework that has unity of purpose and effect. The second lesson I took away from our Nation's commitment in Iraq was the need for a thorough, interagency, multi-national approach to planning and execution that delivers flexible military plans and operations that can be adjusted to account for the ever-changing conditions of warfare. The third lesson I took away from Iraq in December 2011 was that the military instrument of power has limitations and is best used as part of a whole-of-government(s) approach to the complex challenges we see today across the globe. Finally, I re-learned the value of close, personal relationships between coalition, host nation, interagency and other partners as teams of teams work to make progress in support of national goals.

Question. What is your understanding and assessment, if any, of the Department's adaptations or changes in policy, programs, force structure, or operational concepts based upon these lessons learned?

Answer. It is my understanding that the Department has applied several lessons learned, specifically to the approaching transition in Afghanistan. In my current po-

sition, I can see our approach to challenges is informed by experiences in Iraq. I am not in a position to assess the changes at the Department level, but there is a clear intent to use not only experiences in Iraq, but also experiences in combating terror and military engagements/operations over the past decade to inform policy, program, force structure, and operational concept decisions in the current and future environment.

Question. If confirmed, what additional changes, if any, would you propose making to policy, programs, force structure or operating concepts based on the lessons of combat and stability operations in Iraq?

Answer. Our relationship with the Iraqi security forces is incredibly important and robust. If confirmed, I will continue our efforts to improve the capability of Iraqi security forces while transitioning to a normal security relationship. Our goal has been and will continue to be a self-sufficient Iraqi military that provides for the defense of Iraq. Maintaining an appropriate sized Office of Security Cooperation in Iraq (OSC–I) with the required authorities is critical to this effort. Iraq's nascent government teeters between democracy and oligarchy. Although this problem cannot be solved solely through military means, OSC–I's success in maintaining strong military-to-military relations will afford other U.S. Government agencies the time and space needed to achieve U.S. objectives.

SECURITY SITUATION IN IRAQ

Question. What is your assessment of the current security situation in Iraq?

Answer. The tenuous security situation in Iraq reflects an immature government and security institutions, ethno-sectarian divisions and daunting external challenges. Following an unsuccessful effort by opposition political parties to unseat Prime Minister Maliki through a no confidence vote, Sunni opposition to perceived central government sectarianism and authoritarianism has intensified; and Kurdistan Regional Government and Government of Iraq security forces remain in a tense stand-off in the disputed areas around Kirkuk. Additionally, although well below 2006 levels, Iraq has been unable to break the cycle of extremist violence that has plagued the country since the withdrawal of U.S. Forces. Specifically, al Qaeda in Iraq has proven its resilience by maintaining a consistent tempo of high profile attacks against primarily government targets over the past year.

Question. What are the main challenges to stability and security in Iraq over the coming months?

Answer. The main challenges to stability include heightened Arab-Kurd tensions, unresolved sectarian tensions, extremist violence intended to undermine the government, and the potential for spillover from the Syrian conflict. The threat of an Arab-Kurd conflict has increased steadily in the past year as virtually every aspect of the Arab-Kurd relationship has worsened. Lagging political progress resulting from a lack of political reconciliation has resulted in increasing Sunni political opposition to the Shia-dominated government and made a return to sectarian violence possible. Al Qaeda in Iraq has continued its cycle of violence and appears to be well postured to sustain current levels of violence into the future. The Syrian conflict has the potential to exacerbate many of the existing tensions already present in Iraq: galvanize the Sunni opposition, strengthen AQI, flood the country with refugees, and make weapons available to extremists, all stressing the nascent Iraqi Government.

U.S.-IRAQ STRATEGIC RELATIONSHIP

Question. The withdrawal of U.S. Forces from Iraq at the end of 2011 has been described as the beginning of a new chapter in the strategic relationship between the United States and Iraq. The U.S.-Iraq Strategic Framework Agreement sets out a foundation for a normalized U.S.-Iraqi relationship in areas of mutual economic, diplomatic, cultural and security interests. Secretary of Defense Panetta and the Iraqi Minister of Defense recently signed a MOU for Defense Cooperation between the Ministry of Defense of the Republic of Iraq and the Department of Defense of the United States.

How do you see the U.S.-Iraq strategic relationship developing in the coming years and in what areas do you see potential for developing that relationship?

Answer. The domestic and regional political challenges facing Iraqi leaders are not likely to subside and could complicate our overarching strategic relationship. However, we have been quite successful over the past year in sustaining our military-to-military relationship with the Iraqi Security Forces. I believe this could serve as a launching point to further expand our economic, cultural and diplomatic relationships under the Strategic Framework Agreement.

Question. What do you see as the greatest challenges for the United States-Iraqi security relationship over the coming years?

Answer. Domestic challenges, including ethnic and sectarian tensions and a lack of inclusiveness in the political system, if not effectively addressed, will complicate our security relationship. Meanwhile, we may have differing views from our Iraqi partners on regional conflicts, such as that in Syria, which may limit Iraq's willingness to partner with us.

Question. What is your understanding and assessment of the recently concluded MOU? In your view, how does this agreement on defense cooperation promote U.S. security interests with respect to Iraq and the region?

Answer. In my current position I am unable to provide an informed assessment of the recently concluded MOU. I understand the MOU is an official commitment between the U.S. Government and the Government of Iraq for a long-term security relationship. If confirmed, I will work with leaders in both nations to sustain, establish, and develop programs that pursue our shared goals. In the strategic realm, this agreement draws Iraq one-step closer to our Nation.

OFFICE OF SECURITY COOPERATION IN IRAQ

Question. In fiscal year 2012 and fiscal year 2013, Congress authorized the Secretary of Defense to support the transition in Iraq by providing funds for the activities and operations of the OSC–I. In the report to accompany the National Defense Authorization Act for Fiscal Year 2013, the conferees expressed their expectation that the administration will accelerate the transition of the OSC–I to a normalized status comparable to Offices of Security Cooperation in other countries in the region, and that funding for OSC–I activities and operations will be transitioned out of DOD to other sources, as is the case for offices of security cooperation in other countries.

Do you support the transition of the OSC–I to a normalized office of security cooperation comparable to those in other countries in the region?

Answer. Yes. I fully support DOS's transition for Iraq as it was intended at the outset of planning. The normalization and transition activities of OSC–I are a reflection of the development of our security relationship with the Government of Iraq and represent a significant milestone towards an enduring strategic partnership.

Question. If confirmed, will you ensure that the transition of the OSC–I to a normalized status, including funding from sources other than the DOD, is completed in a deliberate manner?

Answer. Yes. If confirmed, I will ensure that the OSC–I transition is planned and executed in a deliberate manner that meets all policy and legal requirements.

Question. Based on your experience during the drawdown of U.S. Forces in Iraq, do you agree that setting a target date is critical for ensuring that the transition of the OSC–I to a normalized status occurs in a deliberate manner?

Answer. The conditions and requirements for the drawdown in Iraq were bounded by a timeline, which is a different situation than transition of a security cooperation mission, but I would say that planning for strategic transitions should balance conditions, risks, and timelines that are in line with U.S. policy. As time passes, leaders will assess changing conditions and risk to mission to ensure that timelines are met or extended in a manner that best achieves the goals of the transition. In the end, the U.S. and Iraqi goal should be a security cooperation organization of the right size and with the right amount of resources to effectively pursue a positive, long-term strategic relationship. If confirmed, I will work to ensure that conditions and risks are clearly stated and options are presented that reflect the results of deliberate planning.

Question. If confirmed, what timeframe would you recommend as an appropriate target for transitioning OSC–I to a normalized status?

Answer. In my current position I am unable to provide an informed recommendation for a target date, but I have every confidence in the leadership team in Iraq and the planning for the current approach to the transition. If confirmed, I would consult with the interagency team to ensure that the military components of the transition were properly aligned and prepared for transition. I would also provide best military advice on the execution of the transition, presenting options that ensured our goals were met and our relationship with Iraq strengthened. If conditions change, I would also make case-by-case recommendations on programs that could be considered for acceleration or delay.

SYRIA

Question. The civil war in Syria continues and President Assad's commitment to continuing his regime's ongoing operations appear unwavering despite broad international condemnation. To date, the United States has limited its support to opposi-

tion forces to non-lethal assistance to forces on the ground, as well as technical assistance to elements of the opposition working to build a cohesive political entity.

In your view, what is the proper role on the U.S. military in this conflict?

Answer. This is a complex problem requiring a regional solution. Certainly at this time, based on the complexity and volatility of the conflict, a regionally-led diplomatic and political strategy, with the United States in support, has the best chance of succeeding and enduring. However, we do need to remain vigilant and conduct appropriate planning to contain two emerging threats, the loss of control by the Syrian regime of its CW stocks and Advanced Conventional Weapons and the growing influence of violent extremists like the Al-Nusrah Front. Both of these emerging threats have the potential to spillover from Syria into neighboring countries, all of whom are U.S. allies and partners.

Question. In your view, should the United States provide other kinds of support to opposition groups on the ground in Syria, including the provision of lethal support?

Answer. Based on the divergent interests and fractured nature of the armed opposition groups in Syria, there would be great risk to providing them with lethal aid at this time. The influential role of violent extremists like the Al-Nusrah Front within the opposition and the close proximity of Iranian surrogates and Lebanese Hizbollah to the conflict increase the chance of lethal aid finding its way into the hands of malign actors opposed to U.S. interests. The United States is best served by looking for opportunities to provide humanitarian aid and non-lethal assistance to acceptable elements of the opposition while working with regional partners to develop a diplomatic and political solution to the conflict.

Question. In your view, what should be NATO's role with respect to Syria (i.e. should NATO consider a military intervention, the creation of a no-fly zone, or other military operations to protect civilians and support opposition forces)?

Answer. Any viable and enduring solution to the Syria crisis must rely heavily on leadership and participation from our regional partners. Having said that, NATO is currently providing Turkey with ballistic missile defense to hedge against potential Syrian military aggression. Any further role will be determined through consultation with Turkey and our other NATO allies.

Question. In your view, would the removal of the Assad regime be a strategic defeat of Iran in the region?

Answer. The loss of Assad will be a significant blow to Iran's prestige and regional influence and will at least temporarily degrade its operational reach into the Levant by calling into question its longtime logistics hub in Syria. However, consistent with its hedging strategy, Iran will seek to develop other avenues for supporting its proxies and surrogates throughout the region and possibly even focus more attention on countries with large Shia populations like Iraq and Lebanon.

Question. In your view, what role, if any, has the Government of Iraq played with regard to supporting the Assad regime or the armed Syrian opposition?

Answer. The Government of Iraq is attempting to remain neutral regarding the Syrian crisis and prefers a diplomatic solution to end the conflict. Understandably, Iraq is worried about spillover and is seeking to bolster the security of its border. Although the Iraqi Government is not directly aiding the Assad regime, it may have tacitly supported Assad through Iranian over-flights to Syria. Iranian aircraft, overflying Iraqi territory, have transported humanitarian aid to the Assad regime and it is likely these shipments have included lethal aid. Iraqi authorities have conducted some cargo inspections, but have not fully addressed U.S. demands to ensure over-flights do not carry lethal aid.

IRAN

Question. Iran continues to expand its nuclear program and has failed to provide full and open access to all aspects of its current and historic nuclear program to the International Atomic Energy Agency.

What is your assessment of the military and political threat posed by Iran?

Answer. Iranian military capabilities are significant as compared to its neighbors, and thus enable Iran to pursue a policy focused on reducing U.S. regional influence and asserting Iranian dominance in the region. The expansion of Iran's military and nuclear program over the last decade provides, in part, Tehran the confidence to threaten and coerce neighbors; disrupts international trade and commerce; and targets U.S. and partner interests in the region. Iran also maintains a significant asymmetric capability via its threat network, led primarily by the Islamic Revolutionary Guards Corps Quds Force (IRGC–QF) and its regional surrogates, and to a lesser degree the Ministry of Intelligence and Security. Iran uses this threat network to covertly execute its strategic objectives in the region, advance its desta-

bilizing agenda to include the provision of financial and lethal aid, and could use this network to attack United States' interests and our allies.

Question. What is your assessment of U.S. policy with respect to Iran?

Answer. U.S. policy, aimed at preventing Iran from acquiring a nuclear weapon, is appropriate and critical to avoiding a regional arms race and preserving stability in the Middle East. The U.S. Government's dual track strategy of engagement combined with pressure in the form of sanctions and diplomatic and political isolation is the right approach, and most likely to provide an enduring solution to the challenge posed by Iran's nuclear pursuits. The current strategy has rallied international support and significantly degraded Iran's economy, and as we sharpen the choice for the regime in Tehran, our parallel efforts of building our regional partners' military capabilities and maintaining credible deterrence remain critical elements of our broader multi-vector approach.

Question. What more do you believe the United States and the international community can and should do to dissuade Iran from pursuing nuclear weapons?

Answer. I believe we should continue to employ the dual track strategy of engagement and pressure to achieve our goals. Whenever possible we should continue to strengthen the international sanctions regime so as to increase the pressure on the Iranian Government, while continuing to work with our international partners to underscore to Iran the costs it will bear for its nuclear non-compliance, as well as the deepening isolation it will face on the regional and global stage. Meanwhile, as we draw down forces in Afghanistan and as the overall size of the U.S. military presence within the Middle East decreases, it will become increasingly important that the United States maintain appropriate military capability in the region in order to be able to respond to a range of contingencies. This capability will also reassure our partners as we continue to build partner capacity in response to increasing Iranian malign activity. U.S. Government actions vis-a-vis Iran are closely knit together so as to achieve a "whole-of-government" approach to this problem set. By combining our efforts with the activities of our partners and friends worldwide, we have the best chance of achieving the objectives we seek in dissuading Iran from the pursuit of a nuclear weapons capability.

Question. In your view, what are the risks associated with reducing U.S. presence in the Middle East with respect to the threat posed by Iran?

Answer. There are significant risks associated with a reduced U.S. regional presence. U.S. Forces demonstrate our resolve and our commitment to regional security and the free flow of commerce, as well as a reflection of our continued efforts to build the capacity of regional partners. U.S. Forces provide a deterrent to Iranian overreach and their drive for regional hegemony, and ensure we are prepared to respond to a range of regional contingencies. However, the United States should not carry this burden alone. An appropriately sized force contributes to increased burden sharing by training with regional partners to enhance their capacity to better defend themselves. Nonetheless, we must balance CENTCOM's regional risk assessment with DOD and Service requirements to manage the overall readiness of the Force and the costs of associated deployments. This places a premium on building partner capacity and working by, with and through our regional partners to achieve a better balance of shared defense requirements. If confirmed, I will assess CENTCOM's force posture, and my staff and I will work closely with the Joint Staff to determine the correct U.S. presence in the Middle East.

Question. In your view, what has been the effect of sanctions against Iran—how effective have they been and should additional unilateral or multilateral sanctions be levied against Iran?

Answer. Iran's economy has been severely impacted by the unprecedented international sanctions that have been imposed, especially the sanctions against the Central Bank of Iran (CBI) and the EU oil embargo. These sanctions have reduced the availability of hard currency and resulted in a sharply depreciated currency and high inflation rates. I expect these conditions to be exacerbated by additional sanctions that went into effect on 6 February that prevent foreign banks from repatriating Iran's oil revenues, effectively locking them up overseas. These restrictions will likely cause further deterioration of Iran's economy, such as expanding trade deficits, reduction in the availability of hard currency, a further depreciated Rial and higher inflation.

Question. In your view, what role should CENTCOM play in countering Iran's support of international terrorism throughout its AOR?

Answer. CENTCOM, in very close coordination with SOCOM, plays a pivotal role in deterring Iran's support to terrorist organizations and countering Iran's malign influence. The Iranian Threat Network (ITN) is a worldwide network whose elements execute direct action, intelligence operations, influence building and terrorism against United States' interests, as well as partner nations. From the time of its

creation, in response to the 1979 Iran crisis, CENTCOM has been crucial in defending U.S. interests within the Middle East. We will continue to work with our regional partners to build capacity to counter international terrorism in and outside the AOR. CENTCOM will continue to be the U.S. military's lead for defending U.S. interests in the region, maintaining the free flow of international commerce and protecting regional partners.

EGYPT

Question. What is your assessment of the security situation in Egypt?

Answer. In the near-term, large-scale civil unrest related to the ongoing political and economic crises presents an immediate threat to stability and security in the country. Internal security forces have struggled to control the types of large-scale demonstrations seen in Egypt in the past 2 years. Additionally, Egypt's security situation is impacted by the growth of violent extremist organizations in the Sinai Peninsula and increased arms smuggling from Libya and Sudan. The situation on the ground is further exacerbated by the government's inability to stabilize the political system. The poor security climate is hindering Egypt's economic recovery because it discourages foreign investment and the return of Egypt's large tourist economy.

Question. What is your assessment of the U.S.-Egypt security relationship?

Answer. The Egyptian Armed Forces (EAF) has proven to be a reliable partner for us as we navigate Egypt's internal transition and seek to promote regional stability and security. We have relied on it during times of crises and it has been responsive and professional in its actions. EAF has announced its intentions and followed through in consistent fashion. Egypt indirectly supports U.S. regional objectives by allowing unfettered overflight permissions and Suez Canal transit courtesies not typically afforded to other nations. Additionally, Egypt's strategic importance and regional leadership role make it one of the most important partners in CENTCOM's theater of operations. Close defensive ties allow for open dialogue to discuss hard issues and identify areas for enhanced cooperation.

Question. What is your assessment of the role Egypt plays with respect to regional stability? In your view, should the U.S. Government continue to provide defense articles and services, including but not limited to the F–16s, purchased by the Egyptian military using U.S. Foreign Military Financing funds?

Answer. By providing equipment and training the United States has helped Egypt to maintain a strong and disciplined professional defense force which is critical to ensuring Egypt's continued role as a regional leader, able to act as a moderating influence and contribute actively to the resolution of regional conflicts. For the past 30 years, the F–16 aircraft has been a key component of the relationship between the U.S. military and the Egyptian Armed Forces (EAF). Maintaining this relationship and assisting with the professionalization and development of the EAF's capabilities to secure its borders is an essential element of our efforts to stabilize Egypt and the region.

Question. Egypt has been criticized for its perceived failure to act along the Egypt-Gaza border to counter the smuggling threat posed by cross-border tunnels. Egypt has also played an important role, however, in ensuring peace on the southern border of Israel.

What is your assessment of Egypt's efforts to counter the flow of rocket and other advanced munitions into Gaza?

Answer. While Egyptian security forces have interdicted weapons shipments crossing Egyptian territory, their capabilities are limited and their success sporadic. Weapons coming into Egypt primarily from Sudan and Libya continue to transit the Sinai into Gaza. Extremists and militants are leveraging the lack of security in the Sinai and Egypt's inconsistent initiatives to their advantage.

AL QAEDA IN THE ARABIAN PENINSULA

Question. A number of senior U.S. officials have indicated the most significant threat to the U.S. Homeland currently emanates from Yemen.

What is your assessment of the threat posed by al Qaeda in the Arabian Peninsula (AQAP) to the United States?

Answer. Despite suffering severe territorial, personnel, and resource losses over the last year, attacking the U.S. Homeland remains a pillar of AQAP's overall strategy. As such, a small cadre of operatives continues to work tirelessly to develop plots against the West. While those operations appear to be stalled in the conceptual stages, the group's history and continued access to innovative bombmakers and western operatives suggests AQAP is capable of advancing an operation with little to no warning, particularly if counterterrorism pressure subsides.

Question. What is your assessment of the current U.S. strategy to counter al Qaeda in the Arabian Peninsula?

Answer. The CENTCOM strategy to counter threats in Yemen is outlined in a detailed plan of actions, activities and operations. I am not currently in a position to assess this strategy. However, I do believe that our overall approach to countering AQAP must involve our interagency and regional partners. Only by effectively employing our network can we defeat the AQAP network. If confirmed, I will study this challenge further and look to pursue a whole-of-government approach.

Question. What is the appropriate role of the U.S. military in countering the threat of al Qaeda in the Arabian Peninsula, and how should this role be coordinated with other agencies and departments in prosecuting an interagency strategy?

Answer. CENTCOM, in coordination with U.S. Government agencies and the Host Nation, supports and conducts enabling and security operations to promote a secure and stable Yemen in order to neutralize threats against U.S. interests. CENTCOM supports a whole-of-government approach to improving the overall stability of Yemen. The goal is to set the conditions for Yemen to become a secure, stable and responsibly governed nation capable of providing for its own security and the needs of its population. CENTCOM Yemen Country Plan balances actions to disrupt and deny AQAP, security assistance activities, and support for other U.S. Government agencies' efforts to improve government capacity and economic development.

REGIONAL BALLISTIC MISSILE THREATS AND RESPONSE

Question. Iran has hundreds of short- and medium-range ballistic missiles today that are capable of reaching forward-deployed U.S. Forces, allies, and other friendly nations in the CENTCOM AOR. Syria also has an inventory of ballistic missiles that pose a threat to the region. The Ballistic Missile Defense Review Report of February 2010 stated that the United States intends to pursue a Phased Adaptive Approach to ballistic missile defense against such missile threats in various regions, including the Middle East.

Do you believe that such a phased adaptive approach will provide CENTCOM with the missile defense capabilities needed to defend our forward deployed forces and our allies and partners in the region?

Answer. Yes, I believe a phased adaptive approach will provide CENTCOM the missile defense capabilities needed. As a framework, this approach phased over time and adaptive in terms of tailoring capabilities to specific threats, allows for effective mission command through continuous analysis and innovative methodologies. Additionally, continuing to assist our partners as they receive new Ballistic Missile Defense systems and upgrade older systems will remain a high priority. It is imperative we work together to increase our ability to defend ourselves and counter the threat.

Question. What role do you see for the Aegis Ballistic Missile Defense system with Standard Missile-3 interceptors in U.S. missile defense capabilities in the CENTCOM AOR?

Answer. The role of the Aegis Ballistic Missile Defense (BMD) system with SM–3 missile in the AOR is to provide layered, upper and lower tier protection, weighted coverage, and defense in depth of key force projection assets supporting CENTCOM CONPLANS against SRBM/MRBMs. These elements provide the ability to engage ballistic missiles at multiple levels (upper and lower tier) and ranges. The Aegis BMD system with SM–3, in coordination with Patriot, provides our only capability to execute layered defense in the CENTCOM AOR.

Question. In addition to U.S. missile defense capabilities in the CENTCOM AOR, what role do you see for other nations in the AOR to contribute to regional missile defense capabilities, such as UAE interest in purchasing the Terminal High Altitude Area Defense (THAAD) system?

Answer. CENTCOM, in close coordination with the Department of State and the Office of the Secretary of Defense, is working hard to get countries in the Gulf to realize the importance of cooperative defense, particularly in the area of air and missile defense. To date, partners such as UAE, Qatar, and Saudi Arabia have either purchased or are in the process of purchasing THAAD systems. The message to them and others is simple, no one can stand alone on this issue; cooperation and synchronization are critical to the successful defense of the region.

CENTRAL ASIAN STATES

Question. The Central Asian states along the NDN have played important roles during the past few years in supporting U.S. and coalition forces in Afghanistan. These countries could also play a key role for the retrograde of U.S. and coalition equipment out of Afghanistan over the coming months and years.

What is your assessment of current U.S. military relationships with the Central Asian states, including Uzbekistan, Tajikistan, and Kyrgyzstan?

Answer. The Central Asian States remain key supporting partners for our Afghanistan Strategic Partnership. As we transition in Afghanistan, securing access to the NDN for logistical resupply and retrograde operations is of particular importance as we seek to promote stability and assure our partners of our continued commitment to the region. The development of the NDN has been a critical area of investment to that end and cooperation with our Central Asian partners will gain additional importance post-2014.

Our relationship with Uzbekistan continues to improve in a deliberate, balanced way driven by regional security considerations, expansion of the NDN and mutual benefit.

Tajikistan's ability to build and maintain counterterrorism, border security, and counter narcotics capabilities is paramount in protecting our mutual interests from the threat of violent extremist organizations. We continue to use the Kyrgyzstan, Kazakhstan, and Tajikistan (KKT) route of the NDN as well as explore options to facilitate the transport of goods in the event of a crisis within this region.

The Kyrgyz Republic is a key partner for U.S. efforts in Afghanistan. The NDN network routes and the Transit Center at Manas remain key factors in successful operations in the region. However, the Kyrgyz Government has consistently stated there will be no foreign military at Manas after the current lease expires in July 2014.

Question. What role do you foresee the Central Asian states playing in the retrograde of U.S. equipment out of Afghanistan?

Answer. The Central Asian States remain key supporting partners for our Afghanistan Strategic Partnership. As we transition in Afghanistan, securing access to the NDN for logistical resupply and retrograde operations is of particular importance as we seek to promote stability and assure our partners of our continued commitment to the region. The supply lines through the Central Asian States provide the United States and NATO flexible and redundant retrograde options. CENTCOM will retrograde consistent volumes of equipment through the Central Asian States in order to maintain these routes as a hedge against geopolitical uncertainty that could impact other routes.

Question. What security challenges do you see in this portion of the CENTCOM AOR?

Answer. There are several violent extremist organizations (VEOs), to include al Qaeda and other Afghanistan- or Pakistan-based groups such as the Islamic Movement of Uzbekistan that have expressed interest or intent to operate from and within Central Asia. The VEOs benefit from narcotics, arms trafficking, and smuggling which are pervasive threats in the region. These activities threaten legitimate commerce and the flow of strategic resources. The proliferation of material for weapons of mass destruction, associated delivery systems and the spread of technical expertise from and through the Central Asian States is another concern. Across the region there is a considerable lack of sustainable development; in the absence of economic opportunity, poor and disenfranchised communities can serve as hotbeds for the spread of violent extremism.

INDIA

Question. How does the fact that India is in the U.S. Pacific Command area of responsibility (AOR) while Pakistan is in the CENTCOM AOR affect the United States' ability to treat the region's challenges holistically?

Answer. The Unified Command Plan (UCP) "seam" between Pakistan and India does not degrade our ability to address the larger region. The CENTCOM and PACOM AOR share many of the same challenges, threats and opportunities. CENTCOM and PACOM routinely coordinate with each other to ensure unity of effort when dealing with the region's challenges.

Question. In your view, how does our military cooperation and engagement with India affect our efforts in Pakistan and Afghanistan?

Answer. Pakistan, naturally, has concerns about any military cooperation between the U.S. and India. This affects both our relationship with Pakistan and, indirectly, our efforts in Afghanistan. However, we make clear to Pakistan that our military cooperation and engagement is not a threat to Pakistan and that this is not a zero-sum game. We have important relationships and strategic partnerships with both countries that are not at the expense of either one.

COUNTER PIRACY OPERATIONS OFF THE HORN OF AFRICA

Question. Over the past few years, U.S. Forces have participated in a multi-national mission to counter piracy off the coast of Somalia. More recently, evidence suggests that the mission has achieved some measure of success, although the assigned task force continues its counter-piracy efforts.

What is your assessment of the mission thus far?

Answer. Attacks continue but with limited pirate successes due to changes implemented by the commercial shipping industry and coalition naval presence which have placed a financial strain on Somali pirates. While we are currently experiencing success, piracy activity remains driven by the desire of pirates to gain multi-million-dollar ransoms with little risk.

Question. In your opinion, how long should we continue the current mission as constituted and at what point should we consider a change to the strategy?

Answer. While the mission has achieved a measure of success, it would be premature to shift our strategy as piracy will exist until it becomes cost prohibitive. The lower numbers in pirate success rates is also based on the introduction of newer, less experienced pirate groups which could change with time. The presence of counter-piracy Task Forces not only contributes to security, but facilitates global commerce and regional prosperity. Furthermore, Maritime Security Operations offers the best opportunity to work with partners to deny violent extremists free use of the sea which also contributes to overall regional security.

Question. What do you see as the most appropriate maritime strategy in this region of the world, given the threats of weapons trafficking, human trafficking, and piracy?

Answer. The most appropriate strategy is to continue our leadership role as expressed in the President's Maritime Security Policy and the NSS Counter Piracy Action Plan in conjunction with the international community. Specifically, the U.N., NATO, and the EU; and the maritime industry in general. The use of proven tactics and procedures within DOD and the Coalition, combined with the practice of industry best management procedures (such as vessel protection and disruption techniques) have reduced the unlawful maritime activity in the Horn of Africa. The combination of military operations and industry's response has resulted in suppression of these activities. However, in order to prevent the re-emergence of this activity, we must continue to work in partnership with the international community to suppress and strive towards the eradication of this threat to free international maritime security.

Question. Given that Somalia has established a new Federal Government, how should U.S. policy toward pirate groups based in Somali territory be modified?

Answer. CENTCOM's efforts, in conjunction with the international community, have produced positive results in increasing the maritime security in the Somali Basin. We must continue to work as part of a cohesive whole-of-government effort, both within the U.S. Government and with the appropriate international organizations (such as the U.N., NATO, and the EU) and in conjunction with the Somali Government, to continue our successes in reducing the maritime security threat expressed by the pirate groups, both ashore and at sea.

ISRAEL

Question. While Israel is not part of the CENTCOM AOR, it does play a role in the Command's AOR.

In your assessment, what are the most significant threats facing Israel in the CENTCOM AOR?

Answer. The greatest threat to Israeli security is the prospect of a nuclear-armed Iran. Despite sanctions and significant pressure from the international community, the Iranian regime continues to take steps that could support the development of a nuclear-weapons program. The potential of an Iranian nuclear weapon, coupled with Iran's advancement of Theater Ballistic Missiles (both accuracy and quantity), presents Israel with what they assess to be intolerable threats to their security. Hezbollah also represents a significant existential threat to Israel. Other significant threats to Israel's security include Iranian proxy elements and Palestinian rejectionists such as Hamas and Palestinian Islamic Jihad (PIJ). Finally, regional instability provides VEOs with opportunities to gain new footholds in areas near Israel. For instance, al Qaeda-aligned groups such as the al-Nusrah Front in Syria continue to gain strength in key Syrian cities and may target Israel when the Assad regime collapses. Similarly, violence and domestic concerns plague Egypt, which provides for under-governance in the Sinai, allowing greater freedom of action for AQ-inspired groups.

Question. If confirmed, what do you view to be your role with respect to the defense of Israel?

Answer. EUCOM is the lead military agency charged with defending Israel; however, CENTCOM has always worked very closely with EUCOM, SOCOM, and the Department of State to ensure there are no seams or gaps in our regional plans. As with our other allies in the Middle East, we must honor our commitments to Israel to support them during crisis. As the Middle East continues to deal with challenges in Egypt, Syria and Lebanon it will be critical for CENTCOM, EUCOM and SOCOM to closely coordinate our efforts to maintain a stable region and provide appropriate support to Israel.

ARAB SPRING

Question. The Arab Spring has changed—and will likely continue to change—the political dynamics in the Middle East and North Africa. These changes require the United States to adjust our military-to-military and defense civilian relations in this region. Some observers argue that the United States should reduce significantly our military-to-military contact in countries as a result of the ongoing changes and others advocate more robust and stepped-up contact with our partners in this region.

In your view, what should be the posture of the U.S. Government on military-to-military and defense civilian relations in the region, particularly with respect to Egypt and Bahrain?

Answer. Military-to-military engagements lay the foundation for and bolster our broader diplomatic and political relationships in the region, to include in Egypt and Bahrain. Much of this work is ongoing, but as resources decrease and American forward presence in the region declines, military-to-military engagements and working by, with, and through our partners will become even more important. This type of engagement is often the bedrock of our relationships and affords us the trust necessary to dialogue quietly about contentious issues.

BUILDING PARTNER CAPACITY AND SECURITY ASSISTANCE

Question. In the past few years, Congress has provided DOD a number of temporary authorities to provide security assistance to partner nations, including the global train and equip authority ("section 1206"), Global Security Contingency Fund (GSCF), and the niche authority for Yemen's Ministry of Interior Counterterrorism Unit.

What is your understanding of the purpose of the section 1206 global train and equip authority and Global Contingency Security Fund?

Answer. The purpose of section 1206 authority (Global Train and Equip) is to enhance the capacity of foreign nations to conduct counterterrorism operations with either their national military forces or maritime security forces. Additionally, the authority allows the Department to improve partner nations' capabilities to participate in or support military and stability operations in which the U.S. Armed Forces are a participant.

The GSCF is similar in some aspects to the section 1206 authority. Both seek to improve the capability of a foreign country's national military forces to conduct counterterrorism operations or help a partner nation participate in or support military operations consistent with U.S. foreign policy and national security interests. However, the GSCF is not as narrowly defined or restricted as section 1206. GSCF can be used for border security, internal defense, justice sector programs (including law enforcement and prisons), and stabilization efforts within a country where instability challenges the existing capability of civilian providers to deliver such assistance. Additionally, more organization, such as within a nation's Ministry of Interior, would be a potential recipient of GSCF funds; section 1206 restricts funding to a country's Ministry of Defense or Maritime Security forces.

Question. In your view, what should be our strategic objectives in building the capacities of partner nations in the CENTCOM AOR?

Answer. Our strategic objectives in building partner capacities in the AOR include partners that are capable of deterring, defending, and cooperating against attack; controlling their borders; mitigating ungoverned spaces; enhancing stability; and maintaining cooperative, interest-based relations with their neighbors; and Regional Partners in the AOR that remain accessible and cooperative with the United States.

Question. The funding pool available for security assistance and other military-to-military engagement activities devoted to the CENTCOM AOR tends to be allocated to specific countries.

What is your understanding of the role CENTCOM plays in developing U.S. security assistance priorities (e.g., section 1206, Foreign Military Financing, Inter-

national Military Education and Training Assistance, Combatant Commander Initiative Fund)?

Answer. CENTCOM collaborates with the DOS and each Security Cooperation Office (SCO) to develop security assistance programming priorities which are aligned with the Department's Security Cooperation Guidance and supports the Theater Campaign Plan as well as the individual Country Plans. These priorities and recommended funding levels are submitted to DOD for inclusion in the President's budget request each year.

U.S. CONTRIBUTIONS TO INTERNATIONAL PEACEKEEPING MISSIONS

Question. In testimony before the House Committee on Foreign Affairs on July 29, 2009, the U.S. Ambassador to the United Nations (U.N.) stated that the United States "is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women I should note—to U.N. peacekeeping operations." General Dempsey has said the United States "should consider opportunities for U.S. personnel to contribute to U.N. peacekeeping missions" and that "experience shows that even a small number of trained and experienced American servicemembers can have a significant, positive effect on U.N. operations."

In your view, should the United States increase the number of personnel it contributes in the form of staff positions and military observers to U.N. peacekeeping missions and other international peace operations?

Answer. Overall, I agree with General Dempsey's position; however, our first priority remains our significant troop commitments in Afghanistan.

Question. In your view, what are the advantages and disadvantages of contributing additional military personnel to U.N. operations in the form of staff positions and military observer positions?

Answer. U.N. peacekeeping operations are a cost-effective alternative to unilateral U.S. military action. Such missions support U.S. interests around the world, promoting stability and saving civilian lives. U.S. military personnel make significant contributions to these efforts, particularly in specialized areas such as logistics and intelligence. However, the competing requirements of additional participation in U.N. peacekeeping operations must be weighed against potential costs, to include the increase in the operational tempo of the force.

Question. In your view, would an increase in the number of U.S. military personnel assigned to U.N. peacekeeping missions in the CENTCOM AOR help you advance the theater campaign plan?

Answer. While this is not an issue that I am ready to fully assess, there are many important factors to balance in making such an assessment, including ongoing U.S. military commitments and engagements in the AOR and perceptions in the region that would result from an increase in U.S. peacekeepers. I would need to study the issue further to ensure that while addressing one issue we do not inadvertently create additional issues.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

Question. Criminal networks are not only expanding their operations, but they are also diversifying their activities, resulting in a convergence of transnational threats that has evolved to become more complex, volatile, and destabilizing. The Director of National Intelligence recently described transnational organized crime as "an abiding threat to U.S. economic and national security interests," and stated that "rising drug violence and corruption are undermining stability and the rule of law in some countries." In July 2011, the President released his Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security. One of the priority action areas designated in the strategy is "enhancing Department of Defense support to U.S. law enforcement."

What is your understanding of the President's strategy to combat transnational criminal organizations?

Answer. The President's plan for combating transnational criminal organizations is reflected in the National Security Strategy. As part of a whole-of-government approach the DOD can bring to bear unique authorities and capabilities to augment those of our law enforcement and intelligence communities. Of note is the policy's call for increasing intelligence and information sharing as well as building international capacity, cooperation and partnerships.

Question. What is your assessment of the threat to the United States posed by transnational organized crime? Would you consider it a national security threat?

Answer. The growing interconnectivity among transnational organized crime (TOC), terrorist groups, and insurgencies threatens U.S. national security interests.

TOC exploits porous borders caused by regional unrest, the speed of global trade, and the growing demand for drugs and weapons to cooperate with terrorist and insurgent groups. Similarly, terrorist and insurgent groups mobilize TOC networks to undermine governments/State institutions and engage in illicit activities (i.e., narcotics trafficking, money laundering, small arms/light weapons sales, and counterfeit goods) to bolster their resources, which improves operational capability and effectiveness.

MASS ATROCITIES PREVENTION

Question. President Obama identified the prevention of mass atrocities and genocide as a core U.S. national security interest, as well as a core moral interest, in August 2011 under Presidential Study Directive 10.

What are your views on the role the United States plays in the prevention of mass atrocities and genocide?

Answer. The United States, as a world leader, has resources which it can bring to bear to aid in the prevention of mass atrocities and genocide. The decision to commit these resources clearly resides with the President. As a military commander, I understand my responsibility under the Law of Armed Conflict to protect civilians from physical violence and to contribute to a secure, stable, and just environment for civilians over the long-term.

Question. What are your views on the adequacy of the Department's tools and doctrine for contributing to this role?

Answer. Although the CJCS has the Department's lead for further developing operational principles, the geographic combatant commands will incorporate mass atrocity prevention and response as a priority in planning, activities, and engagements. By applying our lessons learned methodology to previous and future activities we will continue to expand and refine our capabilities and capacities to respond as a decisive element of a whole-of-government effort.

COUNTER THREAT FINANCE

Question. DOD and the Intelligence Community (IC) have begun investing more resources in identifying and tracking the flow of money associated with terrorist networks and illicit trafficking, but the opportunities for tracking and degrading illicit financing flows are not yet matched by the effort and resources devoted to them. Identifying and disrupting key individuals, entities, and facilitation routes enabling the flow of money that supports terrorism, production of IEDs, narco-trafficking, proliferation, and other significant national security threats could have an outsized impact on confronting these threats.

What are your views on the role of DOD in counter threat finance activities?

Answer. It is appropriate for DOD to play a supporting role in countering threat finance activities. DOD does bring unique capabilities to the effort of the broader interagency community. DOD can provide its intelligence analysis to identify critical network vulnerabilities as well as its strategic and operational planning expertise.

Question. Are there opportunities to replicate or improve upon the network-disruption efforts of groups like the Joint Improvised Explosive Device Defeat Organization or the Afghanistan Threat Finance Cell in impacting other facilitation networks?

Answer. Yes. The Joint Improvised Explosive Device Defeat Organization and the Afghanistan Threat Finance Cell multi-national and interagency approaches to the counter-IED and threat finance problem sets provide an effective framework that I believe may be applied to other networked problem sets such as narcotics and weapons trafficking. If confirmed, I will actively pursue such multi-nation and interagency solutions to the problems that we face in the CENTCOM AOR to the maximum extent possible.

Question. In your view, how should DOD coordinate and interface with other key agencies, including the Department of Treasury and the Intelligence Community, in conducting counter threat finance activities?

Answer. In keeping with OSD/Joint Staff/SOCOM (CTF DOD lead component) policies, DOD should coordinate counter threat finance activities with other agencies and departments through the Geographic Combatant Command's interagency process. This type of interface will ensure the IA receives one set of theater threat finance priorities, reduces redundant and conflicting DOD requests to the IA, and increases opportunities to disrupt adversary finance networks. Counter threat finance intelligence support (e.g., collection requirements, production) should be brokered through theater, component, task force J2s and directly with DOD's consolidated threat finance intelligence initiatives within the Defense Intelligence Agency.

LEBANON

Question. Over the past decade, the United States has provided over $500 million in security assistance to the Government of Lebanon.

In your view, what is the appropriate role for CENTCOM in Lebanon?

Answer. CENTCOM continues to act as a mentor and enabler of the Lebanon Armed Forces (LAF). Our relationship enables the U.S. and Lebanon to work toward mutually-supporting goals. A reduction of CENTCOM involvement in Lebanon would increase the temptation and necessity for Lebanon to consider taking aid from countries whose interests conflict with U.S interests.

Question. In your view, what are the U.S. national security interests in Lebanon?

Answer. The primary U.S. security interest in Lebanon is to strengthen the Lebanese Armed Forces (LAF) as a counterweight to Lebanese Hezbollah (LH) and, in doing so, reduce the malign influence of Iran in the region. Instability in Lebanon plays into the interests of LH, Syria, and Iran. The multi-confessional nature of the LAF makes it a unifying force in Lebanon acting as a stabilizing force to the detriment of our adversaries in the region.

Question. The current government in Lebanon includes Hezbollah, a designated foreign terrorist organization under U.S. law.

Given the involvement of Hezbollah in the Lebanese Government, what do you believe to be the appropriate level of engagement with the Lebanese Armed Forces?

Answer. The LAF has proven itself to be independent of Hezbollah influence despite Hezbollah's involvement in the Lebanese Government. To date, Hezbollah's involvement has had no impact on our relationship and current levels of engagement with the LAF. In light of the ongoing situation in Syria, our various forms of aid to the LAF are vital to maintaining peace internally while guarding against spillover violence from across the Syrian border. Our persistent efforts to provide military training and material support to the LAF have enabled them to be a more effective counter-balance to Lebanese Hezbollah (LH).

CHINA

Question. Over the past several years, much as been made of China's military growth and modernization and of China's influence throughout Asia, including the portions of the region that fall within the CENTCOM commander's area of responsibility. For example, many observers point out that China has developed and maintains a partnership with Iran based, at least in part, on economic and defense cooperation, and that China's policies toward Iran have hindered international efforts to deter Iran from developing a nuclear weapons capability.

Question. What do you see as the effect of China's economic and military growth on the CENTCOM AOR as a whole?

Answer. China relies heavily on energy resources found in the CENTCOM AOR (Middle East and Central Asia) to meet its growing domestic demand for energy and achieve its strategic objective of sustained economic growth. China seeks to build political and economic relationships with countries in the CENTCOM AOR to ensure that Beijing maintains access to the region's energy resources, but China plays little role in guaranteeing security and stability throughout the region. China has historically been a source of arms sales for countries seeking to upgrade their arsenals and/or procure cheaper alternatives to U.S. weapons.

Question. How does China's relationship with Iran, in particular, affect U.S. security interests in the region?

Answer. China is Iran's largest purchaser of crude oil. However, China reduced its imports of Iranian crude oil in 2012 compared to the previous year, in response to U.S. diplomacy. While China voted for sanctions on Iran in U.N. Security Council Resolution 1929, it has publicly opposed additional national sanctions that have been levied by the United States, European Union and others. Iran seeks to use its relationship with China to gain influence within the UNSC, seeking support from China during resolution votes. Iran will likely continue efforts to build on its relationship with China as it depends on Beijing to offset the high cost of business transactions due to sanctions.

DOD COUNTERNARCOTICS ACTIVITIES

Question. DOD serves as the single lead agency for the detection and monitoring of aerial and maritime foreign shipments of drugs flowing toward the U.S. On an annual basis, DOD's counter-narcotics (CN) program expends approximately $1.5 billion to support the Department's CN operations, including to build the capacity of U.S. Federal, State, and local law enforcement agencies, and certain foreign gov-

ernments, and provide intelligence support on CN-related matters and a variety of other unique enabling capabilities.

In your view, what is the appropriate role of DOD—and by extension CENTCOM—in counterdrug efforts?

Answer. In the CENTCOM AOR, counterdrug authorities provided by Congress permit us to support our Federal law enforcement partners in their engagement with regional counterdrug security force organizations. These activities address many of the U.S. Government's, and by extension CENTCOM's, most pressing regional security issues. Counterdrug activities are often one of the few avenues for military engagement with our regional partners.

Question. In your view, what should be the role of the United States in countering the flow of narcotics to nations other than the United States?

Answer. The United States should always consider partnering with governments requesting counterdrug assistance when it supports U.S. national interests. Drug trafficking organizations are international by nature and the larger the coalition of the willing to address the illicit drugs business, the greater the global impact we could achieve. Counter-narcotics operations provide opportunities for developing military-to-military relationships and building partner capacity.

Question. Given that the vast majority of illegal drugs transiting in the CENTCOM AOR are not destined for the United States, should DOD invest resources in countering the flow of illegal drugs to or through the CENTCOM AOR?

Answer. It is shortsighted to view illicit drugs trafficking activity through the prism of only what comes into the United States. Narcotics play a critical role in underwriting corruption, which poses the greatest strategic threat to the ISAF campaign plan. So, while only a relatively minor portion of Afghan opiates make their way to the U.S., their impact on U.S. Government engagement in the CENTCOM AOR is significant. An effective U.S. counterdrug strategy includes attacking the illicit drugs trafficking business at every opportunity from source to end user. Counter-narcotics operations provide opportunities for developing military-to-military relationships and building partner capacity.

STRATEGIC COMMUNICATIONS AND INFORMATION OPERATIONS

Question. Over the past decade, DOD has funded an increasing number of military information support operations (formerly known as psychological operations) and influence programs. The Government Accountability Office reports that DOD has "spent hundreds of millions of dollars each year" to support its information operations outreach activities. Many of these programs are in support of operations in Afghanistan, but Military Information Support Teams (MISTs) from U.S. Special Operations Command also deploy to U.S. embassies in countries of particular interest around the globe to bolster the efforts of the Department of State and the U.S. Agency for International Development. Further, the geographic combatant commands are increasingly moving into this operational space.

What are your views on DOD's military information support operations and influence programs?

Answer. Military information support operations (MISO) is a critical investment in deterrence and prevention of conflict when synchronized with interagency efforts. Integral to all phases of military operations, MISO serves to shape information environments and mitigate risk to mission and forces in advance of and during conflict.

Question. What unique value should such programs contribute in distinction from strategic communications and influence activities conducted by other government departments and agencies?

Answer. CENTCOM's Information Operations (IO) capability is unique in that it is opponent focused (military targets), tightly integrated with special and technical operations programs and inter-connected with the communications community both military and interagency. It has the flexibility to employ attributable and non-attributable means (within scope of policy) to achieve objectives unlike other Public Affairs and Defense Support to Public Diplomacy. CENTCOM's IO capability specializes in languages unique to the designated area of operations; staff and units of execution have hands-on experience understanding key opponent influence systems; and our IO is postured to rapidly target those opponents when authorized.

REGIONAL ALIGNMENT AND ROTATIONAL DEPLOYMENTS OF ARMY BRIGADES

Question. The Army plans to align general purpose combat brigades with regional combatant commands, including CENTCOM, to support theater engagement and security force assistance missions and to make those forces, and other supporting units, available on a rotational basis for deployment to those regions for training and exercises.

What is your understanding and assessment of the Army's capability and capacity to align combat brigades or other units with regional combatant commands?

Answer. As Vice Chief of Staff of the Army, I have been involved in the development of the Regional Alignment of Forces concept. I believe it is sound and will provide geographic combatant commanders with professionally trained and regionally attuned forces and capabilities that are both responsive and capable of meeting theater requirements. The Army is executing its first "proof of principle" of the Regionally Aligned Forces concept in fiscal year 2013 by aligning a brigade combat team to U.S. African Command (AFRICOM). The Army will conduct a subsequent comprehensive assessment of this effort that will further drive our understanding of our capability and capacity to execute this mission set going forward.

Question. What are your views, if any, on the use of general purpose forces for missions providing security force assistance to other nations' militaries?

Answer. Recent operations in Iraq and Afghanistan have demonstrated that general purpose forces are quite capable of executing the security force assistance mission set. Moreover, general purpose forces can be a key asset as we continue to build the military capacity of our allies. As an example, our military has a rich history of cooperative small unit training exercises across a range of combatant commands. Ultimately, such efforts must be synchronized with the combatant commander's Theater Security Cooperation plan.

Question. In your view, how, if at all, should a unit's regional alignment impact the assignment of personnel, selection of unit commanders, priority for cultural and language training compared to core combat training, and identification and acquisition of special equipment?

Answer. The Army is currently conducting a comprehensive analysis of requirements and impacts of the regionally aligned forces concept. This analysis will account for factors associated with doctrine, organization, training, materiel, leadership and education, personnel, and facilities. Further, the 2013 regional alignment of the brigade combat team to AFRICOM will inform this analysis. Factors associated with the alignment of divisions and corps will also inform this analysis. Ultimately, the Army seeks to support combatant commands while remaining operationally adaptable to respond to global contingencies, as required.

Question. If confirmed, how would you propose to implement the use of regionally aligned forces in support of your theater assistance and engagement strategies?

Answer. Use of regionally aligned forces to support CENTCOM theater assistance and strategy will not be fundamentally different than how other forces are now used. The significance of using such forces is that regional alignment will enhance relationships between planning staffs while improving the aligned units' familiarity with areas in which they will most likely be employed.

Question. In your view, how should funding responsibility be consolidated or distributed between the Military Departments and the combatant commands for training and employment of regionally aligned forces?

Answer. I believe the current construct established under the Goldwater-Nichols DOD Reorganization Act of 1996 adequately and efficiently defines the roles and responsibilities of the Services and defense agencies in supporting the combatant commands. The Services are and should continue to be funded to man, train and equip their forces in support of combatant command operational mission sets regardless of whether those forces are regionally aligned. However, combatant commanders should provide funds for training and exercises conducted in their AOR.

Question. In your view, is it feasible and suitable to satisfy theater engagement and assistance strategies completely with rotational forces? If not, why?

Answer. CENTCOM has successfully conducted operations, exercises and activities since its inception without permanently assigned forces. Like other commands, it plans and requests forces through the Global Force Management process. I have complete faith that all CENTCOM theater engagement and assistance strategies can be met with rotational forces, particularly regionally aligned forces.

NATO ALLIANCE

Question. The North Atlantic Treaty Organization (NATO) alliance continues to be central to our coalition operations in Afghanistan and elsewhere, even as many NATO members have significantly reduced their national defense budgets in response to economic and fiscal pressures.

Do you agree that U.S. participation in the NATO alliance contributes to advancing U.S. security interests?

Answer. Yes, members of the NATO Alliance share the same concerns for national security as we do. Participation in the Alliance furthers international security and U.S. security interests.

Question. What are the greatest opportunities and challenges that you foresee for NATO in meeting its strategic objectives over the next 5 years, particularly with regard to NATO activities in the CENTCOM AOR?

Answer. We are all operating in a challenging fiscal environment, and are seeking ways to more efficiently meet our strategic objectives. In this austere environment, there may be opportunities to expand interoperability and cost sharing through combined training exercises, utilizing our well-developed training facilities in Europe.

Question. In light of the reductions in national defense spending by some NATO members, are you concerned that the Alliance will lack critical military capabilities? If so, what steps, if any, would you recommend be taken to address potential shortfalls in alliance capabilities?

Answer. The impact of reduced spending will be felt throughout the alliance. We can work to mitigate the impact by exploring avenues of increasing interoperability, and perhaps achieving economies of scale through international cooperative research, development and acquisition.

Question. What is your assessment of the effectiveness of nations of the Middle East in recent NATO military operations in Libya?

Answer. Middle East nations have been effective in recent NATO operations and served as an integral part of the Coalition. A prime example would be the efforts by UAE, Qatar, and Jordan who flew combat sorties during Operation Odyssey Dawn in Libya. Continued training and exchanges with our partners in the Middle East forges bonds that can last generations and give us resources that when needed fulfill operational requirements and further strengthen our ties.

Question. What steps, if any, do you think CENTCOM should take to improve the interoperability of military forces from the CENTCOM region with the U.S. and other international security actors?

Answer. CENTCOM remains committed to working with coalition partners to improve stability, peace and security for all partnered nations in the CENTCOM AOR and neighboring AORs. Engagement is certainly less costly than war and ensuring the interoperability of our militaries is the requisite investment to achieve that goal. The most dramatic effect on interoperability can be achieved through increasing International Military Exchange and Training (IMET) funding for military career schools and education.

INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES

Question. Since September 11, CENTCOM has received the overwhelming majority of the ISR support that DOD has been able to generate. The demand for more ISR has continued to outstrip the supply, even though the Secretary of Defense has taken extraordinary actions to ramp up the acquisition of more and more capable and varied ISR systems. Other combatant commands and other military missions and operations outside of the CENTCOM AOR have gone wanting.

Do you foresee, and if so to what degree, CENTCOM relinquishing existing ISR systems as forces are withdrawn from Afghanistan and as demand continues to grow in AFRICOM, PACOM and other AORs?

Answer. CENTCOM remains actively engaged with ISAF and USFOR–A on planning for ISR support through OEF Change of Mission and support to the Enduring Force Headquarters post-OEF. We have learned through experience that as our footprint shrinks the demand for ISR increases. CENTCOM will conduct an OEF Redeployment Conference and an OPLAN Development Conference within the next 60 days. Both events will enable us to further refine the ISR requirements in support of the drawdown and beyond. If confirmed, I will further assess the requirement for ISR in the CENTCOM AOR.

SCIENCE AND TECHNOLOGY

Question. As with other combatant commands, a science and technology (S&T) advisor is assigned to support CENTCOM.

If confirmed, what would be your priorities for the CENTCOM Science and Technology advisor?

Answer. The Science Advisor acts as principle advisor to the commander on matters of science, technology, innovation, and fielding of material and non-material solutions for the command's most pressing capability gaps. If confirmed, I will charge the Science Advisor with the discovery, research, analysis and advocacy of new and emerging technologies and techniques which have the potential to provide solutions to our validated joint needs. I will require the Science Advisor to continue to discover, develop, and advocate for those technologies and techniques that will make our warfighters safer, more efficient, and more effective in the immediate and near-term. I will charge the Science Advisor to engage with partner countries to develop

mutually required technologies that will also keep coalition forces safe, allow them to be more effective through better integration with U.S. Forces, and help build stronger partnerships for the future. I will also charge the Science Advisor with looking beyond the horizon to ensure CENTCOM warriors maintain their battlespace technology superiority during potential future conflicts.

OPERATIONAL ENERGY

Question. Several of your predecessors have established and published policies regarding operational energy and its important role in supporting the mission in Afghanistan. These policies have stressed better management of energy use in the battle space to provide a strategic and tactical advantage while increasing combat effectiveness and operational capability.

Do you plan to establish and publish similar policies regarding operational energy improvements?

Answer. If confirmed, I will continue to support the CENTCOM established policies and procedures regarding operational energy which are now in the refinement phase. These policies and procedures include a standing policy on Operational Energy which the Command has implemented and Service Components and Joint Task Forces have similarly adopted. I will also assess the Command's Operational Energy initiatives to identify areas where CENTCOM can further enhance combat power and ensure good stewardship of our finite energy resources.

Question. What is your assessment of how better operational energy management translates, if at all, into improving combat effectiveness?

Answer. Better operational energy management translates to fewer fuel convoys, thereby freeing convoy security forces to conduct other operational missions. Decreased energy consumption and spending also creates the potential to reinvest funds towards force protection and other needed capabilities which ultimately increase combat effectiveness.

Question. How do you plan to track fuel consumption at forward-deployed locations in Afghanistan?

Answer. The Afghan Sub-Area Petroleum Office (A–SAPO), an element of USFOR–A Headquarters, receives regular fuel consumption reports from sustainment forces providing fuel distribution services in Afghanistan. A–SAPO reviews these reports and forwards them to the CENTCOM Joint Petroleum Office.

CENTCOM AND DOD GLOBAL POSTURE REVIEW

Question. According to the 2010 Quadrennial Defense Review Report, DOD will conduct a global posture review that assesses U.S. strategic relationships and interests to identify where and at what levels the forward stationing of military forces supports those relationships and interests. The new strategic guidance released by the Secretary of Defense in January 2012 stated regarding the Middle East that "the United States will continue to place a premium on U.S. and allied military presence in—and support of—partner nations in and around this region."

What is your assessment of the current and future strategic requirement for basing U.S. military personnel and equipment in the Middle East?

Answer. At present, CENTCOM has sufficient access and basing to execute current operations and continually looks for ways to improve the flexibility and depth in the theater basing network to support potential surge operations if required, and mitigate risk caused by access denial and loss of access should it occur. The Command has been working with the Department on key elements of a posture strategy and is incorporating this in the planning process. CENTCOM has been revising its posture in theater for some time as we continue efforts to reset forces for current and future operational requirements. This process will continue as we work towards the successful completion of Operation Enduring Freedom.

Question. Aside from contingency operations, do you believe the number of U.S. Forces permanently stationed within CENTCOM is sufficient to meet U.S. national security objectives in the region?

Answer. In my current position I am unable to provide an adequate assessment of requirements and requisite forces in the CENTCOM AOR. However, if confirmed, I will work with DOD to define the right mix of capabilities to meet future steady state mission requirements and to provide a rapid response capability in the event of a crisis.

CENTCOM HEADQUARTERS

Question. Based on the drawdown in Afghanistan and completed redeployment out of Iraq, will you conduct a review of the size of the CENTCOM headquarters?

Answer. Yes. CENTCOM headquarters is undergoing a manpower and organization review now, assisted by the Army and Air Force Manpower Agencies. If confirmed, I will assess the study recommendations and shape the headquarters for future operations.

TREATMENT OF DETAINEES

Question. Section 1403 of the National Defense Authorization Act for Fiscal Year 2006 provides that no individual in the custody or under the physical control of the U.S. Government, regardless of nationality or physical location shall be subject to cruel, inhuman, or degrading treatment or punishment.

If confirmed, will you take steps to ensure that all relevant DOD directives, regulations, policies, practices, and procedures applicable to U.S. Forces in Afghanistan fully comply with the requirements of section 1403 and with Common Article 3 of the Geneva Conventions?

Answer. Yes. If confirmed, I will ensure that CENTCOM forces fully comply with all relevant provisions of DOD directives, regulations, policies, practices, and procedures applicable to U.S. Forces in Afghanistan, and that they fully comply with the requirements of section 1403 of the Detainee Treatment Act of 2005 and with Common Article 3 of the Geneva Conventions.

Question. Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the DOD Detainee Program, dated September 5, 2006?

Answer. Yes. I understand and support the standards for the treatment of detainees and will adhere to them, if confirmed. All detainees shall be treated humanely, and in accordance with U.S. law, the Law of War, and applicable U.S. policy. Humane treatment entails the following: no violence, no cruelty, no torture, and no humiliating or degrading treatment.

Question. Do you believe it is consistent with effective counterinsurgency operations for U.S. Forces to comply fully with the requirements of Common Article 3 of the Geneva Conventions?

Answer. Yes. I believe all military operations, to include counterinsurgency operations, must be conducted in accordance with the requirements of Common Article 3 of the Geneva Conventions.

Question. How would you ensure a climate that not only discourages the abuse of detainees, but that encourages the reporting of abuse?

Answer. If confirmed, I will set forth clear standards and expectations and demonstrate my personal commitment to those standards. I will ensure that guard forces are thoroughly trained in the humane treatment of detainees. Personnel at all levels will be trained on the importance of discouraging abuse and empowered to report any signs of abuse. Where appropriate, we will conduct routine inspections.

TRAUMATIC BRAIN INJURY

Question. On June 21, 2010, the Deputy Secretary of Defense issued a DOD-wide policy on the management of mild traumatic brain injury (TBI) in deployed settings.

What is your assessment of the effect of this policy in safeguarding servicemembers from further traumatic brain injury?

Answer. This has proven to be a very effective policy and I am confident it will contribute immensely in our understanding of mild TBI and how best to prevent, detect and treat these injuries. The current policy is based on the recently published DOD Instruction 6490.11 and ensures that all potentially concussive events (mild TBI) are identified, evaluated, treated and tracked by both the line leadership as well as those in the military medical community. This policy also limits the activity of those individuals identified with multiple concussions and ensures they receive complete and timely follow-up and are protected from the possibility of further brain injuries.

MENTAL HEALTH ASSESSMENTS AND TREATMENT IN THEATER

Question. The Army's Mental Health Advisory Team (MHAT) has made seven separate assessments over the past several years detailing the immediate effects of combat on mental health conditions of U.S. soldiers and marines deployed to Iraq and Afghanistan. The most recent study, MHAT VI, found that "soldiers on their third and fourth deployment report lower morale and more mental health problems," and that stigma continues to prevent some soldiers from seeking mental health care. These types of reports lend support to the fact that increasing numbers of troops are returning from duty in Afghanistan with post-traumatic stress, depression, and other mental health problems.

Do you have any views on how to best address the mental health needs of our troops in theater, in terms of both prevention and treatment?

Answer. Ensuring that the behavioral health and counseling services are readily available and accessible for our servicemembers remains a high priority. Services are emphasizing resiliency training for servicemembers with additional screening prior to deployment by qualified mental health providers focused on behavioral health (BH) disorders and wellness. Individuals, who have specific behavioral health conditions that require specific treatments, and have not demonstrated adequate resolution of their behavioral health condition or symptoms, are not permitted to deploy. For those in theater, the availability of Restoration Centers, telebehavioral health (TBH), and an easy-to-use crisis line in conjunction with deployed behavioral health providers have given servicemembers more options to take preventive measures and seek treatment. If confirmed, I will continue to emphasize the importance of mental health prevention and treatment for our servicemembers.

Question. Do you believe that mental health resources in theater are adequate to handle the needs of our deployed servicemembers?

Answer. Yes. To my knowledge the Behavioral Health (BH) resources available to our servicemembers in theater are adequate to handle the needs of our deployed troops. Keeping in mind that as our footprint changes our resources will change and we will have to ensure we maintain an adequate balance between number of servicemembers and mental health care providers.

Question. If confirmed, would you request additional behavioral health resources from the Services, if needed, to meet the needs of units deployed to the CENTCOM AOR?

Answer. Yes. If additional behavioral health resources were deemed necessary, I would not hesitate to request such resources from the Services to fill any identified gaps.

SUICIDE PREVENTION

Question. The number of suicides in each of the Services continues to concern the committee. A number of these military suicides are committed in theater.

What is your assessment of CENTCOM's suicide prevention program?

Answer. The challenge of suicide represents the most difficult one I have faced in my 37-year career in the Army. While I'm not currently in a position to assess CENTCOM's suicide prevention program, I know from experience that an effective suicide prevention program requires involved and engaged leadership at every level. If confirmed, I will ensure suicide prevention receives the appropriate command and leadership emphasis throughout the CENTCOM organization.

Question. In your view, are there any unique stressors in the CENTCOM AOR that contribute to the number of suicides of servicemembers serving in, or who have recently served in, the CENTCOM AOR?

Answer. Certainly there are stressors in the CENTCOM AOR. These include exposure to combat environments, multiple deployments and high operational tempo. That said, the challenge of suicide is incredibly complex. While some of the stressors experienced in the CENTCOM AOR may contribute to acts of suicide or suicidal ideations, generally there is no single causal factor. In most cases, a combination of stressors lead an individual to take his/her own life or attempt to do so. That said, I do recognize that most CENTCOM forces are rotational. They are often required to operate in stressful environments away from their loved ones. If confirmed, as CENTCOM commander I will be mindful of these stressors and associated challenges and I will make sure my subordinate commanders are appropriately focused on them as well.

Question. If confirmed, what resources would you use to help prevent suicides in theater and to prepare redeploying servicemembers for transition to life back at home?

Answer. Prevention of suicide in theater and at home is a vital priority—the safety of all deploying, deployed, and returning servicemembers is always foremost among my priorities.

Confronting the difficult reality of suicide in the force requires regularly exercising a broad complement of health resources within fully supportive command culture. This process begins with recognizing the importance of taking care of people, which will always remain the most important asset in our military. It is imperative that we implement programs and separate suicide prevention initiatives that comprise a comprehensive approach to suicide prevention throughout the life cycle of the training and deployment so that servicemembers can receive appropriate counseling, assistance, respite, and support. Continuing to educate Leaders at all levels regarding behavioral health and its resources, both in theater and out, along with

the installation of resiliency training will assist with identifying servicemembers who may need additional resources while decreasing the stigma associated with behavioral health treatment. All resources available to servicemembers need to be actively engaged to educate and support our servicemembers to ensure a seamless transition during all phases of a deployment.

SEXUAL ASSAULT

Question. Sexual assaults continue to be a significant issue in the military. Victims of sexual assault report that they are victimized twice: first by attackers in their own ranks and then by unresponsive or inadequate treatment for the victim and failure of the chain of command to hold assailants accountable. Secretary Panetta has recently announced several new initiatives to address the sexual assault problems in the military, including comprehensive assessments of initial training of enlisted personnel and officers, creation of special victim capabilities, and limiting initial disposition authority to Special Court-Martial Convening Authorities in the grade of O–6 or higher.

What is your assessment of the sexual assault prevention and response program in CENTCOM?

Answer. I am not currently in a position to assess CENTCOM's sexual assault prevention and response program. However, if confirmed, I will make sexual assault prevention a leadership focus throughout the command and ensure that the sexual assault prevention and response programs in CENTCOM subordinate commands and components are effective and vigorously maintained and supported. Training must be high quality and engaging. Commanders and leaders must be present and involved in training. They must also take an active role in selecting unit sexual harassment/assault representatives and victim advocates. It is extremely important that the right individuals be selected for these key positions.

Question. What is your view of the adequacy of the training and resources available in the CENTCOM AOR for providing appropriate support to victims of sexual assault?

Answer. I am not currently in a position to assess the adequacy of the training and resources available in the CENTCOM AOR. However, if confirmed, I will make sure that the appropriate support is provided to victims of sexual assault, both those in the CENTCOM AOR and in CONUS. That said, I believe that sexual assault prevention and response training must begin before leaving home station. Forces who have conducted training prior to deployment are much better equipped to prevent sexual assault in the first place and address reports of sexual assault if/when they do arise.

Question. What is your assessment of the capability in the CENTCOM AOR to investigate allegations of sexual assault and to hold assailants accountable for their acts?

Answer. I believe that CID, AFOSI, and NCIS are capable of investigating any sexual assault that occurs in the CENTCOM AOR. Commanders have the ability to hold servicemembers accountable when they have been accused of sexual assault. Commanders can pursue the same options while deployed as they would in garrison, up to and including a general court-martial, and I will make it a priority to ensure they have the resources in theater to do so.

INTELLIGENCE SUPPORT FOR INDIRECT ACTIVITIES

Question. Some observers contend that the national intelligence agencies focus their assistance to the Defense Department in Afghanistan and Iraq on special operators engaged in direct action operations. As a consequence, it is alleged, general purpose forces and Special Operations Forces engaged in indirect activities, including foreign internal defense and population protection, receive less intelligence support.

If confirmed, how would you ensure that general purpose forces and Special Operations Forces engaged in indirect activities receive adequate intelligence support?

Answer. If confirmed, I would ensure our forces, regardless of whether they are engaged in direct action or indirect activities, receive the intelligence support they need to effectively execute and accomplish their mission. I will clearly state my Priority Intelligence Requirements and allocate Intelligence, Surveillance, and Reconnaissance support in accordance with prioritized, theater requirements and capabilities.

SPECIAL OPERATIONS FORCES IN SUPPORT OF COUNTRY TEAMS

Question. U.S. Special Operations Command deploys personnel to work with country teams in a number of priority countries where the United States is not engaged

in direct action operations, but rather trying to stop the spread of violent extremism. Their mission is to support the priorities of the Ambassador and the geographic combatant commander's theater campaign plan against terrorist networks.

Please describe the potential value of these special operations personnel to CENTCOM and the country teams they are supporting.

Answer. Our Special Operations Forces (SOF) are the best in the world and are a key component in maintaining the U.S. Government's access into a host nation, and advancing interoperability with the host nation's military. These objectives are aligned with the Ambassador's overarching engagement strategy and the activities of the country team. They excel when operating in the strategic environment under austere conditions, and are particularly adept in keeping a small footprint on the ground. These characteristics make them particularly useful and valuable in our Theater engagement strategy, and a given when responding to crisis in the region.

Question. If confirmed, what, if anything, do you intend to do to make sure the goals of special operations personnel deployed to these countries are closely aligned with those of the Ambassadors with whom they are working?

Answer. If confirmed, it would be my responsibility to ensure that our operations and activities are aligned and integrated into the Ambassador's country specific objectives and our national security objectives. I recognize that my relationships with the Chiefs of Mission in the region will be critical to achieving necessary unity of effort. I will charge my subordinate SOF commanders at all levels to keep their lines of communication open with their respective Chiefs of Mission.

INTERAGENCY COLLABORATION

Question. The collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies has played a significant role in the success of counterinsurgency and counterterrorism operations in recent years. However, much of this collaboration has been ad hoc in nature.

What do you believe are the most important lessons learned from the collaborative interagency efforts in Afghanistan, Iraq, and elsewhere?

Answer. Our experiences in Iraq and Afghanistan have taught us that to achieve our goals and objectives we must balance all instruments of national power. The complexity of the current operating environment requires a whole-of-government approach that leverages the individual strengths of the Interagency, to include our military and diplomatic partners and others. Unity of effort, based on a 'team of team' concept, is essential. We must identify common goals and objectives early on and work together to achieve them.

Question. How do you believe these efforts can be improved?

Answer. The nature of warfare today requires unity of effort. As such, I believe we should look to expand our collaboration with our interagency partners to include all stages of planning and operations. We must not wait until we are in the midst of crises. By working together on a routine basis, we will effectively align goals and objectives, improve communications and enhance the understanding of one another's methods and perspectives. This will ultimately enhance individual and U.S. Government effectiveness.

Question. How can the lessons learned in recent years be captured in military doctrine and adopted as "best practices" for future contingency operations?

Answer. Lessons learned from combatant command, combined/joint operations area, and unit/tactical level activities should be communicated to the Services for incorporation into professional military education, for civilian-military structural recommendations, and for inclusion in the next revisions of joint and Service-level doctrine.

UNIFIED COMMAND PLAN CHANGES

Question. It has been reported that Admiral McRaven, Commander of U.S. Special Operations Command (SOCOM), is seeking changes to the Unified Command Plan (UCP) and other authorities that he believes would allow SOCOM to better support the requirements of the Theater Special Operations Commands (TSOCs). Reportedly, such changes would give the Commander of SOCOM combatant command authority over the TSOCs—including responsibilities for resourcing—and provide for more rapid deployment of Special Operations Forces to and between geographic combatant commands without the requirement for approval by the Secretary of Defense in every case. Operational control of deployed special operations forces would reportedly remain with the respective geographic combatant commander. Some have expressed concern that such changes could raise problems related to civilian control of the military, infringe upon the traditional authorities of the geographic combatant commanders, and make it more difficult for ambassadors and geographic com-

batant commanders to know what military personnel are coming into their areas of responsibility and what they are doing while they are there.

Please provide your assessment of whether such UCP changes are appropriate and can be made without conflicting with civilian control of the military, infringing upon authorities provided to the geographic combatant commanders, or raising concerns with the State Department.

Answer. If confirmed, I will review all recommended changes to the UCP. However, it has been my experience that Special Operations Forces are most effectively employed when fully integrated with conventional forces. This integration ensures better coordination, unity of effort and the ability to share critical resources.

Question. In your view, are there any countries that should be added or removed from the CENTCOM AOR as part of the review of the UCP?

Answer. I believe the current area of responsibility effectively and efficiently facilitates accomplishment of the CENTCOM assigned missions. If confirmed, I will continuously assess the CENTCOM missions and AOR and propose realignment if future conditions warrant.

SECTION 1208 OPERATIONS

Question. Section 1208 of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), as amended by subsequent bills, authorizes the provision of support (including training, funding, and equipment) to regular forces, irregular forces, and individuals supporting or facilitating military operations by U.S. Special Operations Forces to combat terrorism.

What is your assessment of this authority?

Answer. Section 1208 authority provides authority and funds for U.S. SOF to train and equip regular and irregular indigenous forces to conduct counterterrorism operations. This authority is considered a key tool in combating terrorism and is directly responsible for a number of highly successful counter-terror operations. Throughout the CENTCOM AOR 1208 facilitates multiple joint operations between Theater and National SOF partnering with host nation forces. These 1208 funded operations create capable responsive host nation forces closely partnered with U.S. SOF and represent the best opportunity to counterterrorist activities that threaten U.S. interests.

MILITARY INFORMATION SUPPORT OPERATIONS

Question. Al Qaeda and affiliated violent extremist groups work hard to appeal to local populations. In several cases throughout the CENTCOM AOR, most recently in Yemen, these efforts have allowed violent extremists to establish a safe haven, conduct operations, and expand their recruiting base. The composition and size of these groups in comparison to the U.S. Government permits it to make policy decisions very quickly.

Do you believe CENTCOM and other agencies within the U.S. Government are appropriately organized to respond effectively to the messaging and influence efforts of al Qaeda and other affiliated terrorist groups?

Answer. Al Qaeda exploitation of the information environment continues to mature and is a decisive part of the al Qaeda Senior Leader's campaign. While I'm not currently in a position to assess U.S. Government MISO capabilities, I recognize that CENTCOM must be able to dominate the information environment and ensure we do not unwittingly cede the information battle-space to the enemy.

Question. What steps, if any, do you believe CENTCOM should take to counter and delegitimize violent extremist ideologies?

Answer. CENTCOM plays a significant role in countering and delegitimizing violent extremist ideologies by eroding recruitment, reach, fundraising and communication capabilities through military information support and coordinated interagency operations.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander, CENTCOM?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CLAIRE MCCASKILL

AFGHANISTAN TRANSITION

1. Senator MCCASKILL. General Austin, I am concerned about what appears to me to be a lack of civilian planning and a lack of coordination for the transition to our post-2014 involvement in Afghanistan. The Government Accountability Office recently released a report that found that the Department of Defense (DOD) is effectively managing on behalf of the Department of State (DOS) 20 assisted interagency acquisitions with an estimated value of almost $1 billion for basic support goods and services. In these cases, DOD has been involved in every aspect of the acquisition cycle, including planning, award, management, and oversight. I am concerned that DOS is not prepared to manage the contracts it will need in the post-2014 period in Afghanistan when the U.S. military largely leaves Afghanistan. What do you intend to do, if confirmed, to ensure that there is adequate coordination to ensure that DOS is not dependent on DOD to manage contracts in Afghanistan after 2014?

General AUSTIN. Based upon lessons learned from DOD to DOS transition in Iraq, U.S. Central Command (CENTCOM) and DOS created the Afghanistan Contract Transition Working Group in 2012. This group is specifically addressing the transition of contracts from DOD to DOS post-2014. They are examining all contracts currently in place to assist DOS in determining which services need to continue after 2014 and to prepare DOS acquisition management personnel to assume control of contracting operations in Afghanistan. The group reports its progress on contract transition matters to the Afghanistan Executive Steering Group, a forum comprised of senior DOD and DOS leaders. If confirmed, I will continue to facilitate the efforts of this group.

SUSTAINABILITY REQUIREMENTS

2. Senator MCCASKILL. General Austin, Congress has been clear that greater analysis and assurances are needed to ensure that the reconstruction projects the United States is undertaking in Afghanistan are not only needed and wanted by the Afghan Government, but sustainable by the Afghan Government. Congress made this clear in the National Defense Authorization Act (NDAA) for Fiscal Year 2013, which stated that funding for reconstruction and development in contingencies will not be available for use until a sustainability assessment is conducted that accounts for the host country's ability to maintain these projects. This applies not only to DOD, but also DOS and the U.S. Agency for International Development (USAID).

Now that these sustainability requirements for infrastructure projects are law, it is up to these departments, including DOD, to implement the law effectively and aggressively. Should you be confirmed as the Commander of CENTCOM, you will play a key role in implementing the law as it pertains to projects in Afghanistan. What steps will you take to ensure we are funding sustainable projects in Afghanistan?

General AUSTIN. Prior to funding any infrastructure projects in Afghanistan, U.S Forces-Afghanistan (USFOR–A) conducts assessments to ensure we are implementing projects the Government of the Islamic Republic of Afghanistan (GIRoA) wants, needs and can sustain. Sustainment estimates, which include personnel, training and funding resources, are continually refined throughout the project selection process in consultation with GIRoA. USFOR–A also ensures sustainment costs

have been budgeted by GIRoA or other international agencies. In partnership with the USAID and U.S. Embassy Kabul, USFOR–A continues to build GIRoA's capacity to operate and sustain projects which are critical to Afghanistan's stability and economic development. If confirmed, I will ensure CENTCOM continues to aggressively support this oversight process.

SEXUAL ASSAULT

3. Senator MCCASKILL. General Austin and General Rodriguez, it is my understanding that the movie "The Invisible War" is being used to help educate senior leaders in the U.S. Armed Forces about the issue of sexual assault in the military. Have you seen the movie?

General AUSTIN. Yes.

4. Senator MCCASKILL. General Austin and General Rodriguez, as a leader in the U.S. Army, what have you learned about the issue of sexual assault facing servicemembers under your command?

General AUSTIN. All individuals deserve to be treated with dignity and respect, and they should be guaranteed living and working environments free of sexual harassment and sexual assault. During my tenure as VCSA, I have conducted a number of sensing sessions with soldiers of all ranks in order to hear their thoughts and concerns on the topic. These sessions have proven to be very informative and helpful to me and other senior leaders and commanders.

We take these issues very seriously and we are actively taking steps to reduce the incidence of sexual harassment and sexual assault in our ranks. Indeed, commanders are now, and must remain, critical players in establishing the right environments, caring for victims and holding offenders accountable within the military justice system. A key component in victim reporting is a command climate that fosters a bond of trust and confidence between Leaders and their subordinates. Culture change is on the horizon; the Army has seen the propensity to report by our female soldiers increase in recent years. This positive trend indicates that our female soldiers do, in fact, trust their chain of command.

We acknowledge that there is more work to be done to continue this upward trend and institutionalize our efforts, and our leaders remains focused and committed to continuing to contribute to this most critical endeavor.

QUESTIONS SUBMITTED BY SENATOR JOE MANCHIN III

AFGHANISTAN

5. Senator MANCHIN. General Austin, I am a strong supporter of bringing our troops home from Afghanistan as quickly as possible so we can focus on rebuilding America. The President's recent announcements to bring home 34,000 American soldiers within the next year and to move up the transition to Afghan combat lead by a few months are welcome, but I still believe that we need an even more aggressive timeline for withdrawal. Over the next 2 years, do you think there will be any opportunities for further expediting the timeline for withdrawal of U.S. troops from Afghanistan?

General AUSTIN. We are at a vital juncture in this campaign and the pace of the transition and withdrawal must remain consistent with the status of mission and conditions on the ground. However, at this time I cannot predict if there will be opportunities in the coming days to further expedite the withdrawal. If confirmed, I will work closely with General Dunford to continuously assess the situation and provide best military advice to our civilian leadership.

6. Senator MANCHIN. General Austin, our combat mission in Afghanistan is transitioning to one of training, advising, and assisting the Afghan National Security Forces (ANSF). In light of this change, what are the milestones and measures of effectiveness that DOD is using to track the readiness of ANSF to stand on their own? I would like to see DOD carefully track and report to Congress on progress against these milestones because the sooner these targets have been reached, the sooner we can withdrawal troops dedicated to the training mission.

General AUSTIN. If confirmed, I will focus on several principal strategic level objectives over the next 2 years including: the transition of lead security responsibility to the ANSF; ensuring that we set the conditions for the 2014 Afghan Presidential elections; and, ensuring all necessary actions are taken to successfully achieve the full transition of security responsibility to the democratically elected Government of

Afghanistan. Success in Afghanistan will ultimately hinge, in large measure, on the leadership within Afghanistan.

Having said that, keeping a close eye on milestones and measures of effectiveness to track the readiness of ANSF has been an evolutionary effort over the past several years. We have developed several tools used to assess and track ANSF capabilities and their ability to stand on their own. For example, NTM–A uses the Commander's Unit Assessment Tool to assess the condition of ANSF units in areas that include: leadership, operations, intelligence, logistics, equipping, personnel, maintenance, communications, training and education, and partnering. Capability Milestones are the measures of effectiveness used to track the ANSF readiness and performance at the ministerial level. These assessments are conducted quarterly and allow for advisors to focus efforts with the Afghans to continue improving their readiness and performance. I will work closely with General Dunford to provide DOD with progress reports against these milestones in support of congressional reporting requirements.

7. Senator MANCHIN. General Austin, this question is related to your current position as Vice Chief of Staff of the Army, and impacts your future position as Commander of CENTCOM because, as you aptly state in your advance policy questions, you inherently understand "the importance of taking care of people, which will always remain the most important asset in our military."

It has come to my attention that there are deployed Army battalions in Afghanistan that do not have the appropriate family support at home station. In September 2012, Secretary McHugh assured me that deployed battalions would have Family Readiness Support assistants, but I know of at least a few battalions that do not. Before voting for your confirmation, I would like to bring this matter to your attention. Will you commit that you have reviewed these policies in your current role, and that in your future role, you wholly agree that deployed units must have the appropriate family support?

General AUSTIN. I am grateful for the continued support that you have shown for our servicemembers and families. I absolutely agree that caring for our families is and must remain a top priority. They represent a critical part of our Army Team. They've made countless sacrifices over the years, and certainly we could not have accomplished all that we have over the past decade-plus of conflict without their support. I am aware of the issue that has prompted your concern; the senior Army leadership is currently addressing this matter directly. You have my full assurance that, if confirmed, as CENTCOM Commander I will make sure that the families of all of our deployed servicemembers receive the full support they merit and deserve.

8. Senator MANCHIN. General Austin, what opportunities do you see for encouraging other countries, particularly Afghanistan's neighbors, to do more to build ANSF capacity?

General AUSTIN. Presently, Afghanistan's neighbors are not in an economic position to provide equipment or technical training to the Afghan National Security Forces (ANSF). However, all of Afghanistan's neighbors share a common interest in a stable and secure Afghanistan with an ANSF capable of preventing Violent Extremist Organization (VEO) safe havens and controlling the adverse regional effects of narcotics and criminal patronage networks. Initial ANSF capacity is established through the efforts of the International Security Assistance Forces (ISAF) Coalition and international donors. The future effectiveness of ANSF will depend on bilateral military engagement with Afghanistan's neighbors. Nowhere will ANSF bilateral engagement be more critical than along the remote and rugged border areas with Pakistan in which extremists and criminals seek sanctuary and who directly threaten both nations.

9. Senator MANCHIN. General Austin, are there things the U.S. military can do to encourage these partnerships to relieve the burden on our forces?

General AUSTIN. There are a number of things that U.S. Forces have done and are continuing to do to facilitate our continued partnerships. First, we are providing first-class training to coalition units deploying into theater. Second, we are working closely with our partners in the region to develop the tactics, techniques and procedures that promote multinational interoperability. Third, we assist countries in developing their own capabilities through training events and foreign military sales. Finally, we are continuing to develop military-to-military relationships at the highest level through strategic engagements that not only promote trust, but also help key leaders to understand our various military and political concerns.

QUESTIONS SUBMITTED BY SENATOR JEANNE SHAHEEN

WITHDRAWAL OF TROOPS FROM AFGHANISTAN

10. Senator SHAHEEN. General Austin, in your testimony, you stated that you felt confident that the ANSF were on track to assume the lead in security this spring. In your examination of the ongoing operations, are you confident that the withdrawal of 34,000 troops this year will allow for adequate force protection of Americans still in theater?

General AUSTIN. The safety and security of our deployed forces remains our foremost priority. The planned withdrawal of 34,000 troops will be phased, as it was with the Surge drawdown, to ensure we are able to successfully conduct the required mission while providing sufficient force protection. Troops will be redeployed incrementally and on pace with base closure and retrograde.

11. Senator SHAHEEN. General Austin, from your experience with the Iraq withdrawal, what do you think that the United States should do differently as we prepare to withdraw from Afghanistan?

General AUSTIN. The Iraq withdrawal experience taught us two things: to begin planning earlier and to consider all possibilities, including not having a status of forces agreement (SOFA) that provides the legal protection for our military forces and civilians to operate in a sovereign nation. Redeployment planning and execution is underway and leaders have incorporated the critical lessons learned from Iraq including the possibility that the United States and Afghanistan may fail to agree to a Bilateral Security Agreement.

12. Senator SHAHEEN. General Austin, what best practices do you think are applicable to this new challenge?

General AUSTIN. Although the challenges in Afghanistan are different in many respects, ISAF is using the lessons learned from the Iraq drawdown to help shape their campaign plan. There are a few best practices that are critical to success: (1) synchronize retrograde operations with operational maneuver to ensure adequate force protection and enabler support as the size of our force decreases; (2) conduct all planning with DOS and other agencies to ensure all interagency missions are synchronized and set up for success through the transition process; (3) prepare for the possibility that no status of forces agreement will be in place for subsequent protection of U.S. troops and contractors; and (4) ensure the training and advising of the ANSF remain the focus, as the ANSF takes the lead for security across Afghanistan and as we redeploy our forces.

QUESTIONS SUBMITTED BY SENATOR RICHARD BLUMENTHAL

TROOP MORALE IN AFGHANISTAN

13. Senator BLUMENTHAL. General Austin, I have heard from several Connecticut servicemembers and their family members deployed to Afghanistan that when they are not at the base during certain hours, they do not receive breakfast. I have also heard from servicemembers that the free wireless Internet provided in Internet cafes is occasionally too slow for them to communicate with family members back home via Skype. I understand that servicemembers must pay up to $100 per month if they would like high-speed Internet service in their living quarters. I have every confidence that you will ensure the welfare of all military personnel under your command. If confirmed, how would you address the welfare and morale issues of breakfast and adequate Internet use for our servicemembers deployed in Afghanistan?

General AUSTIN. The care of our deployed servicemembers is critically important and I consider this to be an operational issue. Mission requirements dictate the availability of certain resources and as our footprint gets smaller, we may necessarily see gaps in certain services due to operational requirements. That said, if confirmed, I will ensure that leaders continue to provide proper care and recreational opportunities within mission constraints.

JORDAN

14. Senator BLUMENTHAL. General Austin, the civil war in Syria is causing thousands to flee to the Jordanian Refugee Camp Zaatari where there are press reports of Jordanian outsiders entering the area and that it is not properly secured. If confirmed, would you consider providing specific training and technical assistance to

the Jordanian military to improve security control at the Zaatari refugee camp, where conditions are worsening and the Government of Jordan is bearing the brunt of a crisis that requires a regional response?

General AUSTIN. The U.S. military routinely provides focused and effective training as well as technical assistance to the Jordanian Armed Forces. The majority of the training and assistance we provide increases their capacity and capabilities in order to ensure a secure and stable Jordan. With regards to security at the Zaatri refugee camp, the Jordanian Armed Forces do not provide any internal or perimeter security for the camp. The Government of Jordan relies on their police forces and Gendarme to provide security at Zaatri. The Jordanian Armed Forces provide security for the refugees at the border and while transporting them to Zaatri. Because the security providers at the camp are Ministry of Interior personnel, CENTCOM would need special authorities to provide any training or technical assistance should they ask for it.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

TACTICAL NUCLEAR WEAPONS

15. Senator CHAMBLISS. General Austin, several nuclear powers reside in the CENTCOM AOR. There is much concern about countries like Pakistan who have unstable governments, discontent populations, and a nuclear weapons capability. According to the Congressional Research Service and the Federation of American Scientists, Pakistan has approximately 90 to 110 warheads, recently passing India's inventory of 80 to 100 weapons. This appears to be a nuclear arms race in South Asia. What are your thoughts on tactical nuclear weapons?

General AUSTIN. The security and accountability of all tactical nuclear weapons in that volatile and beleaguered part of the world is of utmost importance to the United States, especially given our vital national interests located throughout the region. While Pakistan represents the only nuclear power in the CENTCOM AOR, we remain concerned about the persistent risk of proliferation and certainly the potential for an arms race in South Asia. If confirmed, I will also work closely with the Commander of PACOM to ensure that nuclear tensions between Pakistan and India are properly addressed. Meanwhile, our ultimate goal is to help to discourage Pakistan from maintaining tactical nuclear weapons given the inherent threat they pose to security and stability in the region. Larger nuclear weapons are contained on installations with multi-layered security and are more difficult to conceal. In contrast, tactical nuclear weapons are far easier to transport and conceal and thus more difficult to track.

16. Senator CHAMBLISS. General Austin, what is your message to leaders in Pakistan for future involvement?

General AUSTIN. We want to convey to them our belief that the significant risks associated with maintaining tactical nuclear weapons far outweighs any potential benefit. We also want to emphasize the grave need to ensure the proper security and accountability of these weapons. Ultimately, it is in both our countries' best interest to remain engaged at all levels in order to promote Pakistan stability and security and accountability of all nuclear weapons.

17. Senator CHAMBLISS. General Austin, what will be CENTCOM's role in engaging with Pakistani military leaders for responsible accountability and positioning of tactical nuclear weapons?

General AUSTIN. The development of tactical nuclear weapons as a potential counter to larger conventional forces is certainly an area of concern that merits our attention. The United States must continue to employ all elements of national power to aid and assist Pakistan in improving its overall nuclear security and to prevent the proliferation of nuclear material and technology. If confirmed, I will ensure that CENTCOM continues to promote U.S./Pakistan military-to-military engagements at the highest levels to promote the security and accountability of Pakistan's nuclear weapons program.

IRANIAN NUCLEAR WEAPONS CAPABILITY

18. Senator CHAMBLISS. General Austin, while they state otherwise, it appears Iran is actively pursuing a nuclear weapons capability. This is something we cannot allow and there must be a red line drawn prior to Iran acquiring this capability. What are the key indicators on Iran's path to nuclear weapons capability?

General AUSTIN. Key indicators could include: (1) Tehran ceases all cooperation with the International Atomic Energy Agency, which could result in the lack of verification of Iran's nuclear-related materials and facilities; (2) Uranium enrichment above the 20-percent level is detected; this would exceed Iran's current civilian use requirements and may have military implications; (3) Accumulation of large stockpiles of 20-percent enriched uranium; (4) Confirmation of nuclear weapons-related activities, many of which were outlined in the International Atomic Energy Agency November 2011 report annex; (5) Operation of a plutonium production reactor and establishment of a plutonium reprocessing capability; (6) Continued testing and growth of Tactical Ballistic Missile capabilities in the Iranian military.

19. Senator CHAMBLISS. General Austin, what are the red lines and what actions should we take?

General AUSTIN. The President has stated the United States cannot and will not allow Iran to develop or acquire nuclear weapons and avoiding a regional nuclear arms race is critical to preserving stability in the Middle East. Accordingly, CENTCOM is postured to provide the President of the United States (POTUS) with a range of military options, as required. That said, the best way to accomplish this goal is through diplomacy, both unilateral and with our allies and United Nation partners, and a tough sanctions regime. In parallel, the United States needs to continue to maintain a strong U.S. military presence within the Arabian Gulf region and build our regional partners' military capabilities to defend themselves and the region in the event of a crisis with Iran. If a crisis with Iran does occur, CENTCOM is prepared to defend U.S. interests and our partners' sovereignty and maintain the free flow of international commerce throughout the region.

20. Senator CHAMBLISS. General Austin, do you support the full range of policy options, to include the use of force?

General AUSTIN. Yes. Our Nation has vital national interests throughout the CENTCOM AOR that would be jeopardized by a regionally-hegemonic and aggressive Iran in possession of a nuclear weapon. Therefore, and as POTUS has stated, we will not tolerate a nuclear-armed Iran and stand ready to employ all instruments of national power to ensure Iran does not achieve such a capability. If confirmed, as the CENTCOM Commander, I will be prepared at all times to provide POTUS with a range of options for effective military actions across the spectrum of conflict.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

IRAN'S ACTIVITIES

21. Senator AYOTTE. General Austin, what are Iran's activities now in Syria?

General AUSTIN. Over the past 2 years, Iran has focused on keeping the Assad regime in power to maintain the critical gateway to its regional surrogates and proxies. Iran is providing the Syrian regime money, weapons, military advisors, technical support, and is becoming directly involved in operations against opposition forces. Additionally, Iran is increasing support to pro-Assad Shia militants, including establishing, training, and equipping the Jaysh al Sha'bi militia.

22. Senator AYOTTE. General Austin, what are Iran's activities in Lebanon, Yemen, Iraq, and Afghanistan?

General AUSTIN. The Iranian Threat Network (ITN) is a worldwide network consisting of the Islamic Revolutionary Guards Corps-Quds Force (IRGC–QF), Ministry of Intelligence and Security (MOIS), and their surrogates, business and logistics support. ITN actions, lethal or otherwise, are a problem common to nearly every troubled country in the region including Lebanon, Yemen, Iraq and Afghanistan.

Iran continues to exploit regional animosity toward Israel to gain influence in the Levant, portraying itself as the sole supporter of Palestinian and Lebanese resistance. Iran continues providing Hezballah with lethal military support, religious guidance, and funding for numerous outreach programs targeting Shia communities throughout Lebanon and specifically in southern Beirut. Iranian lethal aid includes several advanced weapons systems, such as anti-ship missiles, surface-to-surface missiles, unmanned aerial vehicles, several variants of manportable air defense systems, anti-tank guided missiles and tens of thousands of tactical rockets.

In Yemen, Iran has taken advantage of unrest since early 2011 to grow its influence. They are providing lethal and non-lethal support to segments of the Huthi rebel movement in Yemen, in hopes of building the group into a Lebanese Hizballah like element it can use to pressure the Yemeni Government. Iran is also estab-

lishing an Arabian Peninsula based weapons hub for training and exporting lethal aid to Yemen.

Iran is trying to expand its influence in Iraq by strengthening its political, economic, and military ties with the Iraqi Government and its senior leaders. Influence over Iraqi officials allows Iran to extend hard and soft power influence in key areas of Iraq. Iraqi airspace has been used to ferry lethal aid to Syria, uninhibited by perfunctory Iraqi inspections of aircraft. Tehran is also engaging Iraqi political leaders on all sides to ensure the current Iraqi political crisis does not devolve into conflict. Iran continues to support its Shia militant proxies, even though the groups have assumed a lower profile in Iraq over the past year.

In Afghanistan, Iran through the IRGC–QF, continues equipping and training the Taliban and other insurgents to undermine ISAF efforts to establish security and stability in Afghanistan. Iran's other influential efforts include overt support for the Afghan Government and economic and cultural outreach to the Afghan populace, particularly Shia minority populations. Politically, Iran seeks to maintain positive relations within the highest levels of the Afghan Government while attempting to steer Afghanistan away from a long-term Bilateral Security Agreement with the United States.

ARABIAN GULF

23. Senator AYOTTE. General Austin, are we in a period of heightened risk in the Arabian Gulf region?

General AUSTIN. Yes. Iran's actions in the Arabian Gulf, of late, have been more aggressive as Tehran attempts to assert territorial claims that exceed internationally recognized limits. As Iran continues to actively challenge our presence in international airspace and waters of the Gulf, these events create the potential for miscalculation. Iran also continues improving the lethality and accuracy of its ballistic missiles and conducts military exercises with the stated purpose of closing the Strait of Hormuz, threatening not only its neighbors but also the global economy. Meanwhile, the International Atomic Energy Agency has reported that Iran continues to increase and improve its uranium enrichment activities, causing concerns over the potential military dimensions of its nuclear program.

24. Senator AYOTTE. General Austin, what are the consequences of not having the second aircraft carrier in the Arabian Gulf region?

General AUSTIN. While the presence of a second aircraft carrier significantly enhances the flexibility and number of response options available to POTUS in the midst of a crisis, in its absence the United States still retains a robust response capability for any number of contingencies. That said, the lack of a second carrier would increase response times required to execute some military options in the region.

INTEGRATED AIR AND MISSILE DEFENSE FRAMEWORK

25. Senator AYOTTE. General Austin, given regional threats and a need to balance Iran's nuclear ambitions, will CENTCOM continue to pursue a robust integrated air and missile defense framework with our Gulf Cooperation Council partners?

General AUSTIN. Yes. Developing a robust integrated air and missile defense framework with our Gulf Cooperation Council partners is central to demonstrating the U.S. resolve in the region. Iran possesses extensive ballistic missile capabilities that continue to grow in quantity and technological sophistication. Their disruptive behavior threatens the security interests of our regional partners and the vital interests of the United States and we must emphasize interoperability with our partners as they procure new and upgrade older missile defense systems. Ultimately, a layered U.S. and Gulf Cooperation Council missile defense architecture is necessary to effectively counter the Iranian tactical ballistic missile threat and preserve operational flexibility.

SEQUESTER RISKS

26. Senator AYOTTE. General Austin, how will sequestration increase risk to our interests in the CENTCOM AOR?

General AUSTIN. Sequestration will significantly increase the risk to readiness and ongoing missions in the CENTCOM AOR as Chairman Dempsey and the Service Chiefs have stated. Sequestration will cause the Services to delay required maintenance to ships and other major systems, curtail pilot training hours, stall procure-

ment decisions, and cancel contracts. While such actions may meet short-term sequestration goals, they introduce risk and likely result in greater expenditures later. The effects of sequestration will negatively impact all of the Services, thereby having a significant operational impact on the CENTCOM AOR due to its geography, the pace of ongoing combat operations, and the likelihood of numerous unforeseen contingencies.

SURVEILLANCE IN CENTRAL COMMAND

27. Senator AYOTTE. General Austin, the 2002 $250 million wargame Millennium Challenge simulated a naval engagement in the Gulf and found that speedboats pose a serious threat to our CENTCOM forces, especially in the Strait of Hormuz. Given that, is persistent ISR that can track these speedboats still required?

General AUSTIN. Yes. The threat tactics employed during Millennium Challenge still pose a significant threat to our forces. Specifically, tactics such as swarming have been practiced and refined by the Iranians over the years. Iranian speed boats, which we categorize as Fast Attack Craft and Fast In-shore Attack Craft, pose a unique and significant threat to U.S. and coalition naval forces, as well as commercial shipping in the Arabian Gulf. These craft are integral to Iran's mine-laying and swarm tactics and thus pose a significant threat to the safety of navigation through the Strait of Hormuz and the shipping lanes of the Arabian Gulf. Given the low observable signatures and dynamic operations of these threats, persistent ISR is still required.

28. Senator AYOTTE. General Austin, given what we know about Iran's missile capabilities, would you consider integration of fire control and persistent ISR valuable to the protection of our forward deployed troops?

General AUSTIN. Yes. CENTCOM forces and coalition partners will have only minimal time to react to missile launches in the Arabian Gulf. Rapid identification, verification, geolocation, and kinetic targeting of such threats is a must (find-fix-finish).

29. Senator AYOTTE. General Austin, the Army recently announced that the Joint Land Attack Cruise Missile Defense Elevated Netted Sensor (JLENS) system would be demonstrated in the National Capital Region to provide exactly that kind of ISR and defense. Would such a system help counter threats such as those posed to U.S. Forces in the Gulf?

General AUSTIN. Persistent ISR systems such as JLENS, specifically designed for missile detection and tracking, would help to counter threats such as those posed to U.S. Forces in the Gulf. However, JLENS is not currently a program of record and is still in testing. If this system does become available for worldwide operational use, JLENS will offer persistent and multi-sensor capabilities optimized for point area defense. The fact that JLENS is tethered will prove a limitation requiring substantial planning and de-confliction to overcome the impact to air navigation, especially in nations who only grant the United States limited use of their airspace.

INTERNATIONAL SECURITY ASSISTANCE FORCE

30. Senator AYOTTE. General Austin, if General Dunford told you that he believes the pace of the withdrawal is jeopardizing our interests and a positive outcome in Afghanistan, would you support his request to slow the pace of withdrawal?

General AUSTIN. I will remain in close contact with General Dunford to assess the conditions on the ground, consider his best judgment in any major decisions regarding the campaign, including the pace of redeployment of our forces, and provide my best military advice to my chain of command.

31. Senator AYOTTE. General Austin, if General Dunford says he needs more forces than planned after 2014, would you support that request?

General AUSTIN. I will work closely with General Dunford and consider his best judgment in any major decisions regarding the campaign, including the size of the forces required to meet the mission, as directed by the President. I will continue to work with General Dunford and his team, the Joint Staff and DOD, to assess conditions on the ground and provide my best military advice to my chain of command.

32. Senator AYOTTE. General Austin, what will happen in Afghanistan if the United States withdraws too quickly or leaves too few troops in Afghanistan post-2014?

General AUSTIN. Campaign success through 2014 and beyond requires balancing many factors, including mission requirements, availability of resources, and risk to forces. Ultimately, the Afghans are responsible for securing their own country, and we have made a significant investment in training their forces to achieve this goal. That said, while it is hard to predict exactly what would happen if the United States were to withdraw too quickly, such a withdrawal could jeopardize the hard fought gains achieved over the last 12-plus years. Ultimately, withdrawing too quickly could result in increased instability in Afghanistan and throughout the region. If confirmed, I will work closely with General Dunford to ensure a responsible transition and withdrawal of U.S. Forces from Afghanistan.

SYRIA

33. Senator AYOTTE. General Austin, why do you believe that the al Nusrah Front is increasing in capability and influence in Syria?

General AUSTIN. The "al Qaeda in Iraq" Syrian front organization, al-Nusrah Front, has achieved its current level of capability and influence because of two key variables. Al Nusrah has focused on outreach to the Syrian populace, tempering its vision of an Islamic state and building an outreach program that includes basic humanitarian assistance. This has some Syrians looking to al Nusrah as a viable alternative to the current Assad regime. This outreach is powerful when combined with the second key to al Nusrah's success, the experience its forces bring to the fight in Syria. This experience, gained largely in Iraq, includes not only tactics and strategies, but also logistics, organizational skills, and a discriminating use of violence. Al Nusrah Front strives to minimize civilian casualties and applies savvy propaganda when unwanted deaths occur, typically shifting the blame to regime forces or other Syrian opposition groups.

CONTRACTING WITH THE ENEMY

34. Senator AYOTTE. General Austin, are you aware of section 841 of the NDAA for Fiscal Year 2012, titled "Prohibition on Contracting with the Enemy in the CENTCOM Theater of Operations"?

General AUSTIN. Yes, I am aware of section 841 and the authority granted to the CENTCOM Commander to issue findings against companies and individuals actively supporting the insurgency.

35. Senator AYOTTE. General Austin, if confirmed, do you commit to aggressively implementing these authorities to save taxpayer money and ensure U.S. contracting funds do not end up in the hands of our enemies?

General AUSTIN. Yes, if confirmed, I will aggressively utilize the authority provided under section 841 to issue findings against companies and individuals found to be using proceeds from U.S. contracts to actively support the insurgency.

[The nomination reference of GEN Lloyd J. Austin III, USA, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 23, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment in the U.S. Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be General.

GEN Lloyd J. Austin III, USA, 5848.

[The biographical sketch of GEN Lloyd J. Austin III, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF GEN LLOYD J. AUSTIN III, USA

Source of commissioned service: USMA.

Educational degrees:
U.S. Military Academy - BS - No Major
Auburn University - ME - Educational Administration
Webster University - MA - Management

Military schools attended:
Infantry Officer Basic and Advanced Courses
U.S. Army Command and General Staff College
U.S. Army War College

Promotions:

Promotions	Dates of appointment
2LT	4 Jun 75
1LT	4 Jun 77
CPT	18 Nov 79
MAJ	1 Jun 86
LTC	1 Jul 92
COL	1 Aug 97
BG	1 Jan 02
MG	1 Jan 05
LTG	8 Dec 06
GEN	1 Sep 10

Major duty assignments:

From	To	Assignment
Feb 12	Present	Vice Chief of Staff, U.S. Army, Washington, DC
Sep 10	Dec 11 ..	Commander, U.S. Forces-Iraq, Operation New Dawn, Iraq
Aug 09	Aug 10	Director, Joint Staff, Washington, DC
Apr 09	Aug 09	Commanding General, XVIII Airborne Corps and Fort Bragg, Fort Bragg, NC
Feb 08	Apr 09 ..	Commanding General, XVIII Airborne Corps/Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq
Dec 06	Feb 08 ..	Commanding General, XVIII Airborne Corps and Fort Bragg, Fort Bragg, NC
Sep 05	Dec 06 ..	Chief of Staff, U.S. Central Command, MacDill Air Force Base, FL
Sep 03	Aug 05	Commanding General, 10th Mountain Division (Light) and Fort Drum, Fort Drum, NY, to include duty as Commander, Combined Joint Task Force-180, Operation Enduring Freedom, Afghanistan
Jul 01	Jun 03 ..	Assistant Division Commander (Maneuver), 3d Infantry Division (Mechanized), Fort Stewart, GA, and Operation Iraqi Freedom, Iraq
Jun 99	Jul 01 ...	Chief, Joint Operations Division, J–3, Joint Staff, Washington, DC
Jun 97	Jun 99 ..	Commander, 3d Brigade, 82d Airborne Division, Fort Bragg, NC
Aug 96	Jun 97 ..	Student, U.S. Army War College, Carlisle Barracks, PA
Mar 95	Jun 96 ..	G–3 (Operations), 82d Airborne Division, Fort Bragg, NC
May 93	Mar 95	Commander, 2d Battalion, 505th Parachute Infantry Regiment, 82d Airborne Division, Fort Bragg, NC, and Operation Safe Haven, Panama
Oct 92	Apr 93 ..	Director, Directorate of Plans, Training, Mobilization, and Security, U.S. Army Garrison, Fort Drum, NY
Jun 91	Oct 92 ..	Executive Officer, 1st Infantry Brigade, 10th Mountain Division (Light), Fort Drum, NY
Jun 89	May 91	S–3 (Operations), later Executive Officer, 2d Battalion, 22d Infantry, 10th Mountain Division (Light), Fort Drum, NY
Jul 88	Jun 89 ..	Student, U.S. Army Command and General Staff College, Fort Leavenworth, KS
Dec 85	Jun 88 ..	Cadet Counselor, later Company Tactical Officer, U.S. Military Academy, West Point, NY
Jan 85	Dec 85 ..	Student, Auburn University, Auburn, AL
Oct 82	Dec 84 ..	Company Commander, U.S. Army Recruiting Battalion, Indianapolis, IN
Oct 81	Oct 82 ..	Operations Officer, U.S. Army Indianapolis District Recruiting Command, Indianapolis, IN
Apr 81	Oct 81 ..	Assistant S–3 (Operations), 1st Brigade, 82d Airborne Division, Fort Bragg, NC
Oct 79	Apr 81 ..	Commander, Combat Support Company, 2d Battalion (Airborne), 508th Infantry, 82d Airborne Division, Fort Bragg, NC
Mar 79	Sep 79 ..	Student, Infantry Officer Advanced Course, U.S. Army Infantry School, Fort Benning, GA

From	To	Assignment
Jan 78	Feb 79 ..	Scout Platoon Leader, Combat Support Company, 1st Battalion, 7th Infantry, 3d Infantry Division (Mechanized), U.S. Army Europe and Seventh Army, Germany
May 76	Jan 78 ..	Rifle Platoon Leader, A Company, 1st Battalion, 7th Infantry, 3d Infantry Division (Mechanized), U.S. Army Europe and Seventh Army, Germany

Summary of joint assignments:

	Date	Grade
Commander, U.S. Forces-Iraq, Operation New Dawn, Iraq	Sep. 10–Dec. 11	General
Director, Joint Staff, Washington, DC	Aug. 09–Aug. 10	Lieutenant General
Commanding General, XVIII Airborne Corps/Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq.	Feb. 08–Apr. 09	Lieutenant General
Chief of Staff, U.S. Central Command, MacDill Air Force Base, FL	Sep. 05–Dec. 06	Major General
Commanding General, 10th Mountain Division (Light) with duty as Commander, Combined Joint Task Force-180, Operation Enduring Freedom, Afghanistan (No Joint Credit).	Sep. 03–Apr. 04	Brigadier General/ Major General
Chief, Joint Operations Division, J–3, Joint Staff, Washington, DC	June 99–July 01	Colonel

Summary of operational assignments:

	Date	Grade
Commander, U.S. Forces-Iraq, Operation New Dawn, Iraq	Sep. 10–Dec. 11	General
Commanding General, XVIII Airborne Corps/Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq.	Feb. 08–Apr. 09	Lieutenant General
Commanding General, 10th Mountain Division (Light) with duty as Commander, Combined Joint Task Force-180, Operation Enduring Freedom, Afghanistan (No Joint Credit).	Sep. 03–Apr. 04	Brigadier General/ Major General
Assistant Division Commander (Maneuver), 3d Infantry Division (Mechanized), Operation Iraqi Freedom, Iraq.	Mar. 03–Apr. 03	Brigadier General
Commander, 2d Battalion, 505th Parachute Infantry Regiment, 82d Airborne Division, Operation Safe Haven, Panama.	Nov. 94–Feb. 95	Lieutenant Colonel

U.S. decorations and badges:
Defense Distinguished Service Medal (with three Oak Leaf Clusters)
Distinguished Service Medal (with Oak Leaf Cluster)
Silver Star
Defense Superior Service Medal (with Oak Leaf Cluster)
Legion of Merit (with Oak Leaf Cluster)
Defense Meritorious Service Medal
Meritorious Service Medal (with four Oak Leaf Clusters)
Joint Service Commendation Medal
Army Commendation Medal (with seven Oak Leaf Clusters)
Army Achievement Medal (with Oak Leaf Cluster)
Combat Action Badge
Expert Infantryman Badge
Master Parachutist Badge
Ranger Tab
Joint Chiefs of Staff Identification Badge

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by GEN Lloyd J. Austin III, USA, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Lloyd J. Austin III.

2. **Position to which nominated:**
Commander, U.S. Central Command, MacDill Air Force Base, FL.

3. **Date of nomination:**
January 23, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
August 8, 1953; Mobile, AL.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Charlene Denise Banner Austin; Maiden Name: Banner.

7. **Names and ages of children:**
Reginald Hill (Stepson); age 44.
Christopher Hill (Stepson); age 40.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.
None.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Association of the U.S. Army.
National Infantry Association.
Rocks Incorporated.
555th Parachute Infantry Regiment Association.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.
Patriot Award: October 2009 (Awarded for exceptional service to country by the Patriot Foundation, Pinehurst, NC).
Lifetime Achievement Award (Awarded by Auburn University).
Pinnacle Award (Awarded by the Chamber of Commerce in Thomasville, GA).
Honorary Doctorate (Awarded by Fayetteville State University).
Lincoln Award (Philadelphia, PA).

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?
Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?
Yes.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

LLOYD J. AUSTIN III.

This 2nd day of December, 2013.

[The nomination of GEN Lloyd J. Austin III, USA, was reported to the Senate by Chairman Levin on February 26, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 5, 2013.]

[Prepared questions submitted to GEN David M. Rodriguez, USA, by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and the chain of command by clearly delineating the combatant commanders' responsibilities and authorities and the role of the Chairman of the Joint Chiefs of Staff. These reforms have also improved cooperation between the Services and the combatant commanders, among other things, in joint training and education and in the execution of military operations.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. No. At this time I do not believe modifications are necessary. If confirmed, I will continue to be alert to the need for modifications.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. N/A.

Question. Do you believe that the role of the combatant commanders under the Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

Answer. Yes.

Question. Do you see a need for any change in those roles, with regard to the resource allocation process or otherwise?

Answer. No.

DUTIES

Question. What is your understanding of the duties and functions of the Commander of U.S. Africa Command (AFRICOM)?

Answer. The Unified Command Plan specifies the responsibilities of AFRICOM. If confirmed as the Commander of AFRICOM, I would ensure the accomplishment of those responsibilities. In my view, the most important requirement is to detect,

deter and prevent attacks against the United States, its territories, possessions, and bases and to employ appropriate force to defend the Nation should deterrence fail. AFRICOM's responsibilities also reflect a new and evolving focus on building partner operational and institutional capacity at the country and regional levels and supporting the efforts of other U.S. Government agencies in the area of responsibility. These activities are consistent with and seek to further the U.S. Strategy for Sub-Saharan Africa, as released by the President in June 2012.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. In my 36 years of military service, I have served in numerous positions that prepared me for this command. For the greater part of my career, I have focused on the training and readiness of soldiers to build an effective team; preparing and leading soldiers for missions ranging from humanitarian assistance to combat operations. Leading soldiers has prepared me well to do the same for joint, multinational, and coalition forces. As the Commander of the International Security Assistance Force Joint Command in Afghanistan, I came to appreciate the values and challenges of training Afghan forces, working with 50 coalition countries, and numerous interagency, intergovernmental, and nongovernmental organizations. As Commander, Multinational Command Northwest-Iraq, I worked to increase the capacity of Iraqi security forces. At the same time ensuring our efforts were coordinated with numerous partner nations, interagency and intergovernmental agencies and nongovernmental organizations. If confirmed, I will continue this effort of partnership in AFRICOM.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Commander of AFRICOM?

Answer. Yes. If confirmed, I will schedule a series of briefings with the AFRICOM staff, Intelligence Community, Department of State, National Security Staff, and other interagency partners to better understand the challenges, expand the breadth and depth of my knowledge, and prepare myself for this position.

Question. If confirmed, what duties and functions do you expect the Secretary of Defense would prescribe for you?

Answer. The specific responsibilities of AFRICOM are defined in the Unified Command Plan which is approved by the Secretary of Defense and the President. If confirmed, I would expect to have discussions with the Secretary of Defense to confirm priorities for the command and to focus my efforts on those areas that require immediate attention.

RELATIONSHIPS

Question. Section 162(b) of title 10, U.S.C., provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander, U.S. Africa Command to the following offices:

The Secretary of Defense.

Answer. Subject to direction from the President, the Commander of AFRICOM performs duties under the authority, direction, and control of the Secretary of Defense. In addition, the Commander of AFRICOM is responsible to the Secretary of Defense for the readiness of the command to carry out its mission.

Question. The Under Secretaries of Defense.

Answer. A direct command relationship between the Under Secretaries of Defense and the AFRICOM Commander does not exist. However, I anticipate that the AFRICOM Commander will regularly interact, coordinate, and exchange information with the Under Secretaries of Defense on issues relating to AFRICOM affairs. The commander should directly coordinate with the Under Secretaries of Defense on a regular basis.

Question. The Assistant Secretary of Defense for International Security Affairs.

Answer. The Commander of AFRICOM coordinates and exchanges information with the Assistant Secretary of Defense for International Security Affairs as needed to discuss international security strategy and policy as it relates to African nations. The Commander of AFRICOM also coordinates as required for issues related to security cooperation programs and foreign military sales.

Question. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and Interdependent Capabilities.

Answer. The Commander AFRICOM coordinates and exchanges information with the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and Interdependent Capabilities as needed to discuss matters related to special op-

erations, counterterrorism, civil affairs, and information operations. The AFRICOM Commander also coordinates as required for capabilities development to support the accomplishment of AFRICOM operations.

Question. The Chairman and Vice Chairman of the Joint Chiefs of Staff.

Answer. There is not a direct command relationship between the Chairman and Vice Chairman of the Joint Chiefs of Staff and the AFRICOM Commander. The Chairman functions under the authority, direction, and control of the National Command Authority. The Chairman will transmit communications between the National Command Authority and AFRICOM Commander as well as oversee the activities of the commander as directed by the Secretary of Defense. As the principal military advisor to the President, the National Security Council, and the Secretary of Defense, the Chairman is a key conduit between a combatant commander, interagency organizations, and the Service Chiefs.

The Vice Chairman serves on several councils and boards whose decisions affect AFRICOM including the Joint Requirements Oversight Council, the Defense Acquisition Board, the Defense Advisory Working Group, and the Senior Readiness Oversight Council. Interaction between the Commander of AFRICOM and Vice Chairman of the Joint Chiefs of Staff is important to ensure these boards and councils make informed choices on matters affecting the command.

The AFRICOM Commander will keep the Chairman and Vice Chairman informed on significant issues regarding the AFRICOM area of responsibility. The Commander will directly communicate with the Chairman and Vice Chairman on a regular basis.

Question. The Service Secretaries and Service Chiefs.

Answer. There is no direct command relationship between the Service Secretaries and Service Chiefs and the AFRICOM Commander. The Service Secretaries are responsible for all affairs of their respective Services including functions pertaining to the administration of and support for forces employed by AFRICOM. The Secretaries fulfill their responsibilities by exercising administrative control through the Service Component Commands assigned to AFRICOM. In this manner, the Secretary of the Army is the executive agent for AFRICOM Headquarters.

The Service Chiefs are responsible for ensuring the organization and readiness of each Service branch and for advising the President. The Service Chiefs are also members of the Joint Chiefs of Staff and serve as advisers to the President, National Security Council, the Homeland Security Council, and the Secretary of Defense. For matters affecting AFRICOM, I would anticipate regular communications between the Commander of AFRICOM and the Service Chiefs. The Commander, AFRICOM will rely on the Service Chiefs to provide properly trained and equipped forces to accomplish missions in the AFRICOM AOR.

Question. Commander, U.S. Special Operations Command.

Answer. The AFRICOM commander maintains a close relationship and communicates directly with the Commander, U.S. Special Operations Command, on issues of mutual interest. As a subordinate command of AFRICOM, Special Operations Command Africa and its units deploy throughout Africa supporting the AFRICOM commander's theater security cooperation program, deliberate plans, and operational contingencies.

Question. The other combatant commanders.

Answer. Formal relationships between the AFRICOM commander and the other geographic and functional combatant commanders will derive from command authority established by title 10, U.S.C., section 164, and from the Secretary of Defense when such relationships are established by him during operational missions. Combatant commanders closely coordinate as necessary to accomplish all assigned missions. These relationships are critical to the execution of our National Military Strategy, and are characterized by mutual support, frequent contact, and productive exchanges of information on key issues.

Question. The respective U.S. Chiefs of Mission within the AFRICOM area of responsibility (AOR).

Answer. Each Ambassador serves the President directly as his personal representative for each country. If confirmed, I will ensure that all activities of the combatant command in each country are fully coordinated with the Chief of Mission, consistent with U.S. policy.

Question. The respective U.S. Senior Defense Officials/Defense Attachés (SDO/DATT)

Answer. There is a supervisory relationship between the AFRICOM commander and the U.S. Senior Defense Officials/Defense Attachés. The U.S. Senior Defense Officials/Defense Attachés are formally evaluated by the AFRICOM Commander. This relationship ensures the Senior Defense Officials/Defense Attachés maintain close coordination with AFRICOM on all matters involving U.S. military forces in the

country. As the AFRICOM commander, I will maintain a close working relationship with the U.S. Senior Defense Official in each country in order to coordinate activities between the command and the respective country's military.

MAJOR CHALLENGES AND OPPORTUNITIES

Question. If confirmed as the Commander of AFRICOM, you will be responsible for all military operations in that region. In your view, what are the major challenges and opportunities that would confront you if you are confirmed as the next Commander of AFRICOM?

Answer. The security environment of the African continent is dynamic and, if confirmed, I will seek to counter emerging threats while strengthening African nations' capabilities to effectively address their own security challenges. A major challenge is effectively countering violent extremist organizations, especially the growth of Mali as an al Qaeda in the Islamic Maghreb safe haven, Boco Haram in Nigeria, and al Shabaab in Somalia. In order to effectively do so, AFRICOM relies on current African Partners and seeks the opportunity to develop new partnerships. Currently, there is an opportunity to assist the Nations of Libya, South Sudan and Somalia as they continue to develop their armed forces and develop governmental structures.

Question. If confirmed, what plans do you have for addressing these challenges and opportunities?

Answer. If confirmed, I will support the administration's whole of government approach implementing the U.S. Strategy Toward Sub-Saharan Africa. We will continue our commitment to protect our Nation from threats emanating from the African continent and strengthen the defense capabilities of our African partners and seek to develop new partnerships. If confirmed, I will review and assess AFRICOM's programs and strategy before taking any action.

U.S. OBJECTIVES IN AFRICA

Question. In his address in Ghana in July 2009, President Obama reaffirmed Africa's strategic importance to the United States and our national interests. He identified four priorities for the U.S. Government's engagement efforts: (1) supporting strong and sustainable democracies and good governance; (2) fostering sustained economic growth and development; (3) increasing access to quality health and education; and (4) helping to prevent, mitigate, and resolve armed conflict. In June 2012, the administration reaffirmed these priorities in the U.S. Strategy Toward Sub-Saharan Africa, emphasizing the increasing capacity of African states to take the lead on security issues on the continent, but also noting the continuing challenges.

In your view, what is AFRICOM currently doing to advance each of these objectives?

Answer. AFRICOM's primary contribution is in the area of helping to prevent, mitigate, and resolve armed conflict. The command works with African partner nation's military forces to strengthen their defense capabilities so that they are better able to address security challenges. AFRICOM's operations, exercises and theater security cooperation engagements focus on advancing this priority. The command's efforts to support military professionalization and security sector reform efforts help to inculcate respect for the rule of law, human rights, and military subordination to civilian authority—all of which reinforce the appropriate role of a military in a democratic society. AFRICOM's efforts play a mostly indirect but important role in supporting democratic consolidation and preventing a return to conflict in fragile, post-conflict states. A stable and secure environment is a precursor to significant advances in the other three areas: supporting strong and sustainable democracies and good governance; fostering sustained economic growth and development; and increasing access to quality health and education.

COUNTERTERRORISM PRIORITIES

Question. Within the AFRICOM AOR, what do you consider the highest counterterrorism priorities?

Answer. I consider the threat from al Qaeda and its affiliates to be the highest counterterrorism priority. The three groups in the AFRICOM area of responsibility—al Qaeda in the Islamic Mahgreb, al Shabaab, and Boco Haram—each present a threat to western interests in Africa. While each has not specifically targeted the United States, they have successfully carried out attacks on western interests and engaged in kidnapping. If they deepen their collaboration, they have the potential to be an even larger threat.

Question. Given your current knowledge of AFRICOM programs, do you believe the Command's resources are aligned in a manner consistent with these counterterrorism priorities?

Answer. Yes, countering violent extremist groups is the command's first priority.

AL QAEDA IN THE LANDS OF THE ISLAMIC MAGHREB

Question. What is your assessment of the threat posed by al Qaeda in the Lands of the Islamic Maghreb (AQIM)?

Answer. Al Qaeda in the Islamic Maghreb has publicly stated the willingness to attack U.S. and Western interests. The group's ability to conduct large scale terror attacks is restricted by the paucity of U.S. and Western targets in North Africa and successful Algerian security service counterterrorism efforts. Al Qaeda in the Lands of the Islamic Maghreb's greatest threat to U.S. interests is likely a catalyst for instability in North Africa through weapons facilitation and training jihadists in northern Mali.

Since the group publicly announced merger with al Qaeda on 13 September 2006, al Qaeda in the Islamic Maghreb has been committed to attacks against Western targets. On 10 December 2006, it attacked a bus carrying expatriate employees of the Algerian-American oil company Brown Root and Condor. Al Qaeda in the Islamic Maghreb has continued to conduct bombings in Algeria, predominantly in the coastal region east of Algiers. On 24 January 2012, Algerian security services disrupted an al Qaeda in the Islamic Maghreb plot to attack U.S. or western ships with a small boat. The attack was disrupted in the early planning stages, highlighting host nation's successful efforts to contain and neutralize the group. On 19 January 2013, Algerian security forces were also successful in defeating the militants holding hostages at the Amenas gas plant facility.

Al Qaeda in the Islamic Maghreb has openly operated in northern Mali since the collapse of government control in mid 2011. Credible reporting indicates al Qaeda in the Islamic Maghreb is training jihadist from across the region, to include members of other al Qaeda affiliates such as Nigeria's Boco Haram. Coupled with arms flowing from Qadhafi era Libyan stockpiles, al Qaeda in the Islamic Maghreb activities in northern Mali pose a long-term threat to security and stability in the region.

Question. In your view, does AQIM pose a threat to the United States and/or western interests outside of its immediate operational area? What capacity has AQIM demonstrated to plan and carry out actions threatening U.S. interests?

Answer. Al Qaeda in the Islamic Maghreb likely does not pose a threat to U.S. and Western interests outside its immediate operating area of Algeria and northern Mali in the near term, but could in the future. Al Qaeda in the Islamic Maghreb maintains intent and aspirations and will continue to work on increasing their capability with the help of other al Qaeda affiliates.

Al Qaeda in the Islamic Maghreb leadership has threatened Europe in numerous public statements since 2006, yet continues to focus the majority of its efforts in North Africa. Public statements frequently mention Spain and France, playing on North Africa's colonial history with Europe to garner support from the large North African Diaspora. Al Qaeda in the Islamic Maghreb maintains aspirations and intent to attack U.S. and Western interests, and in 2012, al Qaeda in the Islamic Maghreb leader made a public call to target U.S. Embassies after the attack on the U.S. mission in Benghazi, Libya. Al Qaeda in the Islamic Maghreb also poses a threat to Western aircraft flying in Algeria and Mali. The primary threat to westerners in North Africa remains hostage taking.

Question. In your view, what has been the impact of the recent expansion of AQIM's area of operations in northern Mali on the group's capacities and aims?

Answer. Due to the emergent safe haven in Northern Mali, al Qaeda in the Islamic Maghreb has increased its ability to consolidate its resources. The French-led intervention in Mali and the return of Malian Forces to population centers in northern Mali have impacted al Qaeda in the Islamic Maghreb's ability to operate unimpeded. However, al Qaeda in the Islamic Maghreb is able to coordinate training, distribute resources, and conduct attack planning, within its own ranks as well as with other foreign terrorist organizations. With this capabilitiy, al Qaeda in the Islamic Magreb will, at the very least, aggressively pursue the expansion of its influence to neighboring countries, and might begin planning to conduct attacks against Eurpoe or the homeland in accordance with general al Qaeda doctrine. French-led operations in Mali have disrupted and slowed al Qaeda in the Islamic Maghreb, but there is still much work to be done.

Question. Does AQIM have the capacity to carry out attacks in Europe or on European commercial aircraft flying over Northwest Africa?

Answer. Prior to the start of the French-led intervention in Mali, al Qaeda in the Islamic Maghreb's growing safe haven and freedom of movement in northern Mali did afford greater opportunity to plan and execute operations. I believe it is critically important to continue to work with our allies and partners to address this threat.

Question. What is your understanding of the extent to which AQIM has benefitted from the flow of arms from Libyan stockpiles since mid-2011—either in terms of arming itself or profiting from regional arms sales?

Answer. Al Qaeda in the Islamic Maghreb took advantage of the readily available stocks of weapons and ammunition accessible in Libya to expand and strengthen its safe-haven in northern Mali and make itself a more formidable military threat, as well as to indirectly benefit financially through long established smuggling networks already under its control.

Almost immediately following the early 2011 outbreak of hostilities in Libya, al Qaeda in the Lands of the Islamic Maghreb began actively working to move weapons from Libya to its secure operating areas in northern Mali.

There is no indication yet that al Qaeda in the Islamic Maghreb is making significant profits from the sale of Libyan arms to third parties. However, the instability of increasing amounts of weapons available in the Sahel may lead to greater opportunities to conduct kidnaps for ransom, al Qaeda in the Islamic Maghreb's primary source of revenue in the Sahel.

Question. What is your assessment of the threat posed by the Movement for Unity and Jihad in West Africa, an AQIM splinter faction that has recently emerged in Mali and controls significant territory there?

Answer. The Movement for Unity and Jihad in West Africa self-identifies as a terrorist organization, and has openly threatened Western interests in the region. It maintains a working relationship with the regional groups Ansar al-Dine and al Qaeda in the Islamic Maghreb. The group has also called for local and foreign fighters to join together in opposing an international military intervention in northern Mali.

Question. If confirmed, what efforts, if any, would you undertake to prevent and/or counter the spread of AQIM operations, fundraising activities, and ideology in North and West Africa?

Answer. Preventing and countering the spread of al Qaeda in the Islamic Maghreb takes a whole-of-government approach. Military efforts alone are only a part of the unified action required to achieve this whole-of-government approach and achieve lasting results. Currently, the Department of Defense (DOD) is executing a Global Campaign Plan for Counterterrorism that supports ". . . . U.S. Government efforts to disrupt, degrade, dismantle and defeat al Qaeda, its Affiliates and Adherents and other terrorist organizations. . . . " As part of unified action, and in concert with this global campaign plan, AFRICOM's theater strategy and theater campaign plan, with four subordinate campaign plans, orients on neutralizing al Qaeda networks in Africa. Al Qaeda in the Islamic Maghreb is a significant component of that network in North and West Africa and a major focus of AFRICOM's North-West Africa Campaign Plan.

Special Operations Command Africa is responsible for coordinating all activities to neutralize al Qaeda in the Lands of the Islamic Maghreb. Their operations include a counter-ideology component to deny al Qaeda in the Islamic Maghreb recruitment and retention efforts and interfere with their fundraising. These operations also include working closely with our critical partners to expand their counterterrorism capabilities, enabling them to carry the fight to al Qaeda in the Islamic Maghreb through "train and equip" missions which provide needed capabilities and tactics, techniques and procedures. AFRICOM is also working with regional organizations like the Economic Community of West African States to increase their capabilities and capacity to thwart al Qaeda in the Islamic Maghreb and their affiliates and adherents.

Integral to all of this is AFRICOM's participation in the Trans-Sahara Counterterrorism Partnership which is an interagency, Department of State, Department of Defense, and U.S. Agency for International Development, multi-year strategy aimed at defeating terrorist organizations and their ability to gain recruits.

If confirmed, I will assess the current operations and adjust as necessary in order to maintain consistent pressure on al Qaeda in the Islamic Maghreb and affiliated terrorist groups while ensuring appropriate support for our critical partners.

Question. What risks, if any, do you see accompanying greater potential AFRICOM engagement in regional efforts to expand government control and dismantle AQIM?

Answer. With the increasing threat of al Qaeda in the Islamic Maghreb, I see a greater risk of regional instability if we do not engage aggressively. Our long-term fight against al Qaeda necessitates persistent engagement with our critical partners.

Strengthening the defense capabilities of African states and regional organizations is an essential element of the AFRICOM strategy and mission, and supports U.S foreign policy goals in Africa and the core principles of the U.S. National Strategy for Counterterrorism. Further, building partner capacity is a major component of the strategic and operational approaches within the Africa Command Theater Campaign Plan and subordinate campaign plans.

Recent events in North-West Africa—specifically the coup in Mali and loss of control of territory in the north—increased the threat of al Qaeda in the Islamic Maghreb to our African partners in the region and, ultimately, to the United States. The French-led intervention in Mali and the creation of an African-led International Support Mission (AFISMA) to help restore Mali's terroritorial integrity are positive steps to restoring stability to Mali. Our current efforts to support the French and AFISMA with planning support, intelligence sharing, aerial refueling, and airlift for French and AFISMA forces which will play a critical role in assisting international efforts to restore stability.

I feel we face an increased threat to the United States if we do not engage with select critical partners.

Question. To what extent does AQIM pose a threat to stability in Morocco and Tunisia?

Answer. Al Qaeda in the Islamic Maghreb does not present an immediate threat to Morocco or Tunisia's stability, but that does not mean it or other extremists do not possess some capability or intention to conduct terror attacks in these countries. Within Morocco, the threat of an attack is degraded by the country's multi-dimensional counterterrorism strategy that includes regional and international security cooperation. However, these efforts do not completely negate the threat as evidenced by the 28 April 2011 Marrakesh bombing. Tunisia possesses a modest capacity to counterterrorism, but the concept is limited by perceptions of the former regime's heavy-handed and overly liberal use of previously established anti-terrorism legislation.

Question. Do you believe current legal authorities, including the 2001 Authorization for Use of Military Force (AUMF), are sufficient to enable you to carry out counterterrorism operations and activities against AQIM at the level you believe to be necessary?

Answer. The current legal authorities, including the Authorization for Use of Military Force, to conduct counterterrorism operations and activities against al Qaeda in the Islamic Maghreb appear to be sufficient for operations in the AFRICOM area of responsibility. However, the Authorization for Use of Military Force is now 12 years old; and al Qaeda has dispersed and operates in areas far from the original battlefield. Given these evolutionary changes in the global security landscape, I intend to continuously review the current intelligence on al Qaeda in the Islamic Maghreb and assess whether the existing authorities are sufficient to take all necessary actions.

SOMALIA AND AL SHABAB

Question. What is your assessment of the threat posed by al Shabab?

Answer. Al Shabaab is currently undergoing a significant transition in response to pressure from the African Union Mission in Somalia (AMISOM), The Federal Government of Somalia, and allied Somali forces, but will remain a threat for the near to mid-term in Somalia and increasingly in East Africa. Unable to effectively combat pro-government forces' superior armor and weaponry, al-Shabaab has withdrawn to rural safe havens where it can evade enemy forces and project a largely asymmetric war, including improved improvised explosive and increased suicide bombings. No longer responsible for administrating large population centers, al-Shabaab can refocus its somewhat debilitated revenue streams on more weapons, fighters, and attack planning. External attacks, such as those in Kenya, are likely to be a continued focus as these attacks are a key component to al-Shabaab's strategy to expel regional militaries from Somalia.

Question. In your view, does al Shabab pose a threat to the United States and/or western interests outside of its immediate operational area?

Answer. Al Shabaab is an al Qaeda affiliate and is likely to remain dedicated to the principles of al Qaeda, including executing attacks on the west. Al Shabaab maintains the near-term capability to threaten Western interests in Kenya as some elements in the large Somali populations throughout Kenya support al-Shabaab financially, ideologically, and logistically. As part of a highly mobile population in

East Africa, these supporters also maintain the ability to move in and out of regional nations in support of attacks. Al Shabaab's foreign fighters remain the greatest threat to Western interests regionally and internationally.

Question. In the last year, the United Nations-supported African Union Mission in Somalia (AMISOM) and its regional partners have made substantial military progress against al Shabaab. How would you evaluate the success of these efforts and the prospects for longer term stability in Somalia?

Answer. AMISOM has made progress in reducing the territory under al Shabaab control. The capital, Mogadishu and the port of Kismaayo, formerly a key hub for al Shabaab, are now under the Somali Government and African Union Mission in Somalia control. African Union Mission in Somalia successes have provided space for the political process to work. However, the Somali Government is in the earliest stages of development and there is still a long way to go to ensure long-term stability. It will take the combined efforts of the international community to assist the Somali Government and people recover from more than 10 years of conflict.

Question. The State Department has provided security assistance to Somalia's nascent national security forces for several years through the AU peacekeeping mission and through contractors. What role, if any, do you see for AFRICOM in that effort?

Answer. AFRICOM supports Department of State efforts in preparing Africa Union peacekeepers deploying to Somalia as part of African Union Mission in Somalia by providing Global Peace Operations Initiative funding to African Union Mission in Somalia staff, providing secure communications to Africa Union Mission in Somalia contributing nations, and providing logistics training, excess equipment, and mentor support to Africa Contingency Operations Training and Assistance training in the region. In addition, AFRICOM has supplied niche intelligence, surveillance, and reconnaissance capabilities, and counterterrorism training to deploying African Union Mission in Somalia units, and additional communications via Department of Defense 1206 funding mechanisms. This is a critical effort and AFRICOM will continue to work with Department of State to support African Union Mission in Somalia troop contributing nations. If directed, AFRICOM is prepared to expand support to nascent Somalia security forces.

Question. Do you believe current legal authorities, including the 2001 AUMF are sufficient to enable you to carry out counterterrorism operations and activities against al Shabaab at the level you believe to be necessary?

Answer. The current legal authorities, including the Authorization for Use of Military Force to conduct counterterrorism operations and activities against al Shabaab appear to be sufficient for operations in the AFRICOM area of responsibility. However, the African Union Mission in Somalia is now 12 years old and al Qaeda has dispersed and operates in areas far from the original battlefield. Given these evolutionary changes in the global security landscape, I intend to continuously review the current intelligence on al Shabaab and assess whether the existing authorities are sufficient to take all necessary actions.

Question. What role, if any, do you see for AFRICOM in preventing further deterioration of the humanitarian crisis in Somalia, which according to experts remains among the worst anywhere in the world?

Answer. The primary factor undermining humanitarian support in certain famine and food insecure regions in Somalia is a general lack of security in ungoverned spaces and/or al Shabaab resistance to relief operations. Department of Defense support to regional militaries serves to facilitate and improve aid delivery, preventing a worsening of the humanitarian crisis in Somalia. Regional partners such as Ethiopia and Kenya have demonstrated a commitment to supporting humanitarian assistance operations, which, as a secondary benefit, also enhances Somalia's internal security. AFRICOM is well positioned to support the broader U.S. Government's humanitarian assistance effort, and to assist our regional partners in key areas such as logistics, medical, communications, and planning.

NIGERIA AND BOCO HARAM

Question. In the past year and a half, Boco Haram's attacks in Nigeria have become increasingly sophisticated and deadly. There is concern that the group is expanding ties with other violent Islamist groups on the continent. In a hearing before the committee in March of this year, General Carter Ham, the current Commander of AFRICOM, stated that Boco Haram has emerged "as a threat to Western interests."

Do you agree with General Ham that Boco Haram represents a threat to Western interests?

Answer. Yes. Although Boco Haram's primary target set is largely domestic, the group demonstrated a willingness to specifically target western interests within Nigeria when it launched a car bomb attack against the United Nations' headquarters building in Abuja in August 2011. Additionally, Boco Haram was involved in the abduction and subsequent murders of two western citizens in May 2011 and possibly a German in January 2012. Boco Haram's growing ties to the al Qaeda network, particularly al Qaeda in the Islamic Maghreb, almost certainly exacerbates the threat Boco Haram poses to western interests.

Question. What is your assessment of Boco Haram's intentions to expand its scope of operations beyond domestic attacks? How do you assess its capability to do so?

Answer. Boco Haram's ties to external al Qaeda affiliates, particularly with al Qaeda in the Islamic Maghreb, along with its larger regional presence and activities, will broaden its intentions to expand its scope of operations beyond domestic attacks. Boco Haram maintains presence beyond Nigeria in the neighboring countries Niger, Cameroon, and Chad. Additionally, there are indications that a sizable contingent of Boco Haram members is located in northern Mali, where they almost certainly augment al Qaeda in the Islamic Maghreb effort to secure its territorial gains and facilitate the establishment of an Islamic state. The group's demonstrated ability to conduct complex coordinated attacks with multiple vehicle-borne improvised explosive devices indicates Boco Haram already possesses the capability to conduct such an operation beyond domestic Nigerian targets.

Question. To what extent has Boco Haram benefitted from the flow of arms from Libyan stockpiles since mid-2011—either in terms of arming itself or profiting from regional arms sales?

Answer. Boco Haram has benefitted from the proliferation of weapons from Libya. Additionally, the large amount of weaponry al Qaeda in the Islamic Maghreb acquired from Libyan stockpiles, coupled with the the relationship between Boco Haram and al Qaeda in the Islamic Maghreb, almost certainly resulted in additional arms provided to Boco Haram. There has been no indication yet of Boco Haram profiting from the sale of weapons.

Question. What is your assessment of the Nigerian Government's efforts to eliminate Boco Haram?

Answer. Nigeria's security response to Boco Haram has had some isolated successes, and the Nigerian Government almost certainly has the will and means to continue security operations. The Nigerian Government is conducting a three-pronged response to Boco Haram including extensive security and intelligence operations, limited co-option efforts, and a fledging public relations campaign. However, even if Nigeria manages to destroy all current Boco Haram factions and nodes, long-term stability in northern Nigeria is contingent on the Nigerian Government making a concerted political effort to resolve socio-economic issues like endemic poverty, poor economic prospects, political marginalization, and corruption.

Nigeria deployed a joint task force to counter Boco Haram in June 2011 and has steadily increased the size and scope of operations over the last year. Nigerian counterterrorism and counterinsurgency capabilities are still developing and the army and police often rely on heavy-handed static security operations. The army and police have been widely criticized for the excessive use of force which results in local resentment and undermines Nigeria's modest counterterrorism successes.

Last, while some in the government acknowledge that the use of excessive force by the Nigerian army and the continued socio-economic marginalization of northern Nigeria are alienating the population and helping Boco Haram. There has been little progress made in addressing alleged human rights abuses by the security services or underlying socio-economic issues in northern Nigeria.

The Nigerian Government has also indicated a willingness to pursue negotiations with Boco Haram. Boco Haram leadership has rejected negotiations, but more moderate fringe factions could still be co-opted.

Question. What is your assessment of Boco Haram's relationship with AQIM and Al Shabaab, respectively? Is there any evidence to suggest that Boco Haram and AQIM have developed operational links?

Answer. Boco Haram's connection to the broader al Qaeda movement is primarily through al Qaeda in the Islamic Maghreb. There are few indications that Boco Haram has direct connections to al-Shabaab, and those that exist indicate al Qaeda in the Islamic Maghreb acts as an intermediary.

Al Qaeda in the Islamic Maghreb appears to provide support to Boco Haram, evidenced especially in the manner of its resurgence after the Nigerian Government crackdown on the organization in 2009. Malian government sources show that for several years Boco Haram has sent operatives to train with al Qaeda in the Islamic Maghreb elements in the Sahel. Boco Haram has confined the majority of its attacks to northern Nigeria; however, the targeting of Western interests within Nigeria,

such as the United Nations' headquarters in Abuja, may indicate al Qaeda in the Islamic Maghreb influence on Boco Haram's target selection. In addition, specific tactics used, most notably that of the suicide vehicle borne improvised explosive devices is almost certainly the influence of al Qaeda in the Islamic Maghreb on Boco Haram operations.

Question. If confirmed, what role would you recommend for AFRICOM in building the capacity of the Nigerian security forces to respond to the Boco Haram threat?

Answer. Growing and deepening the relationship with the Nigerian Defense Staff is crucial to securing greater partnering opportunities. An approach to strengthen Nigerian security forces hinges on buy-in from senior defense leaders who are willing to address underlying issues to enhance leadership, anti-corruption, and equipment and supply procurement deficiencies. Nigeria is a prime example of where a whole-of-government approach is critical to address the complex Boco Haram threat which is exacerbated by underlying political, economic and social fractures.

Question. What risks, if any, do you see accompanying greater potential AFRICOM engagement in regional efforts to expand government control and dismantle Boco Haram?

Answer. My chief concern would be the risks associated with the performance of U.S. trained or equipped Nigerian defense forces continuing on a path of unprofessional activity—violence against civilians, illegal detainment, and ultimately, ineffective operations against Boco Haram.

Question. Do you believe current legal authorities, including the 2001 AUMF are sufficient to enable you to carry out counterterrorism operations and activities against Boco Haram at the level you believe to be necessary?

Answer. The current legal authorities, including the Authorization for Use of Military Force to conduct counterterrorism operations and activities against Boco Haram appear to be sufficient for operations in the AFRICOM area of responsibility. However, the Authorization for Use of Military Force has been in place for 12 years and al Qaeda has dispersed and operates in areas far from the original battlefield. Given the evolutionary changes in the global security landscape, I intend to continuously review the current intelligence on Boco Haram and assess whether the existing authorities are sufficient to take all necessary actions.

Question. Violent incidents, reportedly including indiscriminate killing of civilians, committed by Nigerian police and military services during operations intended to be against Boco Haram have risen significantly in recent months.

In your view, what measures should the United States incorporate into current and future military-to-military engagements to help stem these incidents?

Answer. Basic military professionalization underlies all engagement with Nigerian Defense Forces. This includes orchestration of a training program by AFRICOM and often delivered by U.S military judge advocates through the Defense Institute for International Legal Studies. The AFRICOM effort is to advance the rule of law in African militaries, address human rights laws, respect for international law, and the law of armed conflict. Increasing the intensity and depth of this program using Defense Institute for International Legal Studies and similar training resources would be an important step toward stemming indiscriminate violence.

Professionalization of military forces is also a key reason for a preference toward use of U.S. uniformed trainers. The objective is to model the U.S. Army's soldier code of conduct and ethics and also to demonstrate a disciplined Noncommissioned Officer Corps.

MALI

Question. What is AFRICOM currently doing to respond to the situation in northern Mali, including the significant expansion of AQIM's operational presence there?

Answer. It is my understanding that AFRICOM is accelerating its cooperation with Mali's neighbors and continuing to explore ways to counter the threat posed by al Qaeda in the Islamic Maghreb and its sympathizers while at the same time supporting international intervention efforts.

The situation in Mali's north is complicated by al Qaeda in the Islamic Maghreb's growing entrenchment into political and religious institutions, unaddressed grievances, vast ungoverned expanses, porous borders, and continuing spillover from the instability in Libya. A successful solution will require working closely with the international community—in particular Mali's neighbors and the Economic Community of West African States—to fully restore credible, elected political leadership in Mali while addressing the growing humanitarian crisis and strengthening the Malian security forces, ultimately restoring governance and security for the whole of Mali's territory.

Question. What is your understanding of the impact of the suspension of U.S. security assistance programs in Mali on AFRICOM's activities in Mali and the region?

Answer. Following the March coup, and pursuant to section 7008 of the Department of State Foreign Operations and Related Programs Appropriation Act, the United States suspended all security assistance to the Government of Mali on 19 April 2012. As a result, there currently is very little U.S. military engagement with Mali. U.S. law dictates that U.S. security assistance to Mali remains on hold until elections are held and a democratically-elected government takes office. Once legal and policy requirements are met, military engagements can resume, AFRICOM would then consider growing military professionals through the International Military Education and Training program, Counterterrorism Fellowship Program and the Department of Defense Human Immunodeficiency Virus Infection/Acquired Immunodeficiency Syndrome Prevention Program.

AFRICOM and its components currently maintain border-security, peacekeeping, and counter-terrorism training with most of Mali's neighbors until a direct solution in Mali becomes possible.

Question. If confirmed, what steps would you propose to reshape the Trans-Sahara Counterterrorism Partnership (TSCTP) and the Defense Department's complementary Operation Juniper Shield (formerly Operation Enduring Freedom-Trans Sahara) in light of regional security and governance setbacks stemming from the crisis in Mali?

Answer. The Trans-Sahara Counterterrorism Partnership continues to be the U.S. Government's regional construct for counterterrorism partnership in the Trans-Sahel and we will continue to work closely with our interagency and regional partners to further the Partnership's objectives.

LIBYA

Question. The recent attack on the U.S. Consulate in Benghazi which resulted in the death of four American citizens, including the American Ambassador, Christopher Stevens, demonstrated that post-conflict Libya is wrought with security challenges that have implications for the future of Libya and the region as a whole. Conversely, as Libya transitions to a representative government, the United States is presented with a historic opportunity to redefine U.S.-Libyan relations.

What role, if any, do you envision the United States playing in helping Libya build capable security institutions?

Answer. Department of Defense should have a supporting role to the broader U.S. Government and international community effort to establish security institutions in Libya. The Department of Defense sponsored Defense Institution Reform Initiative and Minister of Defense Advisor programs are approved for Libya. The Defense Institution Reform Initiative team made three visits to Libya. All support to the government of Libya will remain difficult until the security situation improves, and the U.S. Embassy, Tripoli can support temporary personnel.

Question. What is your assessment of the risks associated with the paramilitary forces that continue to have control of large swaths of Libya?

Answer. The hundreds of disparate militias still operating in Libya a year after the revolution represent a significant threat to the future stability of Libya. Their continued presence undermines the authority of the government and creates the potential for continued armed conflicts over territory, ethnic ideology, and revenge killings, as well as creating a more permissive environment for al Qaeda and other violent extremist organizations to operate. The post-Revolutionary Libyan Governments have attempted several programs to disarm, demobilize, and integrate these militias into military and security services, but the pace for progress remains slow. It is too early to tell if current Prime Minister Ali Zeidan's Government will continue to rely on loosely affiliated militias to provide security throughout Libya.

Question. What is your assessment of the impact of the proliferation of weaponry from Libyan military stockpiles into neighboring countries?

Answer. The availability of weapons from depots in Libya has invigorated illicit arms smuggling across Africa, particularly in the northwest. The Sahel ranks among the world's principal smuggling routes and is maintained by militants from local Tuareg tribes who assist in trafficking arms. After the collapse of the Qadhafi Government in Libya, hundreds of looted missiles, Kalashnikov rifles, rocket propelled grenades, and small weapons were sold throughout the Sahel. Additionally, experts estimate Libya had as many as 20,000 first-generation manportable air defense systems before the uprising, at least some of which are likely in the hands of terrorist organizations and militias seeking to incite further instability in Africa and the Middle East. Armed Tuaregs fighting for Qadhafi returned to homelands in Mali and Niger and smuggled weapons that fueled the Mali rebellion, further de-

stabilizing the region and reinforcing a safe haven for al Qaeda in the Islamic Maghreb.

Question. In your view, what role, if any, should AFRICOM play in assisting the Libyans with addressing the threat to stability posed by paramilitary forces?

Answer. AFRICOM should have a complimentary role in assisting Libya with their militia threat, supporting USAID as the lead U.S. agency for Disarmament, Demobilization, and Reintegration. AFRICOM should support proposals for 1206 (counterterrorism) and 1207a (border security) to develop a core capacity for the Libyan military with personnel that have come under the government's control. AFRICOM should also support Foreign Military Sales cases using Libyan national funds to strengthen the military infrastructure.

Question. What do you view as the most significant challenges to the Libyan Government in building capable and sustainable security institutions?

Answer. The Libyan Government's most significant challenge is its lack of control of the militias operating in Libya. This condition is exacerbated by the proliferation of conventional weapons and unsecured borders. Together, this is leading to a rise of terrorist activity, particularly in Eastern Libya.

Question. In what ways can the United States be most effective in assisting the Libyan Government in building capable and sustainable security institutions?

Answer. The United States can be most effective by assisting the Libyan efforts at disarmament and working with the individual services in Libya to assist them with their development. AFRICOM has organized visits by the Libyan Air Force and Navy Chiefs of Staff. Increasing the International Military Education and Training to better facilitate Libyan participation in U.S. senior service schools, English language training, and other training in the United States will also be beneficial.

Question. With the experience of Benghazi as context, do you feel that the mechanisms for rapidly moving forces from EUCOM to respond to crises in AFRICOM are adequate? Are there improvements to this process that you recommend?

Answer. The newly assigned Commander's In-extremis Force, Army allocated Regionally Aligned Force, and the Special Purpose Marine Air Ground Task postures AFRICOM to better plan for and respond to contingencies. We recommend the Commander's In-extremis Force be placed in Europe for a shorter response time to the continent. We will continue to closely coordinate with the Department of State and country Ambassadors to ensure an accurate understanding of U.S. Africa Command's response times and capabilities as we support activities on the African continent. Additionally, with tighter budgets and declining resources, we must look at more agile ways to share resources between forces assigned to Europe and Africa.

ALGERIA

Question. In your view, what is the appropriate role for Algeria to play in addressing transnational security threats in the Sahel, including AQIM? If confirmed, what steps would you take to encourage Algeria to play a more active and constructive role in addressing security threats emanating from northern Mali?

Answer. Algeria's military is the most capable of any country in north Africa. As such, I view Algeria as a regional leader, capable of coordinating the efforts of the Sahelian countries to address transnational security threats. Algeria shares our concerns with the situation in northern Mali. Their knowledge of conditions on the ground in northern Mali is invaluable to the United States. To ensure continued Algerian cooperation on northern Mali, any military solution must be United Nations authorized, internationally supported, and use African forces. If confirmed, I would continue to encourage Algerian regional leadership through regional exercise and conference participation, senior leadership engagement and high-level bilateral dialogues.

Question. What is your assessment of the operational and logistical capacities of the Algerian-led joint operational command structure for the Sahel, known as the CEMOC?

Answer. The Algeria-based Combined Operational General Staff Committee plays no significant role in regional counterterrorism activity and is unlikely to carry out counterterrorism military operations for the foreseeable future. Contributing Combined Operational General Staff Committee members possess varied operational and logistical capabilities, but the Combined Operational General Staff Committee organization lacks operational experience and has not demonstrated any logistical capacity since its 2010 inception. The Combined Operational General Staff Committee's one major accomplishment has been the creation of the Unity Fusion Liaison, located in Algiers, Algeria, which is a mechanism for sharing operational intelligence between the four member nations (Algeria, Mali, Mauritania, and Niger) as well as Burkina Faso, Libya, and Chad. Bilaterally, however, participating Combined Oper-

ational General Staff Committee countries have conducted joint training and localized operations.

CONGO/GREAT LAKES

Question. What is your assessment of the threat to regional stability posed by the ongoing military mutiny, known as the M23, in eastern Democratic Republic of the Congo (DRC)?

Answer. The March 23 mutiny—the armed group known as M23—in eastern DRC is destabilizing the entire Great Lakes region. Over the course of this crisis, we have been concerned by reports of enhanced external support to M23. We have strongly urged all neighboring governments to take all necessary measures to halt and prevent any and all support to M23 from their territory and we have underscored to Rwanda that any support to M23 must permanently end. Furthermore, the security forces focus on the March 23 Movement has allowed other armed groups in the region to expand, resulting in increased ethnic violence and attacks on civilians across eastern DRC. The humanitarian situation in eastern DRC has deteriorated, and we remain gravely concerned about the hundreds of thousands of people displaced by insecurity and violence in Kivus. Additionally, numerous medical aid organizations have removed most staff from the area due to unacceptable security risks. While the Armed Forces of the Democratic Republic of Congo have been unable to end the M23 rebellion militarily, the Democratic Republic of Congo has engaged with M23 in discussions in Kampala, and we continue to urge the presidents and leadership of the Democratic Republic of Congo, Rwanda, and Uganda to continue their direct dialogue to address the root causes of instability. We support the United Nation's efforts to establish a Peace, Security, and Cooperation Framework among the governments in the region.

Question. In your view, in what ways (if at all) have U.S. security sector reform efforts in DRC had a measurable impact on the operational and logistical capacity, degree of command and control, and transparent civilian oversight of the Congolese military?

Answer. Assisting DRC military has been a challenge. The desired end-state is for a disciplined, professional military that respects human rights, rule of law, and civilian authority. The United States provides DRC officers with training and assistance in leadership development, military justice, civil-military relations, and respect for human rights. The challenge is translating these efforts into long-term institutional capacity. Although progress is slow, there have been some improvements. Logistical capacity is one example: the U.S.-led Defense Institutional Reform Initiative complements European Union efforts to develop logistics doctrine by helping DRC military translate their doctrine into strategic and operational guidance.

True security sector reform in DRC will require full commitment by the government and a unified multilateral effort among the international community. A memorandum of understanding between the U.S. Government and the Government of the DRC on security force assistance is forthcoming. This document will establish ground rules for security assistance and provide a path for improved cooperation with measurable conditions.

Question. What is your assessment of the performance of the U.S.-trained Light Infantry Battalion (LIB, known as the 391st) in its two deployments to date (first in Dungu, for operations to counter the Lord's Resistance Army, and currently in Goma, for operations to counter the ongoing M23 rebellion)? What has been the impact of the LIB training program—which was carried out in 2010 and supported by AFRICOM advisors—on the overall capacity, control, and oversight of the Congolese forces? If confirmed, would you support additional U.S. operational and logistical training for the Congolese military?

Answer. The 391st Light Infantry Battalion (LIB) has been scrutinized because of its standing as a U.S. trained unit. There are, however, limited metrics to measure the battalion's combat effectiveness and performance in protecting civilians. During a 2012 assessment, AFRICOM's Counter-Lord's Resistance Army Control Element found that morale was high and the officers and enlisted soldiers appear motivated, organized and trained in small unit maneuver and tactics. While the unit appears tactically proficient, they have had limited engagements against Lord's Resistance Army and March 23 Movement targets. This prevents a full understanding of the combat effectiveness of the 391st LIB. It can be noted, however, that during a minor firefight with March 23 Movement, the 391st stood its ground.

The 391st LIB illustrates the larger institutional challenges within DRCs military and broader defense sector reform. While this unit is highly respected by senior military and government leaders within the DRC, it has not had a significant impact on the overall capacity, control and oversight of Congolese forces. The rebellion

by the March 23 Movement underscores that the Armed Forces of the Democratic Republic of Congo remains a fractured military with a profound need for national-level security sector reform. Broad security sector reform will require full commitment by the government of the Democratic Republic of the Congo and a unified multilateral effort among the international community—a single U.S. trained battalion will not change the core institutional challenges within the Democratic Republic of the Congo.

Question. If confirmed, what changes (if any) would you propose to U.S. security assistance for Rwanda in light of the Rwandan military's alleged role in supporting the M23 in contravention of United Nations sanctions?

Answer. Ensuring peace and security in Darfur, Sudan is a key U.S. policy priority. Rwanda supports this policy priority by providing 3,200 peacekeepers to the United Nations—African Union Mission in Darfur, and 850 peacekeepers to the United Nations Mission in South Sudan. While we continue to support Rwanda's participation in United Nations peacekeeping missions in Africa, we recognize that the March 23 Movement would not be the threat it is today without external support including evidence of support from the Rwandan Government. As the United States has made very clear, Rwanda must permanently end all forms of support to Congolese armed groups. For these reasons, we also cut approximately $200,000 of fiscal year 2012 Foreign Military Financing (FMF) to Rwanda, as required by law. The Department continues to closely monitor reports of external support and we will continue to respond appropriately.

Question. What is your assessment of the current operational capacity of Burundian troops serving in the African Union Mission in Somalia (AMISOM)? In your view, what has been the impact of U.S. military training for Burundian troops deploying under AMISOM on Burundi's internal stability and on regional stability in the Great Lakes?

Answer. The Burundian National Defense Forces operating as part of AMISOM are very good tactically at the lower level (squad-company) and have interacted well with the Uganda People's Defence Force in shared sectors. However, they lack staff planning ability at battalion and higher levels.

The training the United States has provided to the Burundians has helped to integrate their forces at the lower levels and unified their armed forces, which, as recently as 5 years ago, were still fighting remnants of a civil war. Burundi works with neighboring countries to improve security in border areas. They are increasingly concerned with instability in the Kivu area of Democratic Republic of the Congo and the resulting refugee flows. Their focus, however, remains on African Union Mission in Somalia and internal stability.

BUILDING PARTNER CAPACITY AND SECURITY ASSISTANCE

Question. In the past few years, Congress has provided DOD a number of temporary authorities to provide security assistance to partner nations, including the global train and equip authority ("section 1206"), Global Security Contingency Fund (GSCF), and the associated transitional authorities for East Africa within the GSCF statute.

What is your understanding of the purpose of the section 1206 global train and equip authority and GSCF?

Answer. Section 1206 since its inclusion in the 2006 National Defense Authorization Act has allowed AFRICOM to increase capability of our partners to conduct counterterrorism activities. AFRICOM has concentrated its efforts in the east and northwest areas where the greatest threat exists. The 1206 authority is more responsive than other security cooperation methods such as Foreign Military Financing and is a critical tool. All combatant commands must compete annually for funds under this program. This annual competition challenges a longer-term approach to program development for partner nations. While AFRICOM does not have U.S. Forces employed in stability operations, the counterterrorism aspects of 1206 have been heavily used in support of partner nations requirements against al Shabaab and al Qaeda in the Islamic Maghreb or to provide security in countries that may be threatened by them. Section 1206 is a particularly valued tool since it allows AFRICOM to select programs that best meet partners' needs. The dual-key nature of 1206, requiring Department of State and Department of Defense secretary approval, effectively supports interagency efforts to strengthen capacity building programs. However, there are inherit limitations of 1206 in terms of 1 year funding which makes it difficult to put together complex or sustained projects that are required for sustained engagement.

While 1206 specifically addresses counterterrorism, the GSCF is intended as an interagency approach to address broader issues. The GSCF is in its early stages of

development, but should bring a responsive ability to address a broad range of security issues not limited just to counterterrorism. Funds to implement the authority must come from both Department of Defense (80 percent) and Department of State (20 percent). Under the current authority which expires in 2015, once funds are placed in the Security Contingency Fund, they are available until expended. This enables planning a bit farther into the future. To date, however, it is authority without a corresponding appropriation. As the Security Contingency Fund process matures, I believe we will see a more coordinated effort between Department of Defense and Department of State in key partner nations.

Question. In your view, what should be our strategic objectives in building the capacities of partner nations in the AFRICOM AOR?

Answer. AFRICOM's capacity building efforts seek to provide partner nations with the capability to solve their own problems and directly further the U.S. Strategy Toward Sub-Saharan Africa. When African nations work together to defeat terrorists like al Shabaab, threats to our homeland are decreased. When the United States is perceived as a positive influence in other regions, it assists our efforts across the board.

Building Partnership Capacity is the baseline to all of AFRICOM's strategic lines of effort in Africa. The intent is to enable African partners to develop the defense capabilities necessary for the command to achieve its objectives. It is preferable to avoid crises that may demand the introduction of U.S. Forces, therefore the Command strives to enable African partners to build stability, control borders and ungoverned terrain, defeat terrorist groups, and develop militaries that are professional and obey the rule of law.

An example of AFRICOM's partnership building engagement is the ongoing efforts with African partners that are deploying troops to various peacekeeping missions throughout the continent, including to the African Union Mission in Somalia. The Command has provided training and equipment that have proved to be instrumental in the success these forces have made in both maintaining stability and combating terrorist groups. The Command has also assisted Africans in developing rotary wing medical evacuation capabilities to be used in peacekeeping operations.

Other areas of focus are providing training and equipment for partners for the purpose of developing strong border controls to prevent trafficking of weapons and narcotics which can destabilize a country.

In the maritime domain, the Command has assisted regional organizations in developing agreements, operations, and training for maritime security, as well as developing courses for peacekeepers at select African Union regional peacekeeping training centers.

All of these efforts combine to develop capacities among African partners that allow Africans to solve many of their own security problems. This is cost effective, does not require U.S. Forces, and prevents conflict.

Question. The funding pool available for security assistance and other military-to-military engagement activities devoted to the AFRICOM AOR is extremely small and tends to be allocated to specific countries.

What is your understanding of the role AFRICOM plays in developing U.S. security assistance (e.g., section 1206, Foreign Military Financing, International Military Education and Training assistance, Combatant Commander Initiative Fund, et cetera. . . .)?

Answer. AFRICOM provides input to all of the security assistance processes annually, based on Department of Defense guidance, AFRICOM strategy and theater campaign plan prioritization. The command submits proposals to take advantage of authorities such as 1206 and has successfully utilized the Combatant Commander Initiative Fund—specifically this year the Command was able to fund attendance of Libyan officers to U.S. schools. AFRICOM depends on its input to these programs to get its mission accomplished. Security Cooperation is the primary means to affect conditions on the continent.

DEFENSE STRATEGIC GUIDANCE

Question. The Defense Strategic Guidance, "Sustaining U.S. Global Leadership: Priorities for the 21st Century Defense", announced by President Obama on January 5, 2012, includes, among other things, the intention of the administration and the Pentagon to "rebalance toward the Asia-Pacific region." In his associated remarks, Secretary Panetta explained that the "U.S. military will increase its institutional weight and focus on enhanced presence, power projection, and deterrence in Asia-Pacific."

What do you anticipate will be the impact on the operations and activities of AFRICOM?

Answer. The impact on the operations and activities of AFRICOM will be minimal. In fact, based on the interconnectivity between Africa and the Asia-Pacific region, AFRICOM's activities may become more important. The eastern portion of AFRICOM's area of responsibility abuts the Indian Ocean, a centrally important component of the global commons, reflecting historic trade ties and encompassing sea lanes of communication that link Africa to the Middle East, Europe, and the rising powers of India and China in the Asia-Pacific region.

Several key strategic geographic points exist around the African continent that are essential to the flow of commerce. For example, Camp Lemonnier in Djibouti sits on the western side of the Bab el-Mandeb waterway from Yemen and the Arabian Peninsula. The waterway is only 20 miles across and must remain open to ensure the health of the global economic system. Other important choke points include the Mozambique Channel and the Cape of Good Hope.

Africa is a pivotal point to the Middle East and Asia-Pacific providing critical access to the Indian Ocean region and an overwatch position for Iran. It also serves as an essential platform supporting U.S. Central Command Counter-Violent Extremist Organization operations.

AFRICOM will continue to counter piracy threats emanating from Somalia in support of international efforts to promote a lawful maritime environment and global trade in the Indian Ocean region. The command will continue to strengthen the defense capabilities of African partners to solidify security gains in Somalia that underpin the development of effective governance, economic growth, and development.

DOD COUNTER-NARCOTICS ACTIVITIES

Question. DOD serves as the single lead agency for the detection and monitoring of aerial and maritime foreign shipments of drugs flowing toward the United States. On an annual basis, DOD's counter-narcotics (CN) program expends approximately $1.5 billion to support the Department's CN operations, including to build the capacity of U.S. Federal, State, and local law enforcement agencies, and certain foreign governments, and provide intelligence support on CN-related matters and a variety of other unique enabling capabilities.

In your view, what is the appropriate role of DOD—and by extension AFRICOM—in counterdrug efforts?

Answer. In my opinion, AFRICOM's role in support of broader Department of Defense counternarcotics efforts should focus on three primary areas. First, capacity building efforts with partner nations on the African continent are critical to helping civilian law enforcement agencies, Gendarmes, and military organizations combat the growing menace of narcotics trafficking. Working hand in hand with partners in the Drug Enforcement Agency, Federal Bureau of Investigation, Customs and Border Protection, Immigration and Customs Enforcement, and Bureau of International Narcotics and Law Enforcement Affairs, among others, the command is able to bring the full weight of U.S. experience from the decades-long domestic fight against narcotics to bear in helping to solve this problem in Africa through training, equipping and information sharing initiatives. Second, through Counterthreat Finance efforts, the command works with U.S. interagency partners to track down and ultimately seize illicit proceeds that go directly to Drug Trafficking Organizations. Third, statutory requirement to serve as the lead U.S. agency for Detection and Monitoring allow the command to bring our tremendous technology assets to bear, and a robust cadre of intelligence analysts can lend great value to the International Community in analyzing and dismantling drug trafficking organizations.

Question. In your view, what should be the role of the United States in countering the flow of narcotics to nations other than the United States?

Answer. The United States has tremendous equities in helping to stem the worldwide manufacturing and distribution of illicit drugs, regardless of whether these drugs end up in the United States. In places like West Africa, drug trafficking and manufacturing is having a tremendous destabilizing effect through corruption of often senior government officials, increased rates of drug usage (and corresponding increases to rates of Human Immunodeficiency Virus Infection/Acquired Immunodeficiency Syndrome among Africans, and proceeds of illicit trafficking going towards organizations operating on the continent and internationally. Working with international partners through such organizations as the European Union and the Economic Community of West Africa States, AFRICOM seeks to integrate their capacity building efforts with those who share common interests in seeing African partners increase their ability to effectively address this problem. These integration efforts will also allow all international parties to better utilize funding for counternarcotic efforts.

Question. Given that the vast majority of illegal drugs arriving in Africa are not destined for the United States, should DOD invest resources in countering the flow of illegal drugs to or through Africa?

Answer. It is my opinion that current Department of Defense resources being invested in counternarcotics efforts are funds well spent in spite of the fact that many of the drugs are not intended for the United States. The destabilizing influence of narcotics trafficking, coupled with the financial benefits realized by terrorist organizations operating in Africa, make a compelling case for overall U.S. Government involvement in solving this problem. The cost funding an effective counternarcotics program in an African partner nation is far less than the cost of dealing with the consequences of not addressing this problem which could result in increased regional instability. Additionally, the capacity building and resources provided to African partners under the counternarcotics program are also effective in helping to improve border control and reduce the trafficking of other illicit goods like weapons and persons.

Question. Illicit trafficking is a growing concern in Africa. West Africa is a node for Latin American drugs transiting to their primary destination in European markets. In addition, drugs and their precursors originating on other continents are transshipped through Africa. Despite the increase in illicit trafficking across the African continent, AFRICOM has secured a limited amount of funding for its counternarcotics efforts.

What is your assessment of the current AFRICOM counternarcotics program?

Answer. It is my understanding that the AFRICOM counternarcotics program has improved the capacity of African nations to more effectively address their challenges in this area. To date, the program's efforts have primarily been focused in West Africa, working with countries such as Ghana, Senegal, and Cape Verde. The command's capacity building efforts have had a direct, positive impact on these countries' capabilities, as evidenced by the October 2011 seizure in Cape Verde of 1.5 tons of cocaine, which was directly supported by the Counter Narcotics-funded Cape Verde Maritime Operations Center. Additionally, the Counter Narcotics program has taken the lead in coordination with the Department of State in developing the West African Cooperative Security Initiative, a whole-of-government approach that better integrates all U.S. Government counternarcotics efforts in this important region.

Question. Based on your review of the current program, if confirmed, what changes, if any, are you interested in exploring?

Answer. If confirmed, I will assess the current program before recommending changes. The Counter Narcotics program has been effective in establishing a presence and making a difference in West Africa, however, this is not the only region of Africa with a narcotics trafficking problem. East Africa, particularly Kenya and Tanzania, is experiencing an increase in heroin trafficking across the Indian Ocean from Afghanistan and Pakistan destined for U.S. and European markets. Additionally, in the Sahel region of North Africa, cocaine and hashish trafficking is being facilitated by, and directly benefitting, organizations like al Qaeda in the Islamic Maghreb leading to increased regional instability.

LORD'S RESISTANCE ARMY

Question. Despite pressure by the Ugandan People's Defense Forces (UPDF) and efforts by U.S. Special Operations personnel to support them, elements of the Lord's Resistance Army (LRA)—including Joseph Kony—continue to operate and commit atrocities against civilian populations in the Central African Republic, Democratic Republic of the Congo, and South Sudan. Some observers have identified operational concerns with this mission, including that: (1) supported forces are trying to find an elusive foe in an area roughly the size of California, much of which is covered in thick jungle; (2) technical support to U.S. Forces and their UPDF partners from the defense and intelligence community continues to be inadequate; and (3) limitations continue to be placed on the ability of U.S. Special Operations personnel to accompany UPDF partners outside of main basing locations, thereby limiting the level of direct support they can provide.

In your view, what is the objective of Operation Observant Compass?

Answer. The Governments of Uganda, the Central African Republic (CAR), the Democratic Republic of the Congo (DRC) and Republic of South Sudan, in collaboration with the African Union, continue to dedicate material and human resources to bring an end to the threat posed by the LRA. They are leading this effort, and the United States is committed to supporting this regional effort. Through our engagement, we are strengthening partnerships and regional cooperation.

The United States is providing cross-cutting support to advance four objectives: (1) the increased protection of civilians; (2) the apprehension or removal from the battlefield of Joseph Kony and senior LRA commanders; (3) the promotion of defections and support for the disarmament, demobilization, and reintegration of LRA fighters; and (4) the continued humanitarian relief of affected communities.

Question. In your view, what is the appropriate level of priority to be accorded to AFRICOM's efforts to counter the Lord's Resistance Army in central Africa, compared to other AFRICOM objectives?

Answer. The command's number one priority is East Africa with particular focus on al Shabaab and al Qaeda networks. This is followed by violent extremist and al Qaeda in North and West Africa and the Islamic Maghreb. AFRICOM's third priority is counter-LRA operations.

Question. If confirmed, will you promptly review and report back to the committee on your assessment of this mission?

Answer. This deployment is not open-ended and we will continue to regularly assess and review whether we are making sufficient progress. I commit to reporting to the Committee on this deployment at any time you request.

Question. Each of the countries currently affected by the LRA face other security threats viewed by their governments as more serious to their national well-being and, as a result, these countries place a lower priority on addressing the LRA problem.

If confirmed, how would you seek to strengthen the impact of Operation Observant Compass while recognizing those competing national priorities of our partners in the counter-LRA fight?

Answer. If confirmed, I will continue to work to maximize the success of Operation Observant Compass by seeking, within the parameters of the current mission, to deepen cooperation with Ugandan and other regional forces and increase intelligence that is appropriate to the operating environment.

SUPPORT TO UNITED NATIONS PEACEKEEPING MISSIONS IN AFRICA

Question. In testimony before the House Committee on Foreign Affairs on July 29, 2009, Ambassador Susan Rice, U.S. Ambassador to the United Nations (U.N.), stated that the United States "is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women I should note—to U.N. peacekeeping operations." Admiral Mullen has said he views "U.N. peacekeeping operations to be extremely important and cost effective in comparison to unilateral operations" and that "the success of these operations is very much in our national interest."

In your view, should the United States increase the number of personnel it contributes in the form of staff positions and military observers to U.N. peacekeeping missions and other international peace operations?

Answer. I agree with Ambassador Rice and Admiral Mullen and support an increase in contributions to U.N. peacekeeping operations. United Nations peacekeeping operations play a vital role in advancing the goal of improved peace, stability and security throughout Africa. Peacekeeping operations support United Nations objectives, while they also help to advance U.S. security interests. The U.S. role in United Nations peacekeeping operations, whether in the form of civilian police, staff officers, or military observers, may offer the United States a cost-effective way to continue to advance our mission and interests.

Question. In your view, what are the advantages and disadvantages of contributing additional military personnel to U.N. operations in the form of staff positions and military observers' positions?

Answer. In considering increasing U.S. personnel contributions to U.N. peacekeeping operations, it is important to balance the advantages and disadvantages that accompany any decision to deploy American military personnel. As Admiral Mullen described, United Nations-led peacekeeping operations can be cost effective, especially in comparison to unilateral operations. For the majority of these operations, sharing the manpower and financial burden among donor organizations and countries allows the international community to do more with less. U.S. personnel support to U.N. operations offers the United States the unique opportunity to build relationships and trust that could be of future benefit. When U.S. military personnel work in partnership with other U.N. members' military personnel, they build long-lasting relationships centered on trust and a sense of shared purpose, while gaining invaluable cultural, regional, and international experience which helps to further our national interests.

Careful thought and planning must accompany any decision to establish or increase the U.S. participation in U.N. peacekeeping operations. It is vital that we un-

derstand the security risks to our troops and personnel, while we also have a complete understanding of how U.S. personnel will operate within the U.N. mission. The posting of U.S. personnel to U.N. missions and operations always require a clearly defined chain of command in order to mitigate any potential problems or concerns. Any increase in U.S. support for U.N. operations will necessarily incur a personnel cost and commitment that must be understood, accepted, planned for, and managed. Finally, and most importantly, significantly increasing the U.S. presence, or in some cases even creating a U.S. presence for small U.N. operations, carries the risk of overshadowing other participating nations.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

Question. Criminal networks are not only expanding their operations, but they are also diversifying their activities, resulting in a convergence of transnational threats that has evolved to become more complex, volatile, and destabilizing. The Director of National Intelligence recently described transnational organized crime as "an abiding threat to U.S. economic and national security interests," and stated that "rising drug violence and corruption are undermining stability and the rule of law in some countries" in the Western Hemisphere. In July 2011, the President released his Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security. One of the priority action areas designated in the strategy is "enhancing Department of Defense support to U.S. law enforcement."

What is your understanding of the President's strategy to combat transnational criminal organizations?

Answer. The Department of Defense plays an important supporting role in the implementation of the President's strategy, which declares that transnational organized crime is a threat to national and international security. The strategy provides a valuable framework from which AFRICOM can address this complex problem set, in partnership with other U.S. Government agencies and foreign partners. Illicit drug trafficking is but one facet of an interconnected transnational threat that is directly destabilizing many countries in Africa. As part of a whole-of-government approach to combating transnational organized crime, the Department of Defense can bring to bear unique authorities and capabilities to augment those of our law enforcement, intelligence, and foreign partners so we address the threats transnational organized crime pose in a coordinated manner.

Question. What is your assessment of the threat to the United States posed by transnational organized crime operating in the AFRICOM AOR?

Answer. Transnational organized crime in the AFRICOM area of operations threatens U.S. interests by taking advantage of failed states and contested spaces, forging alliances with corrupt government officials and some foreign intelligence services, destabilizing political, financial, and security institutions in fragile states, undermining competition in world strategic markets, using cyber technologies and other methods to perpetrate sophisticated frauds, creating the potential for the transfer of weapons of mass destruction to terrorists, and expanding narcotics, weapons, and human trafficking networks. Terrorists and insurgents are increasingly turning to criminal networks to generate funding and acquire logistical support, amplifying the threat to U.S. interests.

Question. What role does AFRICOM play in combating transnational organized crime and in training and equipping partner security forces that have been tasked with combating it?

Answer. AFRICOM conducts a number of programs that directly support the President's transnational organized crime strategy and Department of Defense guidance that addresses transnational organized crime. In addition to the command's Counternarcotics and Law Enforcement Assistance program, there are a variety of security cooperation programs that fund military-to-military capacity building and operations that enable partner nations to more effectively deal with security threats directly relating to transnational organized crime within their borders. The Command's newly-established Counterthreat Finance program is another important tool that allows the command to go after financial proceeds from these illicit activities.

COUNTERTHREAT FINANCE

Question. A number of officials in DOD and the Intelligence Community have called for investing additional resources in identifying and tracking the flow of money associated with terrorist networks and illicit trafficking.

What are your views on the role of DOD in counterthreat finance activities?

Answer. The Department of Defense is not and should not be the lead in this effort. Department of Defense does have unique capabilities and capacities that can be brought to bear to augment the efforts of the broader interagency community.

Question. What do you believe is the appropriate role, if any, of AFRICOM in supporting counterthreat finance activities?

Answer. The Department of Defense in general, and AFRICOM specifically, routinely contribute to threat finance activities with intelligence analysis to identify critical network vulnerabilities, providing strategic and operational planning expertise and organizing and executing engagement activities to help shape the environment. Countering threat finance activities supports efforts to counter violent extremists, drug traffickers and other illicit and destabilizing activities. Additionally, the Kingpin Act has proven to be an effective tool for the command to use to go after the highest-level drug traffickers through direct financial sanctions.

AFRICOM'S MILITARY SERVICE COMPONENT COMMANDS

Question. AFRICOM does not have any assigned forces and—as a result—is required to compete for forces within the global request for forces process. Given the Department's focus on the greater Middle East and Asia-Pacific, do you believe the AFRICOM Commander will be able to secure the necessary personnel to accomplish its partnering and engagement mission within its AOR? If not, how would you assess the risk to U.S. strategic interests in the region?

Answer. If confirmed, I plan to assess the requirements AFRICOM currently fulfills regarding partnering and engagement missions and report those finding back to this committee in a timely manner.

However, to my understanding, the command has adequate access to resources to accomplish its partnering and engagement missions. AFRICOM's access to rotationally allocated resources has increased over the past 2 years through efforts such as the allocation of a Special Purpose Marine Air Ground Task Force in fiscal year 2012 and the allocation of a U.S. Army Regionally Aligned Force in fiscal year 2013. These assets provide much needed flexibility to respond to opportunities for engagement that arise on the continent. For example, the Special Purpose Marine Air Ground Task Force has filled a key role in our support to the African Union Mission in Somalia by providing a 10-week training course for deploying African troops. This engineering focused course teaches deploying troops valuable route clearing techniques against Improvised Explosive Devices, increasing survivability of deployed troops and reducing the threat to civilian populations. The efforts of the Special Purpose Marine Air Ground Task Force, coupled with a wide variety of other U.S. Government programs, are helping Africa Union Mission in Somalia forces to make a positive difference.

The threat to U.S. strategic interests including the global economic system and American citizens at home and abroad will continue to increase if the partnership and engagement missions are curtailed or reduced. There are many opportunities to partner with stable African partners and to develop partnerships with newly emerging governments. As opportunities arise, other entities see opportunities to capitalize on undergoverned and ungoverned spaces on the continent. The attack on the U.S. Embassy in Benghazi and the subsequent unrest in many areas across the continent in the days that followed are illustrative to the impact these threats can have if partners are not capable of establishing and maintaining a secure environment for their citizens.

REGIONAL ALIGNMENT AND ROTATIONAL DEPLOYMENTS OF ARMY BRIGADES

Question. The Army plans to align general purpose combat brigades with regional combatant commands, including AFRICOM, to support theater engagement and security force assistance missions and to make those forces, and other supporting units, available on a rotational basis for deployment to those regions for training and exercises.

What is your understanding and assessment of the Army's capability and capacity to align combat brigades or other units with regional combatant commands?

Answer. The Army is in the process of developing its Regionally Aligned Force concept and is conducting a "proof of principle" with a brigade combat team aligned to AFRICOM in fiscal year 2013. The Army's objective is to enhance its support of combatant commanders. Regionally Aligned Force brigades receive training in culture, geography, language, and gain an understanding of the militaries they will engage during their mission alignment.

Question. What are your views, if any, on the use of general purpose forces for missions providing security force assistance to other nations' militaries?

Answer. Iraq and Afghanistan have proven that general purpose forces are fully capable of providing significant security force assistance to partner nations. As we reduce the rotational requirement to combat areas we can use these forces to great effect in Africa. General Purpose Forces will have to be fully flexible to do their pri-

mary mission and to work in the area of security cooperation and security force assistance.

Question. In your view, how should, if at all, a unit's regional alignment determine the assignment of personnel, selection of unit commanders, priority for cultural and language training compared to core combat training, and identification and acquisition of special equipment?

Answer. Regionally aligned forces units will be trained to conduct the full range of military operations, but will also receive training in culture, geography, language, and gain an understanding of the militaries they will engage during their mission alignment. The current Army Brigade Combat Team structure will contain most of the skill sets required for training and equipping missions on the African continent. Regionally aligned forces units will be able to "reach-back" into Division and Corps assets in the United States for more specialized skills.

Question. If confirmed, how would you propose to implement the use of regionally aligned forces in support of your theater assistance and engagement strategies?

Answer. The Department of the Army has significant authorities in which they can employ regionally aligned forces in support of geographic combatant commanders. Regionally aligned forces can be employed for Theater Security Cooperation activities, operational planning, inspections, coordination visits, and the conduct of exercises. If confirmed, I would find opportunities across the continent and within planning efforts to incorporate the expanded capabilities and capacity of the regionally aligned forces within these authorities.

Question. In your view, how should funding responsibility be consolidated or distributed between the Military Departments and the combatant commands for training and employment of regionally aligned forces?

Answer. Exercise and security cooperation activities funding is separate from service funds. Services exist to provide trained and ready forces. The regionally aligned forces should be no different. For the combatant commands, it will be necessary to include costs of using the regionally aligned force units in security cooperation proposals utilizing authorities like 1206 (Counterterrorism) and 1207 (Security and Stabilization).

Question. In your view, is it feasible and suitable to satisfy theater engagement and assistance strategies completely with rotational forces? If not, why not?

Answer. AFRICOM has successfully conducted operations, exercises and activities since its inception without permanently assigned forces. Like other commands, it plans and requests forces through the Global Force Management process.

Question. What is your understanding and assessment of the performance criteria and metrics that are or will be used to evaluate the effectiveness and efficiency of combatant command theater engagement strategies and, if confirmed, how will you integrate the use of regionally aligned Army brigades or other units into the evaluation system?

Answer. Over the last 4 years, AFRICOM has developed a comprehensive integrated assessment process linking all theater, regional and contingency plans—including all operations, exercises and security cooperation activities. The Command measures progress in achieving objectives and effects using a combination of indicators from multiple sources: the Department of Defense, other U.S. Government agencies, and numerous open-source international agencies—such as the United Nations, the World Bank, and the African Union. The Command also relies on the Department of State to provide polling data from African citizens to add depth and breadth to the results. The Command uses correlation analysis of U.S. activities and resources with progress in the overall environment to shape and influence the planning and scheduling of future engagement activities. I look forward to continuing the best assessment practices at AFRICOM, and ensuring that future Command-wide assessments support decisionmaking both at the Command and throughout the Department of Defense.

GLOBAL PEACE OPERATION INITIATIVE

Question. In 2005, the United States along with our partners in the G–8 launched the Global Peace Operations Initiative (GPOI) to train peacekeepers. This program is run by the Department of State's Bureau of African Affairs. DOD has provided varying degrees of personnel support since the program's inception. A number of national militaries in the AFRICOM AOR have benefitted from this program and have provided peacekeeping troops to multilateral peacekeeping operations around the globe.

What is your understanding of the GPOI program?

Answer. Global Peace Operations Initiative is intended to address capacity gaps in forces supporting peacekeeping operations. Since its inception in 2004, the pro-

gram's goal is primarily to train and deploy peacekeepers. The program has shifted focus to help peacekeeping contributing countries train and deploy themselves. The program focuses its effort in Africa, as it is the stage for several of the largest peacekeeping operations.

Question. Would you support or oppose AFRICOM's continued involvement in the program?

Answer. Based on my current understanding, I would support increased involvement in the Global Peace Operations Initiative. AFRICOM provides resources to Global Peace Operations Initiative to develop human capital and critical enablers to support United Nations/African Union peacekeeping. In the future, with additional funding, AFRICOM could increase support to build, planning capability, intelligence support, logistics capacity, skills training, peacekeeping staffs, and other efforts critical to the success of peacekeeping operations.

Question. If confirmed, will you advocate for AFRICOM to play a more direct role in providing U.S. military personnel (vice private contractors) for the training missions conducted under GPOI?

Answer. Yes. To the extent military personnel are available. Integrating uniformed trainers provides a significant cost savings and improvement to the Global Peace Operations Initiative program while supporting Department of Defense and Department of State objectives to build the capacity of our partners. Initially I would support a hybrid contractor-military peacekeeping training model led by the State Department, coordinated with our country teams, and supported with military trainers, and transition to full uniformed support of Global Peace Operations Initiative in the future.

MASS ATROCITIES PREVENTION

Question. President Obama identified the prevention of mass atrocities and genocide as a core U.S. national security interest, as well as a core moral interest, in August 2011 under Presidential Study Directive 10.

Among interagency partners, what is AFRICOM's role in addressing atrocity threats, and what tools does AFRICOM have for preventing or responding to atrocities in its AOR?

Answer. AFRICOM is committed to preventing mass atrocities. General Ham highlighted the importance of this to the command by including building the capacity of African partners to prevent and protect their populations from mass atrocities in his Commander's Intent. AFRICOM participates in and is a leader within the Mass Atrocities Prevention Response Options development construct within Department of Defense. The staff includes Mass Atrocity Prevention and Response planning into planning activities and includes such items as respect for the rule of law, submission to civil authority, and adherence to human rights norms into military-to-military engagements. This ultimately addresses the root causes of mass atrocities.

Question. Has AFRICOM developed planning processes toward this effort so that it will be able to respond quickly in emergency situations? In your assessment, what country or countries are the most at risk for mass atrocities in Africa?

Answer. AFRICOM plans for a range of contingencies in support of U.S. national security policy and to prepare for possible crisis response scenarios. AFRICOM also pursues ongoing efforts in the Democratic Republic of the Congo, Uganda, South Sudan, and Central African Republic to prevent Mass Atrocities. In Liberia, the command is committed to building the Liberia Security Sector to prevent a repeat of their disastrous recent history.

SPECIAL OPERATIONS AUTHORITIES

Question. It has been reported that Admiral McRaven, Commander of U.S. Special Operations Command, is seeking changes to the Unified Command Plan (UCP) that he believes would allow SOCOM to better support the requirements of the Theater Special Operations Commands (TSOC). Reportedly, such changes would give the Commander of SOCOM combatant command authority over the TSOCs—including responsibilities for resourcing—and provide for more rapid deployment of Special Operations Forces to and between geographic combatant commands without the requirement for approval by the Secretary of Defense in every case. Operational control of deployed Special Operations Forces would reportedly remain with the respective geographic combatant commander.

Some have expressed concern that such changes could raise problems related to civilian control of the military, infringe upon the traditional authorities of the geographic combatant commanders, and make it more difficult for ambassadors and ge-

ographic combatant commanders to know what military personnel are coming into their areas of responsibility and what they are doing while they are there.

Please provide your assessment of whether such UCP changes would be appropriate and can be made without conflicting with civilian control of the military, infringing upon authorities provided to the geographic combatant commanders, or raising concerns with the Department of State.

Answer. This is a topic which will require further study. If confirmed, I will review Admiral McRaven's recommended changes to the Unified Command Plan and provide an assessment back to this committee in a timely manner.

However, from my experiences in Afghanistan and Iraq, it is critical that Special Operations Forces are fully integrated with conventional forces. This integration provides the commanders and forces a common operational picture, allows for a more proactive and responsive decisionmaking process, and access to shared resources.

SPECIAL OPERATIONS FORCES

Question. As forces have been reduced in Iraq and Afghanistan, there is an expectation that additional Special Operations Forces may be available for missions in other combatant commands, including AFRICOM, which have had only a small presence of such forces in recent years.

What special operations capabilities are in highest demand by AFRICOM?

Answer. Given the complex strategic environment in Africa and the need for persistent, distributed, low visibility and small footprint operations, additional Special Operation Forces specifically organized, trained, and equipped to operate in sensitive environments are required. Special Operations Forces capabilities in highest demand include the following: (1) experienced special operations forces ground operators to build and maintain partner force counterterrorism capacity and enable their operations; (2) Special Operations Forces focused on enhancing partner nation nonlethal capabilities (e.g., Civil Affairs, Military Information Support Operation) to shape the information environment and create good will; (3) Special Operations Forces intelligence personnel and equipment (e.g., analysts, collectors, associated enablers) to better illuminate the threat; and (4) Special Operations Forces nonstandard, medium and vertical airlift (i.e., low signature, non-standard aviation, MC–130H, and MC–130P) to provide low signature movement across the continent, transport and resupply a crisis response force and extend the range of vertical lift platforms. Non Special Operations Forces assets required includes Intelligence, Surveillance, and Reconnaissance and Personnel Recovery/Casualty Evacuation rotary wing with associated enablers.

Question. Which countries in the AFRICOM AOR do you believe have the greatest need for increased engagement with U.S. Special Operations Forces?

Answer. To achieve a Global Special Operations Forces Network, Special Operations Command AFRICA requires greater access and engagements throughout Africa. In order to optimize effectiveness and strengthen our African partners' counterterrorism/counter Violent Extremist Organization capabilities necessitates greater engagements with the following key countries: Libya, Niger, Tunisia, Algeria, Mauritania, Nigeria, Mali, Cameroon, South Sudan, and Kenya. Greater collaboration and engagements within the aforementioned countries greatly furthers the U.S. Government counterterrorism/counterviolent extremist organizations efforts against the growing and interconnected al Qaeda threat throughout Northwest Africa and collaborative actions against al Shabaab within East Africa.

In support of ongoing regional Counter-Lord's Resistance Army operations, U.S. Special Operations Forces are advising and assisting partner nation forces from Uganda, Central African Republic, Democratic Republic of the Congo, and the Republic of South Sudan, in addition to a number of United Nations missions in the region, to find and remove Joseph Kony and the Lord's Resistance Army as a destabilizing force in the region.

While U.S. Special Operations Forces continues to build capacity in Counter-Lord's Resistance Army partner nation forces and has begun to assist the nascent African Union Regional Task Force, longer-term development of these forces may require an integrated Special Operations and Conventional Forces approach to mature the Africa Union Regional Task Forces as an institution and increase capacity of individual partner nation forces.

SPECIAL OPERATIONS PERSONNEL IN EMBASSIES

Question. U.S. Special Operations Command (SOCOM) deploys personnel to work with country teams in a number of high priority countries where the United States is not engaged in direct action operations, but rather trying to train host nation se-

curity forces. Their mission is to support the priorities of the Ambassador and the combatant commander's theater campaign plan. At times, Ambassadors have complained that they have not been adequately informed of activities by special operations forces in their country.

If confirmed, what do you intend to do to make sure the goals of special operations personnel deployed to these countries are aligned closely to those of the Ambassadors with whom they are working?

Answer. If confirmed, I will ensure the activities of special operations personnel, as well as all personnel, are coordinated with the embassy Chief of Mission. AFRICOM currently conducts this coordination by requiring Chief of Mission concurrence on operations, exercises and engagement activities.

MARINE SECURITY GUARDS IN EMBASSIES

Question. Due to the attack on the U.S. consulate in Benghazi, Libya, which resulted in the death of a U.S. ambassador and three other Americans, many are conveying concern about the safety of U.S. diplomatic personnel around the world.

Do you share this concern?

Answer. Yes. The Marine Corps has a longstanding relationship with the Department of State to provide internal security at diplomatic posts. The Marine Security Guard Detachment Commander, acting under operational supervision of the Regional Security Officer, is tasked with providing internal security functions to prevent the compromise of classified information and equipment vital to the national security of the United States. A secondary mission of Marine Security Guard is to provide protection for U.S. citizens and U.S. Government property located within diplomatic premises. Under certain emergency situations they will provide special protective services to the Chief of Mission or Principal Officer. These protocols have proven successful for the past several decades, and provide flexibility to Regional Security Officers for the employment of Marine Security Guards upon diplomatic posts.

Question. The Marine Security Guard Program was established in 1946, and its mission, to provide internal security at designated embassies of classified information and equipment, remains unchanged to this day.

In light of increasing threats to U.S. diplomatic personnel by terrorists throughout the world, do you believe it is time to re-examine the Program's mission and protocols?

Answer. I believe the Marine Security Guard Program, as defined under existing protocols between the Marine Corps and Department of State, functions well and meets the needs of our diplomatic missions around the world. However, based on changing security dynamics we are in the process of taking a look at what changes to the program might be necessary. I fully appreciate the importance of this mission and understand it is important to work closely with the Department of State to ensure our Marine Security Guard organization, mission and security protocols are responsive to their needs.

Question. If so, should it be broadened to provide additional protection to U.S. diplomatic personnel?

Answer. At this time, I don't believe the program should be broadened to provide additional protection to U.S. diplomatic personnel. However, the Marine Corps has a long history of working with the State Department, and should adjustments be required, will work eagerly to ensure the internal security functions aboard diplomatic premises meet the standards required.

Question. In your opinion, what additional steps, if any, should be taken to reduce the risk of attacks on U.S. embassies and consulates and diplomatic personnel by terrorist organizations within Afghanistan and throughout the region?

Answer. We must continue to monitor threats to our diplomatic posts in Afghanistan and around the region, and adjust our security posture based on the threats and changing conditions on the ground. External security at our embassies and consulates is, first, the responsibility of the host nation and must remain so. In Afghanistan, we maintain a heightened security posture, and will continue to do so, in order to reduce risks commensurate with local threats and to advance the important work of our diplomatic personnel.

INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES

Question. Demand for intelligence, surveillance, and reconnaissance (ISR) capabilities of every kind has grown exponentially in recent years largely due to the enhanced situational awareness and targeting capabilities they bring to our commanders. Almost all of the geographic combatant commands have validated ISR requirements that are not being met.

What is your understanding of the support AFRICOM is currently receiving to respond to its ISR requirements?

Answer. ISR assets are a scarce resource and should be allocated based on threat. My understanding is AFRICOM does not receive intelligence, surveillance, and reconnaissance assets to meet its requirement. However, Department of Defense has provided additional assets to meet specific needs for operations such as in response to recent attacks in North Africa. This year, AFRICOM will receive additional intelligence capabilities to include multi-intelligence Global Hawks, foliage penetration, and counter-improvised explosive device technologies.

AFRICOM receives only about 7 percent of its total intelligence, surveillance, and reconnaissance requirements. However, in response to the recent attack in North Africa, AFRICOM is currently getting about 50 percent of its stated need for intelligence, surveillance, and reconnaissance in North Africa. AFRICOM's intelligence, surveillance, and reconnaissance requirements are supported by the Air Force, the Navy, and the National Intelligence Community. The Services provide AFRICOM with a wide variety of intelligence capability. Predator, Pilatus fixed wing aircraft, and Scan Eagle provide full motion video. EP–3 Orion and other maritime assets provide signals intelligence. Seaborne assets provide tactical intelligence capability as well as a forward staging area for MQ–8 unmanned helicopter, and Scan Eagle. Joint Surveillance and Target Attack aircraft provide ground moving target indicator capability. Global Hawk provides long-dwell, long-range imagery.

While AFRICOM is allocated a wide variety of intelligence, surveillance, and reconnaissance, current allocation does not provide sufficient quantity or sensor mix to achieve the objectives which the Joint Staff directed to AFRICOM.

Question. Do you believe the threat emanating from AFRICOM's AOR should garner additional resources from within DOD? If so, how do you intend to advocate for additional ISR assets?

Answer. Yes, I believe additional intelligence, surveillance, and reconnaissance capabilities are necessary to protect American interest and assist our close allies and partners. The recent crises in North Africa demonstrate the volatility of the African security environment. As the United States makes significant progress against al Qaeda on many fronts, huge pockets of ungoverned spaces and unstable security situations have provided a safe haven for al Qaeda, its allies and affiliates. Al Qaeda has taken advantage of the poor security situation in Libya, easy access to weapons, and the rebellion in Mali to establish deep roots throughout North and West Africa. While significant progress has been made in Somalia, an increasingly desperate al Shabaab has turned to improvised explosive device attacks against our African partners. Additionally, Boco Haram carried out hundreds of improvised explosive device attacks in Nigeria. Finally, kidnapping for ransom continues to be a significant concern in Somalia and Mali.

If confirmed, I will request additional assets through the global force management process to take advantage of ISR resources as we draw down in Afghanistan. Until Global Force Management allocation meets requirements, I will continue to leverage contract and experimental intelligence, surveillance, and reconnaissance and look to the broader Research and Development community for innovative solutions to unique AFRICOM requirements.

COMBINED JOINT TASK FORCE-HORN OF AFRICA

Question. What is your understanding of the mission of Combined Joint Task Force-Horn of Africa (CJTF–HOA) and its command relationship to AFRICOM?

Answer. CJTF–HOA is a subordinate command of AFRICOM. Its mission is to protect, defend, and promote the national security interests of the United States by conducting military operations to prevail in our current and future operations against violent extremist organizations and other transnational threats, and strengthens the capabilities of our East African Partner Nation militaries and regional security organizations in order to assist East African Nations to create security environments that promote security and stability within their country borders and throughout the region.

Question. How do its roles and responsibilities compare with AFRICOM's service component commands?

Answer. Unlike the service specific and functional commands, CJTF–HOA is focused on a specific geographic area of operation—the East Africa Combined-Joint Operations Area CJTF–HOA is directed by AFRICOM to plan, coordinate, synchronize, direct and assess operations, exercises, security cooperation activities and engagements with AFRICOM components and Special Operations Command Africa along six lines of effort: Counter Violent Extremist Organizations; Strengthen De-

fense Capabilities; Prepare and Respond to Crisis; Counter-Piracy; Counter Illicit Trafficking; and Maintain Strategic Posture.

Question. How does AFRICOM ensure that CJTF–HOA activities complement rather than conflict with activities being conducted by AFRICOM's service components?

Answer. AFRICOM has published an East Africa campaign plan with CJTF–HOA designated as the supported command.

Question. What are the most effective metrics to measure the impact of CJTF–HOA's efforts to date?

Answer. CJTF–HOA is currently developing a formal set of assessment criteria to measure the impact of their efforts.

Currently, the metrics used to measure the impact of CJTF–HOA effort includes the diminished effectiveness and ability of extremist organizations to operate in East Africa, the increased capability, willingness, and partnership of East African nations to eliminate extremist organizations, and the ability and capability of East African nations to respond to crisis, protecting U.S. interests in the region.

MARITIME SECURITY

Question. Maritime security has proven to be a significant issue on the coasts of West and East Africa.

What is your assessment of AFRICOM's ongoing maritime security initiatives?

Answer. My understanding is AFRICOM has seen some success in maritime security initiatives. There have been several recent, positive developments in this area as a result of AFRICOM's initiatives, especially in the Gulf of Guinea. These initiatives are also U.S. interagency efforts, especially in conjunction with the Department of State. In particular, the command's effort to assist the Economic Community of Central African States and the Economic Community of West African States in developing a legal and operational framework for regional cooperation was a positive development. This assistance, requested by Economic Community of Central African States and Economic Community of West African States, will improve the ability of these states to meet the significant challenges of illicit maritime activity, including piracy, drug, arms, and human trafficking, and threats to energy and port security which potentially have a negative impact on economic development. These transnational threats directly impact the quality of life of the population and affect U.S. national interests. These regional problems are best addressed with regional solutions. If confirmed, I will continue to assess these programs and seek opportunities to build upon these positive steps with our African partners.

Question. Very few African countries have the capacity to project naval forces beyond their coastal waters; as a result, the economic exclusion zones of many coastal African countries are exploited by a variety of international actors.

What opportunities, if any, do you see for expanded U.S. engagement on maritime security in the AFRICOM AOR?

Answer. There are many opportunities to expand AFRICOM's maritime engagement. AFRICOM is seeking to include more partners in these maritime security efforts to include the European Union and North Atlantic Treaty Organization nations; International Organizations such as the United Nations and African Union; and Regional Organizations such as Economic Community of Central African States and Economic Community of West African States. There is also an opportunity to expand beyond the shores of Africa to include developing closer coordination and cooperation on activities and events that have transatlantic impact from South America and the Caribbean, through Africa and into Europe. Illicit maritime trafficking has global reach and impact which can be addressed by closer cooperation between hemispheres (north, south, east, and west).

This multinational approach is already happening in the Navy's Africa Partnership Station, AFRICOM teams with our African and other enduring partners to conduct training, exercises and operations like African Maritime Law Enforcement Partnership. For example, Naval Forces Africa has completed five deployments by U.S. ships along with deployments of ships from several European nations. My current understanding is that on the whole, our African partners are very satisfied and have requested more support.

For the past 2 years AFRICOM, in conjunction with the Department of State and the African Center for Strategic Studies, has been working to enable countries to develop national maritime strategies that foster rule of law, emphasize good governance and support economic development. In addition several countries, such as Ghana and Mozambique have requested AFRICOM support to develop plans to respond to threats to security of offshore oil production facilities and transport vessels.

These challenges present opportunities to enable African countries to guard their own waters and manage their valuable offshore resources. The freedom of commerce along the strategically important maritime transportation corridors is an African, United States, and global shared interest. If confirmed, I plan to continue the process of cooperation with U.S. Government agencies and international partners, and seek to enhance and continue the programs and activities that build partner maritime security capacity.

CHINA

Question. In your view, do China and the United States share common security objectives in the AFRICOM AOR?

Answer. In my opinion, China and the United States should cooperate on issues of mutual interest, such as counterterrorism, and on other projects that satisfy both countries' objectives.

Question. In your opinion, what effect has China's engagement with African militaries had on those militaries and on U.S. security interests?

Answer. My understanding is China offers military equipment to African countries at prices that each country can afford, and training at Chinese military schools is often completely subsidized. While in many cases the equipment available from China may be older and less technologically advanced than what other countries can offer, this equipment provides African militaries with more "bang for the buck" than they might be able to afford from any other source, while having the added perceived benefit of coming without ties, such as Western concern about human rights and democracy. Chinese equipment and training has been known to complement U.S. activities, however, for example by providing a baseline for militaries that move on to Africa Contingency Operations Training & Assistance peacekeeping training and participate in U.N. peacekeeping operations.

Question. To what extent do you view China's activities on the continent as a threat/challenge to U.S. national security interests?

Answer. In my opinion, we should seek to cooperate with China where we have mutual interests. China acts on the basis of "non-interference in internal affairs," which means the country does not restrict its arms sales as a result of concerns about how the purchasing country behaves internationally or with respect to its own citizens. As a result, China does not discriminate against countries on the edge of instability or those with poor human rights records against their own people. However, China is not actively targeting U.S. interests, activities, or personnel so it is not a direct threat.

Question. Are U.S. policies in Africa sufficient to counter China's influence when that is appropriate, or are there additional measures we should be considering? What role should AFRICOM play in this regard?

Answer. In my opinion, current U.S. policies are sufficient to address the influence of China in Africa. It is important to look for and capitalize on areas of mutual national interest between our two countries. For example, solid opportunities exist for cooperation with counter-piracy operations in the Indian Ocean and Gulf of Guinea. Additionally, the Chinese conduct training and have programs that are similar in nature to ours, but there is very limited coordination or cooperation on these efforts. If and when our national interests align, AFRICOM should work to coordinate these efforts if possible in order to better develop our African partners and increase the security on the continent.

Question. Do you foresee China's growing energy and resource demands affecting security developments in Africa?

Answer. China gets significant energy and natural resources from Africa and would be reluctant to allow those levels to decline. As a result of China's interest in gaining international respect and support, it is more inclined to use diplomacy and negotiation to maintain this desired level of resources. In one recent example with Sudan and South Sudan, China attempted to mediate between the two countries when oil production was shut down over a dispute regarding past and future dispensation of oil revenues.

SECTION 1208 FUNDING

Question. Section 1208 of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), as amended, gave U.S. Special Operations Command the authority to provide support (including training, funding, and equipment) to regular forces, irregular forces, and individuals supporting or facilitating military operations by U.S. Special Operations Forces to combat terrorism. What is your assessment of this authority?

Answer. Section 1208, within the context of its authority, has proved to be one of the most responsive and flexible tools to meet AFRICOM security challenges. This authority allows AFRICOM to enable partner nations who share the common goal of countering the violent extremist organizations threat in the region. AFRICOM is responsible to identify and engage the "right" partner unit which is capable and willing to conduct counterterrorism operations against violent extremist organizations threats. To do this requires close coordination with both the regional country teams as well as the legitimate government officials, both civilian and military. It is essential that all parties understand and agree to the common threat picture and have a displayed willingness to act against those threats.

Section 1208 is not a capacity building authority. The purpose of the funding is to better enable those units that are legitimate representatives of our partner nation. In some cases, such as Libya, those units may be "deputized" militias.

Question. Do you believe this authority has been appropriately utilized in Africa?

Answer. Yes. It has been used appropriately in Africa. The successes in east Africa, specifically the visible improvements made against al Shabaab in Somalia, is a reflection of using this line of funding. All activities were conducted with complete transparency and in full coordination with our Interagency Partners in the region. Additional details require a higher classification.

However, there is room to expand this authority to achieve focused effects against the threat. As Special Operations Command continues to resource and enable the Theater Special Operations Command and those enhanced capabilities come available, expansion of the 1208 authority against al Qaeda will provide opportunistic, disciplined, small footprint, high-impact special operations forces the ability to maximize the use of this authority.

Question. If confirmed, how would you seek to have this authority used in Africa?

Answer. I will continue to identify those partner nations who are actively pursuing operations to counter the violent extremist organizations threat stream in Northwest Africa. The countries of Libya, Niger, and Mauritania are actively countering the threat stream emanating out of northern Mali. Ideally, AFRICOM would partner with those units who are actively conducting counterterrorism/counter-violent extremist organizations operations to better enable their efforts.

Within the capabilities of the Theater Special Operations Command, I would seek to expand the use of the 1208 authority by continuing to develop and socialize concepts of operation focused on isolating and degrading the threat network across the continent to achieve U.S. counterterrorism objectives.

AFRICA HEALTH RELATED ISSUES

Question. Health issues are a significant concern in many African nations and in their militaries and the U.S. Government's engagement strategy in Africa includes an emphasis on health-related issues.

To what extent should AFRICOM be involved in broader U.S. Government "health diplomacy" efforts in Africa?

Answer. First, AFRICOM should continue to synchronize Department of Defense health engagement on the continent to achieve optimum results. Simultaneously, AFRICOM should coordinate its health engagement with other parts of the U.S. Government to ensure maximum impact.

AFRICOM is already doing that in a number of areas. Programs like the Partner Military Human Immunodeficiency Virus Infection/Acquired Immunodeficiency Syndrome Prevention Program and our Pandemic Response Program are good examples. Partner Military Human Immunodeficiency Virus Infection/Acquired Immunodeficiency Syndrome Prevention Program, implemented by the Department of Defense Human Immunodeficiency Virus Infection/Acquired Immunodeficiency Syndrome Prevention Program's office is primarily funded by the President's Emergency Plan for Acquired Immunodeficiency Syndrome Relief and executed in collaboration with agencies like Department of State, U.S. Agency for International Development, Department of Health and Human Services, Department of Commerce, Department of Labor, and Peace Corps in 41 African countries.

AFRICOM's Pandemic Response Program, currently being implemented in 17 African countries, was funded by the U.S. Agency for International Development from 2008 to 2012. The program is now funded by Department of Defense but is still implemented in collaboration with Department of State, U.S. Agency for International Development and Center for Disease Control. Similarly, the AFRICOM's malaria initiative with partner militaries in East Africa (and soon in West Africa) is coordinated with the President's Malaria Initiative in target countries (same partners as above). Additionally, the Defense Threat Reduction Agency's bio surveillance pro-

gram, working with AFRICOM, is coordinating with U.S. Department of Agriculture, Department of State, and U.S. Agency for International Development.

Question. In your view, should AFRICOM's engagement strategy, perhaps more than other combatant command engagement strategies, include an emphasis on military health engagement?

Answer. Comparisons across combatant command geographical areas of operation are difficult due to the number of cultures and economies being engaged. But, the conditions of many partner nation militaries in Africa are such that without improved health intervention (improved nutrition, better disease prevention, care and treatment) these militaries will be less able to deploy in their own countries, much less in peacekeeping operations. As a result, AFRICOM has included health and medical engagement in our strategies with many partners in Africa.

Question. How much success has DOD had in efforts to support prevention and treatment of HIV/AIDS in African militaries?

Answer. Africa Command's military Human Immunodeficiency Virus Infection/Acquired Immunodeficiency Syndrome program is aimed at mitigating the impacts of the disease on African military readiness. The program includes activities that help prevent the escalation of Human Immunodeficiency Virus Infection/Acquired Immunodeficiency Syndrome infection rates within African security forces, and provide care and treatment for the servicemembers and families infected or affected by the disease. DOD activities that support African militaries' fight against Human Immunodeficiency Virus Infection/Acquired Immunodeficiency Syndrome now reach 41 African countries.

During fiscal year 2011, the command's programs reached 508,000 African troops and family members with prevention messages, and provided counseling and testing services for 412,000 servicemembers and their families. Almost 4,000 health care workers have received Human Immunodeficiency Virus Infection/Acquired Immunodeficiency Syndrome training. Approximately 43,000 individuals are on antiretroviral treatment as a result of these collaborative efforts. The fight against Human Immunodeficiency Virus Infection/Acquired Immunodeficiency Syndrome in Africa is having an impact. A leader of a southern African country remarked that, 3 years ago, he was conducting burials every day for a Human Immunodeficiency Virus Infection related death; however, today he conducts one burial every 8 to 10 days.

Other indicators of success include; 17,923 males were circumcised as part of Human Immunodeficiency Virus Infection prevention efforts; 96,558 eligible adults and children were provided with a minimum of one care service; 68,237 Human Immunodeficiency Virus Infection positive adults and children received a minimum of one clinical service; 29,856 HIV-positive persons received cotrimoxazole prophylaxis.

Question. If confirmed, how, if at all, would you like to see such efforts increased or programmatically altered?

Answer. If confirmed, I would assess the programs before recommending changes. Current programs are effective and favor greater efforts in Human Immunodeficiency Virus Infection prevention and treatment.

Question. In your view, what should DOD's role be in the program relative to other elements of the U.S. Government?

Answer. Health and Humanitarian Assistance efforts require a "whole-of-government" approach. Department of Defense and its organizations bring a wide range of capabilities to the table and when properly coordinated the U.S. Government efforts are greatly enhanced without expense to national security. It is important that the balance be maintained. In AFRICOM's case these efforts provide it with additional access to partner nations and enhance positive perceptions of our military.

SEXUAL ASSAULT PREVENTION AND RESPONSE IN AFRICOM

Question. The Department of Defense has developed comprehensive policies and procedures to improve the prevention and response to incidents of sexual assault. However, new allegations of sexual assault continue to be reported, and many question the adequacy of the chain of command's response to these allegations.

Answer. A frequent complaint of victims of sexual assault and their advocates is that military commanders frequently fail to hold assailants accountable for their criminal acts. Some in Congress have proposed that commanders' authority to address sexual assaults be removed and given to an independent entity.

Question. What is your view of the Sexual Assault Prevention and Response Program in AFRICOM?

Answer. It is my understanding that the program is effective in AFRICOM. The program addresses the needs of the combatant command staff by providing trained, in-house Victim Advocates that work hand-in-hand with the garrison Sexual Har-

assment/Assault Response & Prevention coordinator. The Stuttgart garrison support agencies provide training, guidance and support the Victim Advocates efforts and directly address the needs of victims. Supporting agencies also include Family Advocacy, the Provost Marshalls Office, Army Criminal Investigation Division, medical personnel, and others as required to ensure program compliance and the needs of the victim are met.

Question. What is your view of the adequacy of the training and resources in AFRICOM to investigate and respond to allegations of sexual assault?

Answer. Although the command's primary support is garrison based, all indications are the training and resources are adequate to respond appropriately to allegations of sexual assault.

Question. What is your view of the proposal to give the authority to an independent agency, not part of the chain of command, to address allegations of sexual assault, including the authority to hold assailants accountable for criminal acts?

Answer. The Services recently changed the level of commander with Uniform Code of Military Justice authority over these types of cases and this change should be assessed before making further changes.

Giving authority to an independent agency could undermine command authority by sending the message the commander cannot be trusted to make a fair and impartial assessment.

Question. What is your understanding of the adequacy of the resources and programs in place in AFRICOM to offer victims of sexual assault the medical, psychological, and legal help that they need?

Answer. U.S. Army Garrison Stuttgart is the lead agent to provide these services to the staff and they have the core functions in place to support AFRICOM members. They have shown a sincere spirit of teaming with the command to take care of our personnel.

Question. Do you consider the current sexual assault policies and procedures, particularly those on confidential reporting, to be effective?

Answer. Yes. The policies and procedures seem effective. Confidential reporting provides an option for those who wish to seek assistance while maintaining confidentiality.

Question. What is your view of steps taken to prevent sexual assaults in AFRICOM?

Answer. AFRICOM works in synchronization with the victim advocates. Training is highlighted and conducted by senior leaders in small groups to discuss troops' responsibility to stop activities that lead to heightened possibility of sexual assaults. Additionally, the garrison is examining the infrastructure and facilities to identify mitigation measures in the barracks and other areas.

QUALITY-OF-LIFE CHALLENGES IN AFRICOM

Question. What quality-of-life challenges are unique for personnel and their families assigned to the AFRICOM area of responsibility?

Answer. The lack of reliable infrastructure on the African continent presents unique quality-of-life challenges for our personnel and their families. Among these challenges are unreliable broadband internet, sporadic postal service access, shortages of essential goods, varying degrees of host nation medical care and schooling capabilities. There is a relatively small AFRICOM personnel footprint in our African embassies—of the 36 staffed, there are fewer than 200 personnel in both accompanied and unaccompanied tours.

Additionally, there are approximately 5,000 unaccompanied personnel on the continent at any given time, and the command conducts a variety of outreach and educational activities such as travel clinics to impart proper respect for, and adherence to, the unique medical and safety requirements of our area of responsibility.

Question. If confirmed, how would you address these theater-wide challenges to help improve the quality of life for these personnel and their families?

Answer. The Command invests in productive partnerships with Service components and supporting nongovernmental agencies. Army morale, welfare, and recreation activities are proactive—providing large mobile support kits containing exercise and recreation equipment, games, lounge items, and electronic equipment to support our servicemembers. As always, AFRICOM also receives superb support from the Red Cross, the United Services Organization, and other organizations with the mission of supporting America's uniform personnel. I will continue to invest in, and encourage these relationships. For school issues, we work closely with the Department of Defense Education Activity to ensure military dependents get quality education on the continent. U.S. Transportation Command facilitates medical evacuation service capability for military personnel and their families on the continent.

MENTAL HEALTH OF SERVICEMEMBERS AND STRESS ON THE FORCE

Question. The committee is concerned about the stress on military personnel resulting from lengthy and repeated deployments and their access to mental health care to deal with this increased stress. The suicide rates in each of the Services are clear reminders that servicemembers, particularly those who have been deployed multiple times, are under tremendous stress and need access to mental health care.

In your view, are there sufficient mental health assets in AFRICOM to address the mental health needs of the military personnel and their families?

Answer. Yes. I believe there are adequate Mental Health resources in the Stuttgart Army Garrison Community to appropriately address the needs of the headquarters staff and their family members. For example, AFRICOM is particularly pleased with the response to Department of Defense Military and Family Life Consultant Program. Through the Military and Family Life Consultant Program, licensed clinical providers assist servicemembers, civilians, and their families by providing brief, solution-focused problem solving support. They work in support of and in conjunction with existing military entities/services. There are no records kept and contact with Military and Family Life Consultant Program is anonymous with the exceptions of allegations made of harm to self, others, allegations of domestic abuse, sexual assault and child abuse. The role of the consultant is unique—they are not traditional therapists. The primary Military and Family Life Consultant Program role is to assess needs, provide support, or refer as necessary. Among the service they provide is assistance to servicemembers, civilians, and families with development of an action plans. For example, in Djibouti, usage statistics indicate eight contacts are made on an average day, and the program there will gain a second consultant to serve that population. The command is also pleased with the services provided by our local Army health care providers and the medical services in the local community, as well as Military OneSource.

Question. If confirmed, what actions will you take to address the mental health needs of military personnel and their families in AFRICOM?

Answer. If confirmed, I will continue to place an emphasis in ensuring that behavioral health services are available to our servicemembers and their families. I recognize that we must foster a culture that facilitates an awareness of the impact of behavioral health issues on individual servicemembers, families, units, and our military communities.

This awareness starts from the top leadership and extends down to each individual assigned to the command. I will continue to engage to ensure we maintain an interdisciplinary approach to addressing the behavioral health needs of the force. This includes increasing the effectiveness of health surveillance, detection, and response efforts to identify, refer, and treat servicemembers and families at risk; reducing cultural stigma associated with seeking behavioral healthcare and developing resiliency and coping skills that foster help-seeking behavior among our servicemembers and their families.

I will leverage policies and programs that assist servicemembers suffering from physical and behavioral health conditions. The starting point at every level is education and training. I will also empower all soldiers, sailors, marines, airmen, and civilian personnel to act as sensors for leadership by noticing small changes in behavior and taking action early. These efforts encourage unit strength, resilience, and readiness. I will encourage that service and family members seek mental health assistance when needed.

Question. Do you have any views on how to reduce the stigma, real or perceived, for seeking mental health care?

Answer. We have taken conscious steps to adjust policy to reduce stigma by facilitating culture change within our force through continued education and by continuing to enhance the support network for servicemembers who may be at risk. I will continue to emphasize the importance of assessing the need for behavioral health services at key transition points to include redeployment, reintegration, and servicemembers to civilian transition. I will also continue to emphasize the need for behavioral health screening during routine periodic health and wellness exams. I will encourage social support and awareness of behavioral health programs which, through buddy or peer-to-peer involvement, has been successful in increasing behavioral health treatment-seeking among veterans. Additionally, increased social support may also lead to stigma reduction.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander, AFRICOM?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CLAIRE MCCASKILL

SEXUAL ASSAULT

1. Senator MCCASKILL. General Rodriguez, it is my understanding that the movie "The Invisible War" is being used to help educate senior leaders in the U.S. Armed Forces about the issue of sexual assault in the military. Have you seen the movie?

General RODRIGUEZ. Yes, I have seen "The Invisible War".

2. Senator MCCASKILL. General Rodriguez, as a leader in the U.S. Army, what have you learned about the issue of sexual assault facing servicemembers under your command?

General RODRIGUEZ. Sexual assault is contrary to Army values, degrades mission readiness, and will be prosecuted. With continued leadership and chain of command involvement, the Army can reduce the incidents of sexual assault and provide the training and guidance to prevent these incidents from occurring, prosecute those responsible for sexual assault, and provide the best support to the victims.

The Army Sexual Harassment and Assault Reporting Program is effective in addressing the needs of the Army by providing trained, in-house Victim Advocates that work hand-in-hand with the garrison Sexual Harassment/Assault Response and Prevention coordinator. The garrison command support agencies on Army installations provide training, guidance and support the Victim Advocates efforts and directly address the needs of victims. Supporting agencies also include Family Advocacy, the Provost Marshalls Office, Army Criminal Investigation Division, medical personnel, and others as required to ensure program compliance and the needs of the victim are met.

BUILDING SECURITY CAPACITY

3. Senator MCCASKILL. General Rodriguez, one of U.S. Africa Command's (AFRICOM) central missions is to strengthen the defense capabilities of African states. In January 2013, an International Security Advisory Board report on "Security Capacity Building" found that the United States annually spends more than $25 billion on what is broadly classified as security capacity of the recipient states. The report found that we have a multiplicity of programs spread across different departments and agencies where there may or may not be coordination in resourcing and execution. A lack of coordination could easily lead to duplication of effort and waste of resources that would be better spent elsewhere. As the combatant commander, what would you do to coordinate efforts with our diplomatic missions and other Federal agencies to ensure duplication is not occurring?

General RODRIGUEZ. Cross agency communication is key and may identify duplication of programs. Communication between agencies can be difficult at times, but it is a challenge that is solvable by understanding the cultures of the different U.S. agencies and by demonstrating our willingness to share relevant information be-

tween the African Union and other entities with equities on the continent. Being a good steward of resources, particularly in our fiscally uncertain environment, is essential. To accomplish this goal requires close coordination and that will be one of my priorities as Commander, AFRICOM.

4. Senator MCCASKILL. General Rodriguez, in your response to the advance policy questions, you said: "AFRICOM's responsibilities reflect a new and evolving focus on building partner operational and institutional capacity at the country and regional levels and supporting the efforts of other U.S. Government agencies in the area of responsibility (AOR)." While many at the Department of State (DOS) and U.S. Agency for International Development (USAID) welcome the ability of DOD to leverage resources and to organize complex operations, there also is concern that the military may overestimate its capabilities as well as its diplomatic role, or pursue activities that are not a core part of its mandate. The highly unequal allocation of resources between DOD, DOS, and USAID could hinder their ability to act as equal partners and could lead to the militarization of development and diplomacy. Do you believe there is a danger in over-emphasizing the U.S. military presence in Africa?

General RODRIGUEZ. Since inception of AFRICOM in October 2008, all agencies of the U.S. Government have remained sensitive to this concern and have operated with a light footprint on the continent. Regarding Department of Defense (DOD) operations with other U.S. Government agencies, I believe DOD and the AFRICOM component commands must thoroughly understand the culture of those agencies—particularly DOS and USAID—and employ that understanding during planning sessions and during execution of programs and theater security cooperation events. It is very important not to militarize development activity or diplomacy.

5. Senator MCCASKILL. General Rodriguez, how will you balance our military presence in Africa with the diplomatic and development responsibilities of DOS and USAID?

General RODRIGUEZ. The U.S. Ambassadors are the lead for U.S. diplomatic, informational, military, and economic development in each African nation. AFRICOM fully supports the Ambassadors and DOS to ensure a balanced and synchronized effort between diplomatic, development, and military presence in African nations. It is imperative that we work together as a whole-of-government team as we engage African nations. Messaging to the governments and people of the continent will continue to emphasize our support to African nations. Traditional U.S. military engagement strategy has been grounded in threat-based analysis. To meet its growing responsibilities in the even more complex African context, the Command will compliment this traditional analytic framework with a partnership-based approach. To do this, we should use our military capabilities in a supporting role with the interagency team to find ways to help our partners build resilient, democratic security institutions.

QUESTIONS SUBMITTED BY SENATOR JOE MANCHIN III

MALI

6. Senator MANCHIN. General Rodriguez, the AFRICOM AOR has become a front line in the fight against al Qaeda and other terrorist groups. I am particularly concerned the emergence of al Qaeda in the Islamic Maghreb (AQIM) in Mali. French and Malian forces have made great strides over the past month in driving AQIM out of areas they held in northern Mali, but the French have announced they are leaving soon. How can the United States best support preserving these gains without investing troops or considerable resources?

General RODRIGUEZ. The most effective way to preserve the gains in Mali is through a strong, functional Mali Government. We should continue to support African nations, the Africa Union, African regional organizations, the European Union, and the United Nations where we have common objectives. Building the capacity and supporting these organizations provide African and international solutions to Africa's problems.

SOUTH SUDAN

7. Senator MANCHIN. General Rodriguez, South Sudan is the world's newest country and faces a number of internal and external security challenges. Can you describe the status of our military-to-military relationship with South Sudan?

General RODRIGUEZ. The U.S. Ambassador to South Sudan has called for a limited introduction of our Security Force Assistance (SFA) program pending improvement in certain issue areas, including: (1) concern over the government of South Sudan's progress on advancing democratic principles; (2) concern about the Government of South Sudan's ability to absorb our assistance while key border security issues remain unresolved with the north; and, (3) Embassy Juba's limited capacity to support U.S. servicemembers in the austere Juba environment.

Our military-to-military relationship with the Sudan People's Liberation Army (SPLA) is in the initial stage. Through effective use of the International Military Education and Training (IMET) Program, dozens of SPLA students have attended DOD schools in the United States ranging from infantry officer basic training to engineer, medical, and judge advocate general courses. An SPLA brigadier general is scheduled to attend the U.S. Army War College this year. These alumni will form the basis of our engagement activities within the framework of our comprehensive Security Force Assistance (SFA) Program. This SFA Program emphasizes development of the defense sector at the institutional level for enduring effects. Additionally, AFRICOM is planning to conduct limited medical and engineering civic action projects in the next few months with the SPLA.

8. Senator MANCHIN. General Rodriguez, as this relationship evolves, how you will ensure that human rights are an important part of any military-to-military engagement with South Sudan?

General RODRIGUEZ. Human rights related content—including the rule of law, civilian control of the military, and code of conduct—are key ingredients infused into every engagement with the Sudan People's Liberation Army. Our Security Force Assistance (SFA) Program includes a priority package of education and mentorship aimed at assisting in the development of defense sector institutions that will establish, foster, and enforce laws, codes, and principles related to discipline of the force, hierarchy of command, and rules of engagement. Our SFA package also includes ways and means to professionalize and establish capability and capacity of key functions within the military such as a judge advocate general corps, military police and inspector general.

QUESTIONS SUBMITTED BY SENATOR JEANNE SHAHEEN

U.S. AFRICA COMMAND GOALS

9. Senator SHAHEEN. General Rodriguez, Dr. Cynthia Watson, a professor at the National War College, stated, "Africa Command hopes to avoid that traditional combatant command goals of warfighting in favor of war prevention, making its orientation quite different from other parallel organizations." Do you agree with this assessment?

General RODRIGUEZ. I believe prevention of war is the foremost goal of all combatant commands. The strategic environment will dictate the amount of emphasis placed on war prevention versus warfighting. AFRICOM protects and defends the national security interests of the United States by strengthening the defense capabilities of African states and regional organizations and, when directed, conducts military operations, in order to deter and defeat transnational threats and to provide a security environment conducive to good governance and development. We need to be ready to do both.

10. Senator SHAHEEN. General Rodriguez, do you think that this mission focus prohibited AFRICOM from being able to respond to the Benghazi incident?

General RODRIGUEZ. There are a number of lessons learned from Benghazi that must be considered. We should continue to conduct close coordination with DOS and our other interagency partners on the African continent to ensure a common understanding of the risk associated with the complex threat environment such as that in Libya. We should continue to work as a team to refine intelligence, reduce the intelligence gap through better collaboration, prioritizing threats, and allocating resources to collect on those threats.

Also, we should review the interagency process between the DOD and DOS to identify security risks and understand DOD response options to inform DOS security planning and decisionmaking. Regional response forces like the Commanders In-extremis Force, Army Regionally Aligned Forces, and the Special Marines Air-Ground Task Force are also part of the solution in some areas.

I understand AFRICOM is reviewing security assistance and military-to-military programs to ensure they are best tailored to build host nation capacity where required. Collaborative efforts to improve Embassy security are ongoing.

11. Senator SHAHEEN. General Rodriguez, do you think that AFRICOM's emphasis on building partnerships will shift as the emerging terrorist threat increases?

General RODRIGUEZ. Traditional U.S. military engagement strategy has been grounded in threat-based analysis. To meet its growing responsibilities in the increasingly complex African context, AFRICOM will compliment this traditional analytic framework with a partnership-based approach. To do this, we will use our military capabilities in a supporting role with our interagency team to find ways to help our partners build resilient security institutions that are committed to democratic ideals.

INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITY

12. Senator SHAHEEN. General Rodriguez, the current AFRICOM Commander has previously testified that intelligence and surveillance continue to be a challenge and that more assets are needed. If confirmed, what do you intend to do to ensure that AFRICOM has the appropriate intelligence, surveillance, and reconnaissance (ISR) capability?

General RODRIGUEZ. I will advocate for prioritization of AFRICOM ISR requirements to support current operations and likely future mission areas. With potential for receiving additional ISR assets, I will engage African partner nations for overflight, refueling and temporary operating location options. It is also important to invest in enhancing African nations ISR capabilities as well as information and intelligence sharing to improve overall understanding of the environment.

QUESTION SUBMITTED BY SENATOR RICHARD BLUMENTHAL

MARINE CORPS IN U.S. AFRICA COMMAND

13. Senator BLUMENTHAL. General Rodriguez, last week we heard from General Dempsey of the challenges posed by improving our response capabilities in Africa, where there are limited base rights and access. It is my understanding that the United States no longer maintains an amphibious ready group in the Mediterranean Sea, and this is before sequestration. If confirmed, will you look at making better use of the Marine Corps' ability to respond to crises in North Africa, conduct noncombatant evacuations, and maintain a rapid response capability with forward deployed forces?

General RODRIGUEZ. I will continue to refine the posture of our U.S. Marine Corps Special Purpose Marine Air and Ground Task Force and other Marine assets as required to respond to crises in North Africa, conduct non-combatant evacuations, and maintain a rapid response capability with forward deployed forces. I would add that it is important for any combatant commander to consider the full range of Department of Defense and other agency capabilities available for operational support missions.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

SURVEILLANCE IN AFRICA COMMAND

14. Senator CHAMBLISS. General Rodriguez, AFRICOM receives only about 7 percent of its total ISR requirements. However, in response to the recent attack in North Africa, AFRICOM is currently getting about 50 percent of its stated need for ISR in North Africa. With the downsizing of military forces and assets, AFRICOM is sure to not get this percentage of ISR in the future. How will you, as a commander, ensure that AFRICOM will accomplish its mission without a robust ISR capability in the near future?

General RODRIGUEZ. I will evaluate current operational requirements, along with possible risk, and prioritize remaining ISR capabilities to optimize support to mission execution. In addition, with the downsizing of military forces and assets we can expect a reprioritization of ISR assets by the U.S. Government and I will work to ensure that AFRICOM's requirements are addressed by Department of Defense and the U.S. Intelligence Community. It is also important to invest in enhancing African nations ISR capabilities as well as information and intelligence sharing to improve overall understanding of the environment.

15. Senator CHAMBLISS. General Rodriguez, with so much territory uncovered with ISR, what other actions will you take to ensure a presence throughout the region?

General RODRIGUEZ. I will pursue additional presence and optimization of current presence across the continent by engaging African partner nations for key temporary stationing locations that provide increased flexibility for ISR asset tasking, maximizing potential support to missions. It is also important to invest in enhancing African nations ISR capabilities as well as information and intelligence sharing to improve overall understanding of the environment.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

SURVEILLANCE IN AFRICA COMMAND

16. Senator AYOTTE. General Rodriguez, in your advance policy questions, you mentioned that AFRICOM only received about 7 percent of its total ISR requirements. That number has increased to 50 percent now. Based on all of the previous attacks on U.S. and other western targets in Benghazi in the months preceding the September 11, 2012, attack that left four Americans dead, do you believe more than 7 percent of AFRICOM's ISR requirements should have been met?

General RODRIGUEZ. I believe the ISR requirements for Africa are high and increasing at a very fast rate. I will ensure AFRICOM's requirements compete for ISR assets with the other combatant commands. ISR assets are low density, high demand capabilities, and are allocated based on national priorities.

17. Senator AYOTTE. General Rodriguez, while the increase for 50 percent is a positive step, do you have concerns that half of our ISR requirements are not being met?

General RODRIGUEZ. The demand for ISR capabilities has increased significantly over the past decade. It is rare that ISR supply meets the demand. Thus, I will continue to address AFRICOM's requirements for ISR capabilities through the Joint Staff's request for forces and capabilities system and prioritize the employment of ISR assets AFRICOM receives. It is also important to invest in enhancing African nations ISR capabilities as well as information and intelligence sharing to improve overall understanding of the environment.

18. Senator AYOTTE. General Rodriguez, do you believe that DOD is providing AFRICOM sufficient ISR assets to meet the objectives that the Joint Staff has given AFRICOM?

General RODRIGUEZ. AFRICOM must compete with other combatant commands for America's relatively scarce ISR assets. While not unique to AFRICOM, infrastructure for supporting ISR operations and over-flight rights of African nations are also considerations. Upon assuming command of AFRICOM, I will closely review AFRICOM's ISR requirements and shortfalls in order to prioritize employment and mitigate risk as best we can.

BOCO HARAM

19. Senator AYOTTE. General Rodriguez, do you believe Boco Haram is a terrorist organization?

General RODRIGUEZ. Boco Haram has committed some acts that can be associated with terrorism. Designating Boco Haram as a terrorist organization is a policy decision. I will study this issue and make my recommendation on whether Boco Haram should be classified as a terrorist organization.

[The nomination reference of GEN David M. Rodriguez, USA, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
February 7, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment in the U.S. Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be General.

GEN David M. Rodriguez, 1850.

[The biographical sketch of GEN David M. Rodriguez, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF GEN DAVID M. RODRIGUEZ, USA

Source of commissioned service: USMA.

Educational degrees:

U.S. Military Academy - BS - No Major

U.S. Army Command and General Staff College - MMAS - Military Art and Science

U.S. Naval War College - MA - National Security and Strategic Studies

Military schools attended:

Infantry Officer Basic Course

Armor Officer Advanced Course

U.S. Army Command and General Staff College

School of Advanced Military Studies

U.S. Naval War College

Foreign language(s): None recorded.

Promotions:

Promotions	Date of Appointment
2LT	2 Jun. 76
1LT	2 Jun. 78
CPT	1 Aug. 80
MAJ	1 Sep. 87
LTC	1 Apr. 93
COL	1 Aug. 97
BG	1 Mar. 02
MG	15 Jul. 05
LTG	29 Jul. 08
GEN	15 Aug. 11

Major duty assignments:

From	To	Assignment
Aug. 11 ..	Present	Commanding General, U.S. Army Forces Command, Fort Bragg, NC
Mar. 10 ..	Jul. 11	Commander, International Security Assistance Force Joint Command/Deputy Commander, U.S. Forces-Afghanistan, Operation Enduring Freedom, Afghanistan
Oct. 09 ...	Mar. 10	Commander, International Security Assistance Force Joint Command, Operation Enduring Freedom, Afghanistan
Jun. 09 ...	Oct. 09	Deputy Commander, U.S. Forces-Afghanistan, Operation Enduring Freedom, Afghanistan
Jul. 08	Jun. 09	Senior Military Assistant to the Secretary of Defense, Office of the Secretary of Defense, Washington, DC
Apr. 08 ...	Jul. 08	Commanding General, 82d Airborne Division, Fort Bragg, NC
Feb. 07 ...	Apr. 08	Commanding General, 82d Airborne Division/Commanding General, Combined Joint Task Force-76, Operation Enduring Freedom, Afghanistan
Apr. 06 ...	Feb. 07	Commanding General, 82d Airborne Division, Fort Bragg, NC
Jan. 06 ...	Feb. 06	Special Assistant to the Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq (No Joint Credit)
Apr. 05 ...	Jan. 06	Commander, Multi-National Division-Northwest, Operation Iraqi Freedom, Iraq
Jun. 03 ...	Mar. 05	Deputy Director, Regional Operations, J–3, Joint Staff, Washington, DC
Jun. 02 ...	Jun. 03	Assistant Division Commander (Maneuver), 4th Infantry Division (Mechanized), Fort Hood, TX, and Operation Iraqi Freedom, Iraq
Oct. 00 ...	Jun. 02	Deputy Commanding General/Assistant Commandant, U.S. Army Infantry Center and School, Fort Benning, GA

From	To	Assignment
Jul. 99	Sep. 00	Assistant Chief of Staff, G–3, XVIII Airborne Corps, Fort Bragg, NC
Aug. 97 ..	Jul. 99	Commander, 2d Brigade, 82d Airborne Division, Fort Bragg, NC
Jul. 96	Jun. 97	Student, U.S. Naval War College, Newport, RI
Apr. 94 ...	Apr. 96	Commander, 2d Battalion, 502d Infantry Regiment, IOIst Airborne Division (Air Assault), Fort Campbell, KY
Mar. 92 ..	Feb. 94	Joint Exercise Officer, later Executive Officer, Exercise Division, C–3/J–3/G–3, United Nations Command/Combined Forces Command/U.S. Forces-Korea, Korea
Apr. 90 ...	Mar. 92	S–3 (Operations), later Executive Officer, 1st Battalion, 505th Parachute Infantry Regiment, Fort Bragg, NC, and Operations Desert Shield/Storm, Saudi Arabia
Jun. 89 ...	Apr. 90	Chief, Doctrine Development, G–3 (Plans), XVIII Airborne Corps, Fort Bragg, NC
Aug. 87 ..	May 89	Student, U.S. Army Command and General Staff College, Fort Leavenworth, KS
Jul. 86	Jun. 87	Commander, B Company, 3d Battalion, 75th Ranger Regiment, Fort Benning, GA
Aug. 85 ..	Jun. 86	Liaison Officer, 3d Battalion, 75th Ranger Regiment, Fort Benning, GA
Jul. 84	Aug. 85	Assistant S–3 (Operations), 75th Ranger Regiment, Fort Benning, GA
Jun. 83 ...	Apr. 84	S–3 (Operations), 1st Battalion, 52d Infantry, 1st Armored Division, U.S. Army Europe and Seventh Army, Germany
Feb. 83 ...	Jun. 83	Assistant S–3 (Air), 3d Brigade, 1st Armored Division, U.S. Army Europe and Seventh Army, Germany
Jul. 81	Feb. 83	Commander, B Company, 1st Battalion, 52d Infantry, 1st Armored Division, U.S. Army Europe and Seventh Army, Germany
May 80 ...	Dec. 80	Student, Armor Officer Advanced Course, U.S. Army Armor School, Fort Knox, KY
Jun. 79 ...	May 80	Executive Officer, Combat Support Company, 1st Battalion, 61st Infantry, 5th Infantry Division (Mechanized), Fort Polk, LA
Jan. 79 ...	Jun. 79	Motor Officer, 1st Battalion, 61st Infantry, 5th Infantry Division (Mechanized), Fort Polk, LA
Jun. 78 ...	Jan. 79	Scout Platoon Leader, Combat Support Company, 1st Battalion, 61st Infantry, 5th Infantry Division (Mechanized), Fort Polk, LA
Jul. 77	Jun. 78	Rifle Platoon Leader, A Company, 1st Battalion, 6lst Infantry, 5th Infantry Division (Mechanized), Fort Polk, LA

Summary of joint assignments:

Assignments	Date	Grade
Commander, International Security Assistance Force Joint Command/Deputy Commander, U.S. Forces-Afghanistan, Operation Enduring Freedom, Afghanistan	Mar. 10–Jul. 11	Lieutenant General
Commander, International Security Assistance Force Joint Command, Operation Enduring Freedom, Afghanistan	Oct. 09–Mar. 10	Lieutenant General
Deputy Commander, U.S. Forces-Afghanistan, Operation Enduring Freedom, Afghanistan	Jun. 09–Oct. 09	Lieutenant General
Senior Military Assistant to the Secretary of Defense, Office of the Secretary of Defense, Washington, DC	Jul. 08–Jun. 09	Lieutenant General
Commanding General, 82d Airborne Division/Commanding General, Combined Joint Task Force-76, Operation Enduring Freedom, Afghanistan	Feb. 07–Apr. 08	Major General
Commander, Multi-National Division-Northwest, Operation Iraqi Freedom, Iraq (No Joint Credit)	Apr. 05–Jan. 06	Major General
Deputy Director, Regional Operations, J–3, Joint Staff, Washington, DC	Jun. 03–Mar. 05	Brigadier General
Joint Exercise Officer, later Executive Officer, Exercise Division, C–3/J–3/G–3, United Nations Command/Combined Forces Command/U.S. Forces-Korea, Korea	Mar. 92–Feb. 94	Major/Lieutenant Colonel

Summary of operational assignments:

Assignments	Date	Grade
Commander, International Security Assistance Force Joint Command/Deputy Commander, U.S. Forces-Afghanistan, Operation Enduring Freedom, Afghanistan	Mar. 10–Jul 11	Lieutenant General
Commander, International Security Assistance Force Joint Command, Operation Enduring Freedom, Afghanistan	Oct. 09–Mar. 10	Lieutenant General
Deputy Commander, U.S. Forces-Afghanistan, Operation Enduring Freedom, Afghanistan	Jun. 09–Oct. 09	Lieutenant General
Commanding General, 82d Airborne Division/Commanding General, Combined Joint Task Force-76, Operation Enduring Freedom, Afghanistan	Feb. 07–Apr. 08	Major General
Special Assistant to the Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq (No Joint Credit)	Jan. 06–Feb. 06	Major General
Commander, Multi-National Division-Northwest, Operation Iraqi Freedom, Iraq	Apr. 05–Jan. 06	Major General
Assistant Division Commander (Maneuver), 4th Infantry Division (Mechanized), Fort Hood, TX, and Operation Iraqi Freedom, Iraq	Jun. 02–Jun. 03	Brigadier General

Assignments	Date	Grade
S–3 (Operations), later Executive Officer, 1st Battalion, 505th Parachute Infantry Regiment, Fort Bragg, NC, and Operations Desert Shield/Storm, Saudi Arabia ..	Apr. 90–Mar. 92	Major

U.S. decorations and badges:
Defense Distinguished Service Medal (with Oak Leaf Cluster)
Distinguished Service Medal
Defense Superior Service Medal
Legion of Merit (with four Oak Leaf Clusters)
Bronze Star Medal (with Oak Leaf Cluster)
Defense Meritorious Service Medal
Meritorious Service Medal (with four Oak Leaf Clusters)
Joint Service Commendation Medal
Army Commendation Medal (with two Oak Leaf Clusters)
Joint Service Achievement Medal
Combat Infantryman Badge
Expert Infantryman Badge
Master Parachutist Badge
Air Assault Badge
Ranger Tab
Joint Chiefs of Staff Identification Badge

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by GEN David M. Rodriguez, USA, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
David M. Rodriguez.

2. **Position to which nominated:**
Commander, U.S. Africa Command, Germany.

3. **Date of nomination:**
February 7, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**

May 23, 1954; Overbrook, PA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Virginia E. Rodriguez; Maiden name: Flaherty.

7. **Names and ages of children:**
Amy Marie Rodriguez, age 28.
Melissa Rose Royer, age 26.
David Francis Rodriguez, age 23.
Andrew Scott Rodriguez, age 21.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.
None.

12. **Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Association of the U.S. Army (member).
Veterans of Foreign Wars (member).
82nd Airborne Association (member).

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.
None.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?
Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?
Yes.

[The nominee responded to Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

DAVID M. RODRIGUEZ.

This 24th day of August, 2012.

[The nomination of GEN David M. Rodriguez, USA, was reported to the Senate by Chairman Levin on February 26, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 5, 2013.]

NOMINATIONS OF HON. ALAN F. ESTEVEZ TO BE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS; MR. FREDERICK E. VOLLRATH TO BE ASSISTANT SECRETARY OF DEFENSE FOR READINESS AND FORCE MANAGEMENT; AND MR. ERIC K. FANNING TO BE UNDER SECRETARY OF THE AIR FORCE

THURSDAY, FEBRUARY 28, 2013

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:35 a.m. in room SD–106, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Gillibrand, Blumenthal, Donnelly, Kaine, King, Inhofe, McCain, and Ayotte.

Committee staff members present: Richard D. DeBobes, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Jonathan D. Clark, counsel; Gabriella E. Fahrer, counsel; Gerald J. Leeling, counsel; Peter K. Levine, general counsel; Jason W. Maroney, counsel; John H. Quirk V, professional staff member; and Robie I. Samanta Roy, professional staff member.

Minority staff members present: John A. Bonsell, minority staff director; Steven M. Barney, minority counsel; William S. Castle, minority general counsel; Ambrose R. Hock, professional staff member; and Anthony J. Lazarski, professional staff member.

Staff assistants present: Jennifer R. Knowles, Mariah K. McNamara, and Lauren M. Gillis.

Committee members' assistants present: Jeff Fatora, assistant to Senator Nelson; David LaPorte, assistant to Senator Manchin; Elana Broitman, assistant to Senator Gillibrand; Marta McLellan Ross, assistant to Senator Donnelly; Karen Courington, assistant to Senator Kaine; Jim Catella and Steve Smith, assistants to Senator King; Paul C. Hutton IV, assistant to Senator McCain; Todd Harmer, assistant to Senator Chambliss; Robert Foster, assistant to Senator Wicker; and Brad Bowman, assistant to Senator Ayotte.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody.

This morning the committee considers the nomination of Alan Estevez to be Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics; Frederick Vollrath to be Assistant Secretary of Defense for Readiness and Force Management; and Eric Fanning to be Under Secretary of the Air Force.

Mr. Estevez, Mr. Vollrath, Mr. Fanning, we welcome you all. All three of our nominees have demonstrated their commitment to public service throughout their careers. We appreciate your continuing willingness to serve, and we appreciate the support that your families provide which is so essential to your success, as you well know. As is our custom, during your introductory remarks, your statements, please feel free to introduce any family members or friends that you have with you here today.

Our witnesses today are nominated for policy positions that deal with some of the most complex challenges confronting the Department of Defense (DOD).

The Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics will be a key participant in major decisions affecting the hundreds of billions of dollars that DOD spends every year to acquire property and services. If confirmed, Mr. Estevez will share responsibility for a broad array of functions, including developmental testing, contract administration, logistics and materiel readiness, installations and environment, operational energy, the acquisition workforce, the defense industrial base, and efforts to increase the Department's buying power and improve the performance of the defense acquisition enterprise.

Mr. Vollrath has been nominated to be Assistant Secretary of Defense for Readiness and Force Management, responsible for developing policies, providing advice, and making recommendations to the Under Secretary of Defense for Personnel and Readiness in the areas of civilian and military personnel policy, readiness of the force, and military community and family policy. Additionally, the Assistant Secretary of Defense for Readiness and Force Management is responsible for allocating assigned resources and providing oversight of subordinate activities, including the overall day-to-day supervision of the Department of Defense Education Activity and the Defense Commissary Agency.

Mr. Fanning has been nominated to be Under Secretary of the Air Force, the second highest civilian position in the Air Force. The Under Secretary of the Air Force assists the Secretary of the Air Force in organizing, training, equipping, and providing for the welfare of its more than 333,000 Active Duty men and women, 178,000 Air National Guard and Air Force Reserve members, 182,000 civilians, and their families. He also oversees the Air Force's annual budget of more than $110 billion and serves as Acting Secretary of the Air Force in the Secretary's absence. As Under Secretary, Mr. Fanning would also serve as the Chief Management Officer of the Air Force.

These three nominations come before this committee at a time of unprecedented turbulence. Just last week, we held a hearing on the impacts of sequestration and a full-year Continuing Resolution (CR). We found that if these events come to pass, which looks more

and more likely, the negative impact on the Department of Defense will be huge.

The Deputy Secretary of Defense, the Chairman of the Joint Chiefs, the Comptroller, and the Joint Chiefs of Staff all testified to the severe and significant issues that sequestration and a full-year Continuing Resolution will bring to each Service. While we hope an 11th hour solution can be found, we are pleased to see that individuals of the caliber of the witnesses and nominees before us today are willing to step into this maelstrom and serve in these important capacities. The challenges will be great and the tasks even more difficult than they are currently.

Over the next few weeks, the committee will hold a series of important hearings. Next Tuesday, we will hear from the commanders of U.S. Central Command and U.S. Special Operations Command. Next Thursday, a week from today, we will hear from U.S. Africa Command and U.S. Transportation Command. The following Tuesday, March 12, 2013, we will hear from U.S. Strategic Command and U.S. Cyber Command.

At the same time that we are doing this at a full committee level, our subcommittees are beginning to plan their hearing schedules for the year. In particular, the Personnel Subcommittee will hold a hearing on sexual assault in the military on March 13, 2013. I am very pleased that Senators Gillibrand and Graham are addressing this extraordinarily important issue. Our servicemembers, men and women, deserve an environment where they are not subjected to sexual harassment and sexual assaults. All members of our committee—and I just talked to Senator Gillibrand about this—whether they are members of that subcommittee or not are welcome to attend and participate, and I thank Senator Gillibrand for that.

All our witnesses this morning bring strong qualifications to the positions for which they have been nominated. I look forward to their testimony, to the answers that they provide to our members during questioning. I hope the committee can act promptly to confirm these nominees.

Senator Inhofe.

STATEMENT OF SENATOR JAMES M. INHOFE

Senator INHOFE. Thank you, Mr. Chairman. I join you in welcoming the nominees here this morning.

Overshadowing everything that is going on right now, as the chairman said is the sequestration thing, which we have had the Chiefs in here and we have had everyone coming in and talking about the disastrous things that we are facing. Today is the day, however, that we will actually be voting on a couple of bills that will have to do with it.

I would be remiss if I did not mention that one of the alternatives we have had began 5 weeks ago, Mr. Chairman. I contacted all the Chiefs, all five Chiefs of the Services, and said, if this becomes reality and we are going to be faced with this, how much could be mitigated? If you take the same top line and if you had the ability to make adjustments within each Service, what could you do? They said, it would put us light years in better shape than if we just had to take cuts across the board. I did not think we

would get to that point, but we are there today. That is one of the alternatives that we will be discussing.

Mr. Estevez, for too long, the way the Department has developed and procured weapons systems has been riddled with waste and inefficiency. We have talked about that for as many years as I have been up here. Recent legislative efforts such as the Weapons Systems Reform Act have put in place much needed reforms. Yet, given reductions in the defense budget and the threat of sequestration, it is more important now than ever that dollars used to equip our military are spent wisely. This will require the Department to define program risks. Risks are things that people do not like to talk about because risks translates into readiness and translates into deaths. We need to be addressing these things now, and most importantly, the Department is going to have to develop a culture of accountability for all programs.

Mr. Vollrath, through our military forces, although they remain resilient, 11 years of sustained combat operations have left them battered. We talk about the suicide problems. I spent the better part of a day last week out at Bethesda, at Walter Reed. I was just overwhelmed with the really good job that people are doing out there, and it may be the only place that is not impacted by the constraints that the rest of the military is under. I know that you will be interested in that and keeping the fine work going, as it has been.

Mr. Fanning, over the last 10 years, the Air Force has retired nearly 1,900 aircraft and reduced its Active Duty end strength to approximately 329,000 airmen, making it older and smaller than at any time since its inception in 1947. While service life extension programs and modifications have kept our Air Force flying, the cost to operate and sustain these aircraft continues to rise. It is something that we have been dealing with for as long as I have been on both the House Armed Services Committee and this committee.

It is a challenge and I am sure that you are, all three, up to these challenges, and I look forward to working with you and to hearing your testimony.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Inhofe.

Now, we will first call on Mr. Estevez.

STATEMENT OF HON. ALAN F. ESTEVEZ, TO BE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS

Mr. ESTEVEZ. Thank you and good morning, Chairman Levin, Ranking Member Inhofe, members of the committee.

I am grateful for the opportunity to appear before you today. I appreciate the great support that this committee provides to our military.

I am honored that the President has nominated me for the position of Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics. I would like to thank President Obama for his trust and belief in my abilities to serve the Department.

I would also like to thank Secretary Panetta, Deputy Secretary Carter, and Under Secretary Kendall for their support of my nomination.

I am joined here today by my wife, Susan Pearson, and my sisters, Sue Ann and Pamela. I want to thank Susan for her continued support and sacrifice and her willingness to let me serve. As I noted in my confirmation hearing for my current position, without Susan's sage advice and counsel I would not be sitting here today. I am thrilled that my sisters were able to come down from New York and New Jersey to join me here today.

Chairman LEVIN. We welcome them all. I am sure they are thrilled to be here.

Mr. ESTEVEZ. I hope so.

Chairman LEVIN. We will get a report from them in a couple hours. [Laughter.]

Mr. ESTEVEZ. As the Assistant Secretary of Defense for Logistics and Materiel Readiness, it has been my privilege to support the Nation's men and women in uniform by providing world-class logistics capabilities. In the last 2 years, our defense logistics system has surged and sustained forces in two wars, successfully completed the drawdown of our forces and equipment in Iraq, and is in the process of supporting the drawdown and transition phase in Afghanistan.

I have had the opportunity to take numerous trips to Afghanistan over the last 4 years, and I have witnessed firsthand the magnificent efforts of our deployed forces. They continue to inspire me and I will be honored to continue to support them if I am confirmed for this position.

While most citizens do not realize it, the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics makes an impact on the everyday lives of the citizens of the United States primarily by acquiring the best technology and capabilities to enable our warfighters to protect this Nation but also, as was recently shown, by aiding the American people in the aftermath of natural disasters such as Superstorm Sandy. If confirmed, I will execute my duties to make sure that the American people are continually supported by the Department of Defense.

I would again like to thank this committee for asking me here today, and I look forward to your questions.

Chairman LEVIN. Thank you so much, Mr. Estevez.

Mr. Vollrath.

STATEMENT OF MR. FREDERICK E. VOLLRATH TO BE ASSISTANT SECRETARY OF DEFENSE FOR READINESS AND FORCE MANAGEMENT

Mr. VOLLRATH. Good morning, Chairman Levin, Ranking Member Inhofe, and members of the committee.

I am honored to appear before you today.

I appreciate the confidence that President Obama has expressed in nominating me to be the Assistant Secretary of Defense for Readiness and Force Management, and I am grateful to Secretary Panetta for supporting that nomination.

It has been a great honor and privilege for me to have served our Nation in the U.S. Army wearing that uniform for 35 years and

currently as the Principal Deputy Assistant Secretary of Defense for Readiness and Force Management.

The position of Assistant Secretary of Defense for Readiness and Force Management for which I have been nominated is a new position created by the Department pursuant to the authority provided in the National Defense Authorization Act (NDAA) for Fiscal Year 2010. It has also been my privilege to be the first individual nominated by the President to fill this very important role. During the past 11 months, I have also had the added responsibility of standing up the Office of the Assistant Secretary of Defense while serving as the Principal Deputy.

I have over 40 years of human resource management and executive leadership experience and bring with me the unique perspective of having both government and nongovernment human resource experience. During my career, I have seen many changes in our military and fully understand the importance of maintaining a ready force, especially during these critical fiscal uncertain times. If confirmed, I will use this experience to aggressively take on the challenges of this office.

I am grateful to the members of this committee and to all Members of Congress for the support they have given to our men and women in uniform and their families. If confirmed, I pledge to you that I will work diligently on behalf of our Nation's servicemembers, their families, and our civilian workforce that supports them. I am deeply honored to have the opportunity to continue my service to this great Nation.

I look forward to your questions. Thank you.

Chairman LEVIN. Thank you so much, Mr. Vollrath.

Mr. Fanning.

STATEMENT OF MR. ERIC K. FANNING TO BE UNDER SECRETARY OF THE AIR FORCE

Mr. FANNING. Thank you, Mr. Chairman, Senator Inhofe, members of the committee. It is an honor to appear before you today.

I would like to thank President Obama for nominating me and the Secretary of Defense for supporting this opportunity to serve. If confirmed, I greatly look forward to working with them and with this committee as well.

Nobody gets the opportunity to serve in positions like this without the help of many people over a very long period of time. I am fortunate to have many of them here with me today, dating all the way back to college and including Larry Smith, who hired me out of college into my first job on the House Armed Services Committee, through my later work at the Pentagon and at Business Executives for National Security. He has been an important friend and mentor to me ever since. Thank you to them and all the others here today to support me.

My mother had planned on attending, but as of late is unable to travel. I know she is watching from Florida.

I come from a family with a long history of service in uniform. Two uncles graduated from West Point and made careers in the Army. Another uncle served a career in the Air Force. My cousin flew helicopters in the Marine Corps. I learned from an early age

the importance of service and developed early on a deep respect and admiration for those who serve in uniform.

The Air Force faces many challenges well known by this committee but is a proud organization with a rich history. Its greatest strength, of course, is its people, almost 700,000 Active Duty, National Guard, Reserve, and civilians who make up the Air Force, along with their families. I have been immensely proud to serve these last 4 years with the men and women of the Navy and Marine Corps, and if confirmed, I very much look forward to becoming a part of the Air Force family. It would be my honor to play a role in making sure that the best men and women our country has to offer get all the support they need in undertaking the mission of defending our country, a mission for which they freely volunteered.

Thank you again for considering my nomination. Thank you for your service, and I look forward to your questions.

Chairman LEVIN. Thank you so much.

Let me now ask you the standard questions that we ask of all nominees. You can answer together. This is a matter of exercising our legislative and our oversight responsibilities, and that is the reason for these questions.

Have you adhered to applicable laws and regulations governing conflicts of interest?

Mr. ESTEVEZ. Yes.

Mr. VOLLRATH. Yes.

Mr. FANNING. Yes.

Chairman LEVIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

Mr. ESTEVEZ. No.

Mr. VOLLRATH. No.

Mr. FANNING. No.

Chairman LEVIN. Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Mr. ESTEVEZ. Yes.

Mr. VOLLRATH. Yes.

Mr. FANNING. Yes.

Chairman LEVIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

Mr. ESTEVEZ. Yes.

Mr. VOLLRATH. Yes.

Mr. FANNING. Yes.

Chairman LEVIN. Will those witnesses be protected from reprisal for their testimony or their briefings?

Mr. ESTEVEZ. Yes.

Mr. VOLLRATH. Yes.

Mr. FANNING. Yes.

Chairman LEVIN. Do you agree, if confirmed, to appear and testify upon request before this committee?

Mr. ESTEVEZ. Yes.

Mr. VOLLRATH. Yes.

Mr. FANNING. Yes.

Chairman LEVIN. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner

when requested by a duly constituted committee or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Mr. ESTEVEZ. Yes.

Mr. VOLLRATH. Yes.

Mr. FANNING. Yes.

Chairman LEVIN. Okay. We will have an 8-minute first round of questions here, and let me start with you, Mr. Estevez.

We have millions of pieces of equipment in Afghanistan, and we have a logistical challenge of great size as our forces draw down. Key to the ability to remove this equipment is whether we are going to have access to ground lines in Pakistan and along the Northern Distribution Network through Central Asia. Can you give us your assessment on the level of cooperation that we are getting now from Pakistan on the retrograde of military equipment through Pakistan?

Mr. ESTEVEZ. Yes, Senator. Right now we are getting excellent cooperation with Pakistan. We have a number of proof of principles, as we call them, to move equipment through Pakistan. They are ongoing right now. Two of them have been successfully completed. The purpose of these is to hone out the processes with the Pakistanis, with their customs enforcement, with their port agencies, and with their trucking companies in order to facilitate an increased volume of those movements. But slow, steady progress.

Chairman LEVIN. All right. So it is not just a contract agreement or a written agreement to open up these lines? It is actually now happening. Is that correct?

Mr. ESTEVEZ. Yes, sir.

Chairman LEVIN. Okay. Mr. Estevez, in response to the committee's advance policy questions, you stated that you do not believe that fixed-price development contracts are appropriate because "most major weapons systems deal with maturing designs and significant integration problems, and a fixed-price development contract imposes too much risk on industry".

Now, we just adopted a defense authorization act which in section 818 says the following that, "The conferees believe that program risks should be reduced to the degree that the use of a fixed-price development contract for a major acquisition system may be appropriate." Our Senate committee report on this provision explains that both the cost to the Government in using cost reimbursement contracts too far into the development and the importance of reducing program risk prior to a Milestone B decision by avoiding the incorporation of immature technologies is very important. We have to do that.

I am not going to ask you a question now, but I would ask you to reevaluate, when you are confirmed, the position that you took in response to our advance policy questions in light of our law which we have now passed, section 818 and the committee report on the provision, and then get back to us. Will you do that?

Mr. ESTEVEZ. I certainly will, Senator.

Chairman LEVIN. Will you also get back to us on the question of contract services? Because we are going to need to do a lot more to understand and control spending on contract services. Contract services cost us about $200 billion a year, which is about as much

as we spend on all products combined, including major weapons systems.

I would also ask you, within the first, say, 60 days that you are in office, will you give us a report on the steps which you are going to take to address the question of controlling spending on contract services?

Mr. ESTEVEZ. Absolutely, Senator.

Chairman LEVIN. Mr. Vollrath, I would like to ask you about the threat of sequestration on personnel. Can you describe for us the impact of sequestration on, just to give one example, the Services' transition assistance programs?

Mr. VOLLRATH. Certainly, Senator. The sequestration will result most likely in furloughs of the civilian workforce for a period of up to 22 days for the remainder of the year. The approximately 20 percent reduction in time from that civilian workforce will have an effect on the transition services that are required by the law, and we will have to do a significant job of scheduling to make sure that all servicemembers get the required transition training and experience. Right now, it appears that that may be possible.

Chairman LEVIN. We hope it is possible, but obviously there is going to be huge pressure. We cannot make cuts of that nature without an effect. Would you agree with that?

Mr. VOLLRATH. Yes, Senator, absolutely.

Chairman LEVIN. By the way, I want to invite you to visit a college in Lansing, MI, the Lansing Community College, which has I think the most extraordinary program that I have seen to transition people into actual jobs which are available using the experience that they have and smoothing the way towards a civilian job by dealing with the regulatory agencies that exist on the civilian side. For instance, this program takes medics that come out of the military and has it all planned so that the State regulatory agencies with their certification requirements give credit for the service performed while in the Service so that they can much more quickly become medical technicians, for instance, and then registered nurses. I would like you to come and visit that program which I think may be unique in the country.

Mr. VOLLRATH. Senator, given the opportunity, I most certainly will do that because we have had a full court press on trying to get the civilian sector particularly in all States to accept the credentials that service men and women acquire while on Active Duty.

Chairman LEVIN. Thank you.

Now, Mr. Vollrath, Senator Gillibrand, as I mentioned before, is going to have a hearing in her subcommittee on sexual assaults. I just want to let you know that when she does that at the subcommittee level, she and Senator Graham are going to be speaking for the full committee when that happens. This is something which is simply such an outrage for this to continue to occur that it must be at the top of the agenda when you take over responsibility.

For instance, the Air Force is currently addressing a number of sexual misconduct cases arising out of basic training at Lackland Air Force Base, and at last count, sexual misconduct allegations have been made against 32 military training instructors involving 62 victims. Mr. Fanning, can you give us your thoughts as to what must be done in this area?

Mr. FANNING. Thank you, Senator.

Any instance of sexual assault is too many, and I think that leadership across the Department of Defense has to remain committed to preventing this from happening in the first place. I believe that we are seeing a marked increase in what the Department is trying to do to combat sexual assault. If confirmed into the Air Force, it would be an absolute priority of mine to continue those efforts and work with Secretary Donley and General Welsh in that regard.

I think we need, first and foremost, as I said, to focus on preventing these from ever happening, but if they do, we need to ensure that victims of sexual assault have a safe place to report those assaults and have all the assistance that they need, medical, mental health, and legal. Finally, we need to make sure that perpetrators are held to account for their crimes.

Chairman LEVIN. Thank you.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

Mr. Vollrath, you heard the comments that I made about my experience last week at Walter Reed. Have you had an opportunity to—I am sure you have over a period of time—to see the development, the progress, the magnificent results that we are getting over there? If you have seen that, what are your ideas on continuing that, and do you see that that is going to be threatened in any way by sequestration?

Mr. VOLLRATH. In the near term, Senator, I believe sequestration will have some impact on it. In my particular portfolio and position, we work closely with the health affairs side to leverage all of the capabilities that they have developed and reach out to the civilian community because the effort is not just and the solution is not just within the Department of Defense. We need to leverage all resources.

Senator INHOFE. Yes. When you say that it could affect it adversely now, do you have anything specific in mind? I am just wondering what areas it could be adversely affected.

Mr. VOLLRATH. To the degree that the civilian workforce is there for their support, given that the majority of the medical care is provided by the uniformed services, the support element will degrade some of that service.

Senator INHOFE. Okay.

The chairman asked you the question about the civilian employees, the furloughing. In my State alone, we are estimating about 24,000 people. It is a huge number and we are concerned about it and you did respond. But if sequestration occurs, what would DOD and the Air Force do to minimize the impact on civilian employees? Is there anything, any ideas, you have now to try to minimize the negative impact that we are having right now with people? In my State, just knowing it is going to happen is something that has been pretty critical.

Mr. VOLLRATH. Senator, we do not have any silver bullet to spend to minimize the impact on the civilian workforce. I wish we did. Potentially if we could move money around, that might assist. But what we have done is to make sure that we do not take out

most of the sequestration or the reductions on the back of the civilian workforce.

Senator INHOFE. They were pretty optimistic out there in that they felt the good job they are doing—and I like to stand behind them in minimizing any of the negative impact. If you are confirmed, I would like to be kept up to date as to anything that might affect that.

Mr. Fanning, the Government Accountability Office (GAO)—first of all, I was wondering how you are juggling this thing, coming from the Navy and going into the Air Force. In your opening statement, I was very impressed. You have that close, intimate connection with both the Army, the Navy, Marine Corps, and the Air Force. I guess you would fit in about any place.

There was something that I was interested in when GAO recently released a report entitled "The Depot Maintenance Additional Information Needed to Meet DOD's Core Capability Reporting Requirements." The report cited the Air Force for not having an explanation for a sufficient plan organic—that is, internal—depot workload to meet these core requirements. The report specifically cited certain Air Force shortfalls and plans to mitigate them by assigning work to Air Force depots to support existing and new weapons systems such as unmanned aerial systems, munitions, and the F–35. Have you had a chance to look at that report and that particular area that I have just quoted?

Mr. FANNING. No, Senator. I have not yet seen that GAO report although I do appreciate the proper balance in depots between organic and contractor.

Senator INHOFE. Yes. This actually goes a little bit further than that because it talks about the mix has not been quite as accurate as it should have been or equitable as it should have been in the past, and it makes specific recommendations.

What I would like to have you do is provide to me where the Air Force has identified depot work shortfalls and the specifics. I would like to ask you to read that in the next short period of time so that we could actually have a discussion as to what your feelings are going to be on that. Would you do that for us?

Mr. FANNING. Absolutely, Senator.

[The information referred to follows:]

The Air Force reported shortfalls in Core sustaining workloads in the two areas: (1) Communications/Electronics Equipment; and (2) Ordnance, Weapons and Missiles. As new weapon systems are fielded such as MQ–1, MQ–9, KC–46, and F–35, these workloads will be established organically to specifically address core shortfalls in these and in any areas identified in future Core analyses. The report stated that the Air Force would mitigate the shortfall through incrementally assigning maintenance work to organic (military) depots for the MQ–1 and MQ–9 between the third quarters of fiscal year 2012 through fiscal year 2016. The workloads for these systems have been assigned to the Air Logistic Complexes and standup of the workloads is being accomplished with depot activation teams composed of members from the appropriate program office, depot and industry original equipment manufacturer. The depot activation teams ensure the necessary facilities, equipment and personnel are acquired and installed at the organic depots to execute the planned workload. The Air Force has budgeted for and received funds to activate MQ–1, MQ–9, and F–35 workloads. The program offices for these systems are working on plans to activate core workloads no later than initial operating capability (IOC) plus 4 years and in many instances earlier than required. For example, the F–35 is activating the airframe at Ogden Air Logistics Center (ALC), the engine at Tinker ALC and electronics/communication at Robins ALC while the program is still in low rate production, well before IOC. The MQ–1 and MQ–9 program office is actively stand-

ing up workloads at all three Air Force Logistics Complexes and at Navy and Army depots to satisfy Department Core requirements. These programs and others have programmed for depot activation and are working diligently to ensure the Air Force has the organic capability required to sustain the warfighter.

Senator INHOFE. Okay, good.

Mr. Estevez, I have expressed concern that wide-ranging authorities contained in the Defense Production Act are being used by the Department of Defense to spend $170 million for the design and construction of a commercial biofuels refinery. On February 6, 2013, the same day the Secretary of Defense announced that the *Truman* carrier group would not be deploying to the Middle East due to budget cuts, we received a letter from Frank Kendall, the Under Secretary for Acquisition, Technology, and Logistics, announcing the Department's intent to spend $30 million on the advance drop-in biofuels production used by the Defense Production Act.

I am sure that you have heard a lot of this, including the Senator that was sitting to my left and myself talking about the concern that we have with the budget shortfalls, with the disasters that are taking place right now, how we could be experimenting in biofuels and even talk about the construction of refineries in terms of prioritizing. I would like to have your thoughts about that. Is that the best use of defense funds?

As I remember when they started the Department of Energy, that is one of the things that they were supposed to be doing. Do you have any thoughts on that?

Mr. ESTEVEZ. I do, Senator. Thank you.

When you look across our energy investments, the vast majority, 96 percent of our energy investments, go to things like better engine technology, increasing range, increasing fuel capability on things like jets, tanks, and the like so that we are decreasing our demand, decreasing the need to put fuel out onto the battlefield. A small amount of that resource does go towards what we would call increasing the flexibility, increasing the resources that we can draw on, increasing the supply. The $30 million would go to that. We are assessing the responses we have on our request for information from industry on that. Under the sequestration and budget environment that we are operating under, obviously every investment will have to be looked at, but we think that the small amount that we are putting into that is a prudent investment for the future.

Senator INHOFE. We are talking about a lot more money than $30 million. We are talking about the acquisition in the case of the Navy. Mr. Fanning, maybe you have some background on this too. The 450,000 gallons that were procured for, I think it was—I am going by memory right now—I think $29 a gallon as opposed to $3 a gallon. You start doing the math on that and what the Air Force is doing now, it comes up to considerably more.

Here is what I would like. I do not want to put you on the spot now. But I would like to have you, for the record, to give me an evaluation, a justification as to those expenditures and relative to the other expenditures that directly affect our national defense, particularly in this time of sequestration. Would you do that?

Mr. ESTEVEZ. I would be happy to do that, Senator.

Senator INHOFE. Thank you.

[The information referred to follows:]

I believe that the Department of Defense should continue its modest investment in alternative fuels. As one of the world's largest consumers of petroleum, the Department has an interest in diversification of fuel supplies as a hedge against potential supply disruptions, especially for our legacy fleet of ships and planes, which will be with us for decades to come. Over the next 5 years, 96 percent of the Department's funding to improve operational energy use is devoted to reducing the amount of fuel required for military operations. The remaining 4 percent is a relatively small but important investment in alternative fuels, which is a longer-term strategy for our energy security. Most of this investment ensures that our equipment can operate on a wide range of fuels, so we are prepared if and when alternative fuels become commercially available. As petroleum is a finite resource, we believe this to be a prudent investment, and we have been performing these types of activities since 2003.

The Department's primary alternative fuels goal is to ensure operational military readiness and further the flexibility of military operations through the ability to use multiple, reliable fuel sources. To help achieve this goal, we released the Department of Defense Alternative Fuels Policy for Operational Platforms in July 2012. The policy confirms that all investments are subject to rigorous, merit-based evaluation and that the Department will not make bulk purchases unless they are cost competitive with petroleum products. To date, the Department has only purchased relatively small test quantities of alternative fuels, which are used in testing, evaluation, or demonstration activities. These purchases are mostly prototypes and should not be equated with commercial fuels purchases. I will ensure that the Department complies with the existing internal policy.

Senator INHOFE. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Inhofe.

Senator Gillibrand.

Senator GILLIBRAND. Thank you, Mr. Chairman, and thanks to each of our witnesses for their leadership and their service to our country. I am very grateful.

I am very concerned about the status and the well-being of the men and women who serve in our forces. I am very worried about the sexual assault rate estimated by the military at 19,000 a year. I am concerned about the suicide rate, almost one a day. I am concerned about hazing incidents. I am concerned about how we implement the repeal of Don't Ask/Don't Tell.

With regard to these issues, I would like to first ask Mr. Vollrath what he thinks in terms of how will you provide leadership on these issues to protect the force from hazing, from sexual assault, to prevent suicide. How do you look forward to addressing these policies?

Mr. VOLLRATH. Thank you, Senator.

First, to begin to resolve these issues in the long term, we need to ensure that we have reasonable policies in place, good communications over time that are effective so that all members of the Service understand the rules and the capabilities that they have to resolve their problems.

Let me talk about a case in point in suicide. Clearly we have not broken the code on suicide and suicide prevention. Period. We have not. What should we do and what are we doing?

One, establishing an office to focus and coordinate all of the efforts that have been taking place across all of the Services.

Two, ensure that we have a coordinated communication plan. That is different than just sending out notices or public service announcements periodically. It is similar to advertising, frequency and reach. You need a consistent message and a constant message

for people to understand so that they are willing to change their behavior and the stigma associated with seeking help is overcome. I will ensure, upon confirmation, that that takes place.

Third, in all areas, we need to make sure that we do a better job of educating our leaders all the way to the lowest level as to the responsibilities that they have to take care of their members of their organizations all the time. It is not just at the captain level, the lieutenant level, or the mid-grade sergeant level. It is at the corporal level.

I believe that we can and will do a better job with the leadership, the communication, and changing and reinforcing that culture of care. That same statement and that same thrust and strategic direction will be employed across all of those areas that you mentioned, Senator.

Senator GILLIBRAND. Thank you.

Another area that needs attention is the transition from Active Duty to veteran status because if you look at the indicators, suicide rates are even higher once they leave the military. If you look at the front page of the New York Times today when a woman has been sexually assaulted or has trauma experience while serving, the likelihood of her being homeless increases greatly once veteran status kicks in. I hope that you will also focus your attention on that transition, that very important time between transitioning from Active Duty to veteran status, to make sure our men and women do not suffer even after they leave the military.

Mr. VOLLRATH. Senator, absolutely we will continue to do that.

Senator GILLIBRAND. One other personnel issue. We work very hard in this committee to ensure that children of our military men and women who have special needs, autism, among other special needs children, have the access to the resources they need for just the medical attention they need. We are seeing that the implementation of even that pilot program is not going smoothly. I would like your commitment that you will focus on this issue and make sure that those children receive the health care that they need.

Mr. VOLLRATH. Senator, you have my commitment.

Senator GILLIBRAND. Thank you.

An issue that has been challenging for all of us here in Congress has been the issue of cybersecurity. I am concerned that we do not have the capability to recruit all of the best and brightest within the cyber world to do the work that we need for cyber defense and other missions related to that.

For Mr. Fanning, I was very pleased to read in your pre-prepared questions and answers that you plan to provide direction for Air Force science and technology that will focus on operation in space and cyberspace domains, but I am very disappointed that there are significant budget cuts. How will you deal with these budget cuts? In particular, we have assets in New York at Rome Labs that will also see budget cuts. I do not see how you will meet your mission requirements with these kinds of cuts.

Mr. FANNING. Thank you, Senator.

Not having been confirmed, I am not fully briefed on what the Air Force's plans are in dealing with potential budget cuts. Difficult cuts will have to be made. Everything will have to be on the table. But cybersecurity, if confirmed, would be a priority of mine, both

in making sure that we adequately resource cybersecurity needs but that we think creatively and with focus on how we build a cyber workforce. I agree with you. I think that is going to be a very difficult workforce to retain once we have recruited and trained it and it would be a priority of mine, if confirmed.

Senator GILLIBRAND. Secretary Estevez, as conventional warfare becomes more technology-based, how do you believe that we should retain the talent especially in the fields of information technology and cyber warfare that we are going to need, particularly when the private sector pays far more than the military can?

Mr. ESTEVEZ. Of course, personnel is not my area of focus other than for the acquisition workforce. But in general, what we find is that people serve the Department of Defense and our Government out of a feel for a greater good, as I would say the folks sitting up here, as yourselves. We have to draw on that and then we have to ensure that we treat our workforce properly.

Senator GILLIBRAND. Mr. Vollrath, one suggestion and one thing to consider is, obviously, we have great flexibility with our National Guard and Reserve to recruit talent who are expert in other fields and work in other fields as their day jobs. Will you consider how you could possibly recruit National Guard and Reserve cyber experts or a cyber corps which could leverage some of the training and hiring from the private sector?

Mr. VOLLRATH. Senator, absolutely. As we have looked at trying to develop and grow the cyber community necessary to man the various different units, use of the Reserve components has been critical to the long-term strategy to make this effective. We cannot do it without the Reserve Forces.

Senator GILLIBRAND. Moving to science and technical workforce issues, back to Mr. Estevez. What challenges do you see facing DOD and the research and development communities as they seek to attract entry, mid, and senior technical experts into their organizations?

Mr. ESTEVEZ. Again, with our budget issues, it is going to become more difficult. It is an area of focus for us. There are some tools that we can use, including the use of temporary assignment of personnel through the Intergovernment Personnel Act (IPA) and individual augmentees. We use that extensively at the Defense Advanced Research Projects Agency to attract people who want to come and serve the Government and serve the Department for periods of time before they go back to their universities. Plus we draw on university talent.

Senator GILLIBRAND. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Gillibrand.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

I thank the witnesses for being here and their continued willingness to serve the country.

Mr. Fanning, a few months ago, the Air Force decided to kill a huge logistics supply chain management business system called the Expeditionary Combat Support System (ECSS) after sinking about $1 billion into the program, finding that another $1.1 billion would be needed to field just 25 percent of the promised capability and

extracting from the taxpayers' total of a $1 billion investment less than $150 million in useful hardware and software.

Some of us on this committee, including the chairman and I, have been doing everything that we can to prevent the sequestration which we believe is devastating to our Nation's security. We believe our uniformed military, as well as the former Secretary of Defense who testified before this committee how devastating the effects would be.

How do I, Mr. Fanning, go tell the taxpayers of America in my State that the Air Force just wasted $1 billion on a program that obviously was a miserable failure? So far, do you know anybody who is responsible for that failure?

Mr. FANNING. I have not yet been briefed on the Air Force's lessons learned, but I have had an opportunity in my Navy position to watch the developments with this program. I approach all business information technology (IT) systems with a great deal of skepticism in the Department of Defense, and in the Department of the Navy, in fact, we stopped the development of a major personnel and pay system because we thought it was on track to not deliver what was promised and waste taxpayer funds.

I think what I see in ECSS that I see in many other programs is a rush to a material solution before non-material solutions or business process——

Senator MCCAIN. Has anybody been held responsible that you know of, Mr. Fanning?

Mr. FANNING. Not that I know of, no.

Senator MCCAIN. Secretary Estevez, anybody fired? Anybody removed from their position? Anybody said this is the person in charge that made this $1 billion—excuse me. We saved $150 million out of $1 billion.

Mr. ESTEVEZ. I believe, Senator, and I would have to confirm this, that the prior program executive officer (PEO) and prior program manager were removed from their positions. They were not the people who were there when we killed the program. They were the people who were there that led to the program restructuring and led to the recommendation to kill.

Senator MCCAIN. I am sure you understand our frustration, which brings me to the F–35.

Lieutenant General Bogdan has a pretty good reputation before this committee. He was in charge of the tanker program which seems to be on track. Yet, a couple or a few days ago he said, "What I see Lockheed Martin and Pratt & Whitney doing today is behaving as if they are getting ready to sell me the very last F–35 and the very last engine and are trying to squeeze every nickel of that last F–35 and that last engine." The general told reporters, "I want them both to start behaving like they want to be around for 40 years. I want them to take on some of the risk of this program. I want them to invest in cost reductions. I want them to do the things that will build a better relationship. I'm not getting all that love yet." Then he said—asked if he had seen some improvement from the companies, are they getting better at a rate that I want them to see them getting better? He said no, not yet. Of course, now we know that with massive failures, massive cost over-

runs that Lockheed has earned a 7-percent profit since the program began in 2001.

Do you have any justification for that?

Mr. ESTEVEZ. I cannot address the past. I can address where we are today.

Senator MCCAIN. You cannot address the past?

Mr. ESTEVEZ. I cannot address what happened from 2001 until where I am today.

Senator MCCAIN. You cannot address that at all?

Mr. ESTEVEZ. Senator, we have put new structures around that program. We have a new contracting process for that program. We now have a firm, fixed-price contract, incentive fee, 12 percent share. Lockheed will also pay the concurrency problems on that contract. So we have restructured the program. We brought in Admiral Venlet and now General Bogdan to run that program, two excellent PEOs, and we are working closely with Lockheed and Pratt to work through the problems that General Bogdan referenced in that news article.

Senator MCCAIN. So since 2001—and we are in 2013—we are beginning to work through the problem. Is that what I can tell my constituents, Mr. Secretary?

Mr. ESTEVEZ. I believe you can over the last 4 or 5 years—5 years or so, we have restructured the program and we believe we are now on track to get a successful program.

Senator MCCAIN. Now, you are sitting here before this committee and you can tell us there will be no further cost overruns borne by the Federal Government?

Mr. ESTEVEZ. I could not possibly do that, Senator.

Senator MCCAIN. Why can you not? Why can we not penalize companies for failure to live up to the obligations of their contracts?

Mr. ESTEVEZ. It is important to get the right structure of contract. Senator Levin——

Senator MCCAIN. After 12 years.

Mr. ESTEVEZ. On this particular airplane, I believe we do have the right structure of contract now and we will continue to get better contracts as we move into future development or production of this airplane.

Senator MCCAIN. Mr. Fanning or Mr. Vollrath, do you have any comments on this situation? By the way, the plane is grounded again, as we know, because of a crack in the engine. It is grounded again. Do you have any comments, Mr. Vollrath?

Mr. VOLLRATH. Senator, I do not. I do not know enough to comment intelligently about it.

Senator MCCAIN. If I sound frustrated, I say to the witnesses it is because I am. This committee has been tracking this program for many years. We have had witness after witness. We have had promise after promise. We have had commitment after commitment. Yet, the only thing that has remained constant is that Lockheed has earned a 7 percent profit since the program began in 2012. Excuse me. Since the program began in 2001, 12 years later.

Maybe you can help me out. What am I supposed to go back and tell my constituents about a $1 billion program that the Air Force cancelled and, of course, the now most expensive weapons system

in history that has now reached $1 trillion and the aircraft is now grounded? Do you have any ideas for me, Mr. Secretary?

Mr. ESTEVEZ. Senator McCain, we are working very diligently, Secretary Carter, Secretary Kendall, myself, our leaders across the acquisition community to change the culture and change the processes by which we buy our programs. I know that you have been briefed on what we call Better Buying Power. That includes accountability for our PEOs and program managers. It includes managing affordability. It includes cost control so that we can change the way we do this.

Senator MCCAIN. According to one of the people who is very highly regarded by this committee because of his previous performance, General Bogdan says, are they getting better at a rate that I want to see them getting better? He said, no, not yet. I would say you have your work cut out for you.

I can just say that as strong an advocate as many of us are for maintaining a strong national security, you cannot continue these kinds of incredible, total loss of the taxpayers' dollars without there being an understandable backlash on the part of the taxpayers of America, which I believe will harm our ability to defend this Nation.

I thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

Before I call on Senator Donnelly, let me just tell you, Secretary Estevez, I share very deeply Senator McCain's frustration. We need answers. We need answers in addition to what Senator McCain pointed out. The folks who write the contracts, unless there is recoupment provided for from the contractors for failures, there is accountability lacking not just on the type of equipment itself, the production of that equipment, the failure of a contractor to produce something that works.

There is also perhaps failure on our part in terms of did we write contracts which did not provide for recoupment, and if there is failure there, where is there accountability inside the Department or the agency which wrote the contract which let contractors off the hook? There is a lack of accountability kind of up and down the line. This engine issue is just the most recent manifestation of it.

Senator McCain with his great initiative in this area is going to be—and I will be joining him—actively involved in this Expeditionary Combat Support System loss. Whether it is $850 million or $1 billion, it is just incredible. Where is the recoupment of that money? Why is that a loss to the Treasury instead of to the contractor? We need answers on that. It is in the middle of sequestration. It just dramatizes the problem, but this problem has been existing too long. Senator McCain and I and others on this committee and other committees have tried to rewrite laws. We have rewritten laws to provide more accountability, but we are going to be looking to you, Secretary Estevez, for answers.

Thank you.

Senator Donnelly.

Senator DONNELLY. Thank you, Mr. Chairman.

To all of you, thank you for your service to our country.

Mr. Fanning, with our National Guard and our Reserve members, they at times, obviously, are at home and are not part of serv-

ing at that point. What mental health resources does the Air Force have when they are at home, when they are not in the field and they are struggling with suicide and with mental health issues? Their alternative of going to see private care or going to talk to friends or whatever—how do we fill that hole so that they can still receive care, receive counseling when they are not on Active Duty pay status?

Mr. FANNING. Senator, I think the total force structure of the Air Force, which is something I am learning about now—it is different than what we were accustomed to in the Navy and Marine Corps—is a critical strategy for the Air Force. The Guard and Reserve are important partners with the Active component. From what I am told by the Air Force in my briefings by the Surgeon General, there are a multitude of services available for people who are not on Active Duty or who are remotely located.

If confirmed, I will look into this much more closely. I think one of the problems is making sure that those Guard members, those Reserve members who are not activated are aware of the services that are available to them. I think communication is one of the critical gaps in what we have in making sure that those individuals know what services are available.

Senator DONNELLY. If you could get further details for us because, obviously, just because their pay status has changed, their problems do not go away and their need for help does not go away. As you said, they may not know where to go for help or how to get it. So anything you can do in that process to let us know what the plans are, what the future plans are, we would appreciate.

Mr. FANNING. Absolutely.

[The information referred to follows:]

The Department of Defense, as a whole, is absolutely committed to the well-being of all our troops and personnel.

A number of resources exist for Air Force Reserve and Air National Guard members not on duty when they are struggling with suicidal thoughts and mental health issues.

The Air Force Reserve and Air National Guard are dedicated to developing a culture of resilience, by encouraging healthy lifestyles in four main areas known as Comprehensive Airmen Fitness: physical, mental, social, and spiritual. Airmen with strong physical, mental, social, and spiritual fitness have the ability to withstand, recover and even grow in the face of stressors and changing demands. By educating airmen and families about resources and focusing on the importance of the "wingman culture" and building meaningful relationships, airmen are encouraged to seek help before a crisis occurs.

The Air Force Reserve and Air National Guard provide education, outreach, and resources for families through unit leadership. Air Force regulations specifically direct unit commanders and first sergeants to proactively contact and provide support for family members of deploying Air Reserve component members. The unit commander also tasks various support agencies, including Airman and Family Readiness, to ensure that families are contacted and provided for.

The Yellow Ribbon Program offers resources on behavioral health issues and suicide mitigation and is offered to Reserve and Air National Guard airmen and their families predeployment, during deployment, and post deployment. Funded by Yellow Ribbon, the Psychological Health Advocacy Program (PHAP) is designed to assist Reserve airmen and their family members with a variety of needs, including mental health issues, financial assistance, relationship and family counseling, and substance abuse through referrals. There are three regional, four-person teams to support Reserve airmen and their families as well as provide 24/7, non-crisis telephone support. The Reserve PHAP staff attends all Yellow Ribbon events as well as provides outreach to the bases in their regions.

The Air National Guard Psychological Health Program (PHP) was developed to address psychological health needs of ANG airmen and their families. The PHP

places a licensed behavioral health provider at each of the Air National Guard's 89 wings throughout the 54 States, territories, and the District of Columbia. The program provides three categories of service: leadership advisement and consultation; community capacity building; and direct services—to include assessment, referral, crisis intervention, and case management services that are available daily. The wing directors of Psychological Health are available 24/7 to operational leadership and provide services to Air National Guard airmen and their family members regardless of whether they are at home or on duty status.

The Air Force Reserve Wingman Toolkit is a broad-based Air Force Reserve initiative designed to empower airmen and their families to achieve and sustain wellness and balanced lifestyles using the four domains of Comprehensive Airman Fitness. The toolkit is located at: http://AFRC.WingmanToolkit.org. The website was first launched in 2010 and is accessible 24/7 from any computer by anyone with access to the internet. The Wingman Toolkit provides commanders, airmen, families, and friends (i.e., Air Force Reserve wingmen), access to a wide variety of resources, training opportunities, a dedicated Wingman Day page, promotion of the Ask, Care, Escort (A.C.E.) suicide intervention model, educational outreach materials, social media (Facebook, Twitter, Etc.), a mobile phone application, SMS texting capability ("WMTK" to 24587), inspirational and training videos, a YouTube page, and partnerships with other organizations. The Wingman Toolkit, in addition to annual wingman stand down days and the longstanding Air Force suicide prevention program, educates and equips airmen, commanders, first sergeants, co-workers, family members, and friends to proactively take care of themselves and avoid crises. It's also the first line of support in identifying airmen in need of assistance and prepares them to get to safer, healthier places.

Since Air Reserve component wingmen (e.g. family, friends) are often non-military personnel, the Air National Guard's Wingman Project provides information and resources for suicide prevention on publicly-accessible websites. The Air National Guard tailors marketing and resource materials for each State. The primary goal of the Wingman Project, located at http://wingmanproject.org, is to reduce warfighter, Department of Defense civilian, and family member suicides through human outreach, education, and media. The site provides education on how to intervene if someone is in emotional distress and provides tools and resources to target specific risk factors for suicide. The Wingman Project helps airmen actively engage in increasing wellness and preventing suicide. The Wingman Project has additionally published a mobile application which works on all smartphone platforms, and can be utilized to communicate in between drills, ACE training, and locating helping resources.

The Air Force Reserve has obtained additional Reserve pay funding to increase chaplain support to installations to help build unit resiliency and provide suicide prevention support during seasonal crisis times, for those bases who request additional support, and units with previous suicide incidents.

The Airman's Guide for Assisting Personnel in Distress (commander and airman versions) is a web-based tool available to all servicemembers, including Guard and Reserve, to provide vital information about the wide range of challenges, indications of distress, recommended supportive actions by peers and leaders, and links and contacts for additional resources. The tool facilitates leader involvement and can help resolve potentially volatile situations.

TRICARE Reserve Select is available for Reserve component airmen and their family members and provides coverage for both outpatient and inpatient treatment. Access to military medical care is available to servicemembers with duty related conditions through TRICARE and the Department of Veterans Affairs.

Airman & Family Readiness Program Managers (A&FRPMs) align family support capabilities with the Joint Family Program in the States to provide support to all servicemembers and their families, providing direct sustainment and support to their wings. Air Force Reserve Command and Air National Guard Family Readiness Programs are designed to maintain and support mission readiness by assisting servicemembers and families with adaptations to the challenges of the military lifestyle.

Vets4Warriors: 1–855–838–8255/1–855–VET–TALK. www.vets4warriors.com. This Toll-Free 24 hour helpline is available to servicemen and their families—peer counseling and support, telephone assessments, and referrals for mental health issues, to include suicidal thoughts.

Military OneSource is provided by the Department of Defense at no cost to active duty, Guard and Reserve servicemembers, and their families. It provides comprehensive information on every aspect of military life including deployment, reunion, relationships, grief, spouse employment and education, parenting and child care, and much more.

• Support 24/7, free and confidential resources for Air Reserve component members consultations on any number of issues such as spouse education and career opportunities, issues specific to families with a member with special needs, and financial support and resources.
• Offers personal non-medical counseling services online, via telephone, or face-to-face.
• Non-medical, short-term counseling, as well as assistance with financial management, taxes, career services, health and wellness, and much more.

The Department of Veterans Affairs offers multiple resources and benefits that are available in person, online, or through the mail. Finally, the Military (or Veterans) Crisis Line, 1–800–273–8255 (TALK), Press #1, www.militarycrisisline.net, or text to 838255 is available 24/7 to all servicemembers and their families. It is a joint venture between the Department of Defense and the Department of Veterans Affairs' call center, which is associated with Substance Abuse and Mental Health Services Administration's National Suicide Prevention Lifeline. Resources include an online "Veteran's Chat" capability and the call center's trained personnel provide crisis intervention for those struggling with suicidal thoughts or family members seeking support for a Veteran.

Senator DONNELLY. Mr. Estevez, we have a case with our Indiana National Guard where they were working alongside a DOD contractor in Iraq in 2003 and were exposed to sodium dichromate. These are our neighbors. These are our friends. These are men and women working at the local tire store who were now over in Iraq at that time serving our country. The contractor they were working with had an indemnification provision. The question I have is, what are your views of these indemnification contract provisions used by DOD and what protection do our servicemembers have when those are in place?

Mr. ESTEVEZ. Senator, I am not familiar with the case, of course, but I would be more than happy to look into it. With regard to indemnification, of course, it depends on where you were operating and what backup the Department puts in. We are asking people to take risks when we put them out on the battlefield regardless of whether they are operating on a protected area of that battlefield. But I would be happy to look into that issue, sir.

Senator DONNELLY. Part of the risk should not be that when they are working next to a contractor. It was not the risk of insurgents. It was the risk of sodium dichromate. We want to try to make sure that when we tell our young men and women and take them from the community colleges and from working at the accounting firm, that they can expect to be safe—obviously, as much as possible in the situation that they are placed in.

[The information referred to follows:]

I understand that the indemnification of contractors against unusually hazardous risks is limited. Only the Secretary of Defense, the Under Secretary of Defense (Acquisition, Technology, and Logistics), and the Secretaries of the Military Departments can approve such indemnification, and a decision to approve indemnification is made based on the unique facts of the particular case.

I understand that contractor indemnification under Public Law 85–804 does not apply to servicemembers. Should I be confirmed, I will undertake to familiarize myself further in this area.

Senator DONNELLY. Mr. Vollrath, we are facing sequestration. It was noted that we lost more men and women to suicide in the last year than were killed in Afghanistan. The challenges that we face with sequestration are great. But one of the things I would ask you in this position is to continue with the financial challenges we are facing to continue to see how can you squeeze every dollar out to try to make sure that we continue to make progress on this front.

I know General Chirelli was extraordinarily focused on this effort. It is going to take tremendous creativity in the years ahead. But I would ask, along with the other areas that my colleague, Senator Gillibrand, was talking about, to please keep a focus like a laser on how can we end this scourge.

Mr. VOLLRATH. Senator, you have my commitment, upon confirmation, that we will continue to keep a full court press to overcome what clearly is a tragic situation.

Senator DONNELLY. Mr. Estevez, we are, obviously, having troops come home now, and as we do, we are in the situation where we have more contractors in Afghanistan now than troops. So what are the expectations of contractor numbers as we move forward over the next year or 2?

Mr. ESTEVEZ. Right now, we have about 110,000 contractors in Afghanistan. A little more than a third, about 40 percent, are actually Afghans. Of course, they will stay in Afghanistan. We are actively drawing down that number. In instances, as we draw down combat forces, there will actually be more contractors because they help close down bases rather than have our military do that. We want the combat power there. But we have an active cell closing down contracts and bringing those contractors back.

Senator DONNELLY. What do you see as our footprint contractor-wise a year from now?

Mr. ESTEVEZ. It will be about one and a half higher, maybe two higher as we draw down. There is going to be a little higher spike as we draw down.

Senator DONNELLY. Than it is right now?

Mr. ESTEVEZ. No. It will be about the same ratio. Right now it is approximately 68,000 troops to 110,000 contractors. I expect that to remain over the next——

Senator DONNELLY. The ratio of troops to contractors will remain in the same neighborhood.

Mr. ESTEVEZ. Yes.

Senator DONNELLY. Mr. Estevez, in an environment where countries like China are using cyber attacks to engage in theft of intellectual property across the board almost, what steps will you take to enhance DOD's collaboration with the defense industry to protect U.S. taxpayer-funded intellectual property? I was with one of our shipbuilding organizations the other day and they said they are subject to cyber attacks every single day for the technology they have. What do we do working forward on that?

Mr. ESTEVEZ. Senator, cyber is not exactly my area. However, I share the concern. In fact, Secretary Kendall has asked me to lead a task force looking at exfiltration of data, not necessarily classified data but intellectual property, things that we care about, working with the industry to do exactly what you are asking about. It is a very serious problem for us and for our industrial partners.

Senator DONNELLY. Gentlemen, thank you very much for your time.

Mr. Chairman, thank you.

Chairman LEVIN. Before I call on Senator Ayotte, let me just remind you, Secretary Estevez, we have a new law on cyber incidents involving defense contractors. It was in our defense authorization bill. They must report those incidents to us. We insist that they do

that, they comply with the law, but we also want to do that in the most cooperative and joint way we possibly can. We are on the same side of that issue, but there is now a law in place on defense contractors, now not on utilities and not on electric kind of utility issues and so forth, but on defense contractors there is. We would expect that you would remind them of that and fully implement that law.

Mr. ESTEVEZ. Absolutely, Senator.

Chairman LEVIN. Thank you very much.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

I thank our witnesses for being here and your willingness to serve our country.

I ask, first of all, Mr. Fanning about the provisions that require the Air Force to produce a statement of DOD's budgetary resources by September 30, 2014, so that the Department can be audit-ready. Are you committed to doing that?

Mr. FANNING. I am, Senator, yes.

Senator AYOTTE. Okay, good. I wanted to be clear because the questions you were asked in the written questions made it seem like it was a goal. It is now the law as passed by the 2013 defense authorization, and so this is a very important issue. I think that it is an important issue as we look at the fiscal challenges facing the country and also, in particular, the Department of Defense so that we can have the audit to have good financial information to make good decisions. So I appreciate your commitment to that important issue.

I wanted to ask Assistant Secretary Estevez about contracting, in particular, a concern that I have had. I had the privilege of visiting Afghanistan in January and meeting with Major General Longo and talking with him about contracting in Afghanistan. Previously I had worked with Senator Brown to introduce the "no contracting with the enemy" language that allowed us to cut off funds that were going to our enemies in Afghanistan. In fact, I think the Wartime Contracting Commission found that as much as $60 billion of U.S. Government contracting funds had either been wasted or misspent, if you combined Iraq and Afghanistan.

One of the things Major General Longo said to me when I was in Afghanistan is we need additional tools to be able to make this legislation even more effective. It struck me also that this is legislation and tools that would allow DOD, when they are in contingency circumstances—should be able to cut off funds to enemies or to those who are cooperating against us.

I plan to work with Senator Blumenthal to introduce legislation to give you additional tools to cut off funds to our enemies and to cut off funds to those we are worried about going to corruption, other means that we would not want taxpayer dollars going. I think this is an authority that should be expanded beyond Afghanistan, and I want to get your thoughts on that.

Mr. ESTEVEZ. I appreciate that, Senator Ayotte. First of all, I want to commend Major General Longo. I worked very closely with him and Task Force 2010 and what they are doing there.

We would love to work with you on expanding those capabilities and tools. We do want to make sure that we have due diligence for

our contractors when we do that. Obviously, the authorities under A–41 use some extraordinary capabilities, using classified information, for example, to not contract with the enemy, and we want to make sure that we do not contract with the enemy worldwide. I would be happy to work with you on expanding that.

Senator AYOTTE. I appreciate it. Actually one of the problems that Major General Longo described to us was the fact that right now the way A–41 is working, we are only looking at unclassified information, and in fact that we need to actually come up with a smarter way because you may have classified information that tells you someone is an enemy. But if we are only relying on unclassified, we are actually not cutting off the full measure of people who are contracting with the enemy.

I look forward to working with you on this. This is a way we can make sure that taxpayer dollars do not go in the wrong hands.

I also wanted to ask Mr. Vollrath, you had said a statement about sequestration. I believe that Senator Inhofe had asked you a question about it, about the civilian impact as a result of sequestration. You said that it would help to move the money around but it does not solve, as I understood what you were saying, the full problem.

Can you, everyone on this panel, help me understand? Even if we give you the authority to move the money around, does it solve the impact of what the Department of Defense is going to undergo in terms of sequestration? I would particularly ask with regard to our readiness.

Mr. VOLLRATH. Senator, the way sequestration is currently configured, the cuts have to go basically equitably across all of the programs. When we are faced with a $45 billion to $46 billion reduction to take in 6 or at most 7 months——

Senator AYOTTE. As I understand it, the Office of Management and Budget has estimated that equates to about 13 percent over the 2013 period.

Mr. VOLLRATH. I will accept that, certainly. I have not taken the time to focus on that. I have been focused on the impact on the personnel and the resultant impact, as you correctly point out, on readiness because when you furlough, of that $46 billion—$45 billion reduction, you have to take it somewhere. As I mentioned earlier, we are trying, as best as possible, to not take it out on the backs of the workforce. So furloughing for up to 22 days, that is only about $5 billion of that $45 billion. There is a lot more that needs to be done.

When you take that kind of reduction, particularly in the civilian workforce, of what amounts to about a 9 percent or for them a 20 percent reduction in their pay and furlough 1 day per week—that is basically what that amounts to—there will be an impact on readiness. You cannot get the same amount of work done that you would normally get done in 10 days in the equivalent of 8. It does not work that way unless you want to ask the civilian workforce to do things that they ought not to do. So there is going to be an impact at the depot maintenance level. There will be an impact in the service level no matter how you slice it.

Now, could it be less? I think that is the point. It might be possible that it could be less. But I do not believe under any cir-

cumstances that we could not take some of that impact in our workforce.

Senator AYOTTE. Secretary Estevez, just to put the question to you, so if we give you—right now it is an across-the-board cut. Right? You have to cut everything. If we give you the flexibility—we have been hearing from the Department of Defense. This is the fundamental question. We have been hearing from them. Secretary Panetta, it is going to undermine our national security for generations. I had Chairman Dempsey here less than a week ago or roughly a week ago and he told me on a scale of 1 to 10, it was a 10 in terms of our national security.

So as someone who wants to resolve this and respects that the chairman wants to resolve this in a way that is consistent with protecting our country, if we gave you all the flexibility in the world—let us say we did not do it across the board—where does that leave you there? I think that is an important question to be answered.

Mr. ESTEVEZ. Thank you, Senator Ayotte. A couple things.

One, it is more than just sequestration. It is the Continuing Resolution that is causing much of the problem. Passing an appropriation bill or at least giving us the flexibilities in a CR is critical for us going forward. Number one.

Sequestration, the $46 billion, I do not think at this point in the year additional flexibilities there give us what we need. We will get some of that within the CR, but at this point in the year to find that $46 billion, I believe as Dr. Carter said when he was up here 2 weeks ago, we are going to be looking everywhere we can to get that money.

Senator AYOTTE. I mean, we have legislation pending that deals with flexibility, and so what I want to understand is if we pass this legislation, does that stop the impact on our national security or does that mitigate it so it is a manageable amount of impact on our national security? That is certainly what I would appreciate your advice on.

Mr. ESTEVEZ. It will not stop it. Taking $46 billion again at this point in the year is not going to stop the impact on our national security. I think giving us the flexibilities or passing a 2013 budget for the Department of Defense and making sequestration go away for 2013 is the only way to really stop the impact on our national security. Obviously, past that, flexibilities may but we will be taking money from everything. So there is going to be a devastating impact to our security.

Senator AYOTTE. Thank you.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Kaine.

Senator KAINE. Thank you, Mr. Chairman.

Congratulations on your nominations. It is good to be with each of you today.

Just a few questions, and I would like to start with Mr. Vollrath, please, on some personnel issues that I am interested in the thought process now within DOD, particularly about use of the Guard and Reserve.

I had an interesting experience last week visiting a Guard unit in Stanton, VA, called the Stonewall Brigade that is quite large. I

was interested when I found out that their first operations as a brigade were 20 years before the French and Indian wars. They go back to 1740 and they can trace the lineage back that far.

In my discussions with these guardsmen and women and many during the time I was Governor and was Commander of the Virginia Guard, it really struck me that the Guard and Reserve are quite different than they were 10 or 15 years ago, that the level of training, the level of operational experience has dramatically increased. That made me start to think about forward-focused personnel planning and how much do we do with the Active Force, and there is a training cost to that. How much do we do in terms of putting in training monies to keep the Guard at this new kind of elevated level of readiness? I am just kind of interested in your discussion about that looking at personnel and the kind of overall manpower needs of our defense, how the Guard and Reserve are factoring in, in a new way, and how you factor that in going forward as you evaluate manpower needs.

Mr. VOLLRATH. Senator, the Guard and Reserve are critical to our projected readiness. The Guard and Reserve, as you know having served as Governor, are now an operational force. They are no longer that last resort, that strategic reserve if you will. They are fundamental to how we fight. So on a go-forward basis, it is critical that they be maintained and sustained for our long-term readiness.

Having said that, with their experience as an operational force, it is also key to readiness that we retain as many people that we can possibly in the Reserves that have that experience because once we lose that experience, then we significantly have to start ramping up retraining.

So right now, I would tell you that is a national treasure and they are key to our national defense right now, far from being that old strategic reserve. To the Reserve and Guard, give them credit. They have stepped up to the plate.

Senator KAINE. Going forward, there is no intent from a planning perspective that the Guard would revert back to just a pure Reserve function, but there is a thought that going forward we would make the investments in Guard and Reserve to keep them at an operational level of training and readiness?

Mr. VOLLRATH. That appears to be a prudent way forward. We have the Quadrennial Defense Review (QDR) coming up in this next year, and in that process, we will sort out exactly how we are going to move forward. But I do not know how we do it without.

Senator KAINE. Just thinking forward, if as part of that QDR, the decision is made we want to keep Guard at sort of an operations and not just a pure reserve asset and we want to put the training in to do that, then that would also affect other decisions about manpower levels in the Active branches because to the extent that Guard is at operational level, those numbers can provide some of the function so that it does factor into manpower planning in the Service branches as well.

Mr. VOLLRATH. Absolutely, Senator. It has to be a balanced approach to it. As we shift from contingency operations to the more full-spectrum on a go-forward basis, then we are going to have to sort out very finitely exactly how that force is going to be struc-

tured to do that. That is different from the last 10 years, as you can appreciate.

Senator KAINE. In making sure that the Guard maintains that desired state going forward, that makes things like retention and the training of guardsmen and reservists—ongoing training—absolutely critical.

Mr. VOLLRATH. Absolutely, Senator.

Senator KAINE. In my discussions with the Stonewall Brigade—and I was asking them about sequester and some of these budgetary challenges—the one thing that they were most concerned about was effects on training, the backing up of assigned training slots at various training facilities where they would go, oh, we are going to go next year, not this year or we are going to do it at home rather than go to the slot. The commander said if I have to put people into an operational capacity, I want them to be 100 percent ready and not 85 percent ready. The potential degradation in training was what was cited as their greatest concern right now.

But anyway, it is helpful to hear your thoughts on that.

Let me ask Secretary Estevez, and forgive me if this has been asked. But in the acquisition space, I would assume that the combination of sequester and CR, anything short of appropriations bills and normal budgets, imposes some inefficiencies in the contracting process because you can find more efficiencies, the greater their predictability, volume, multi-unit purchases, et cetera. I would suspect that some of the short-term savings we might be trying to obtain through something like sequester actually may work to our long-term disadvantage even on the savings side.

Mr. ESTEVEZ. That is true, Senator.

Senator KAINE. Could you give some examples of that?

Mr. ESTEVEZ. The acquisition system is kind of seized up right now. In fact, the Department as a whole is seized up in all kinds of contracts. I will speak just for what we are doing inside the Office of the Secretary of Defense. We are not letting any contracts. That means contracts to service—the SAIC types of the world or RAND or whoever. So they cannot plan their line.

Now, if we go to the industrial side—and you know what is going on in the shipyards as we cancel availabilities—when we start taking out of budget planned buys for things like the Joint Strike Fighter, that is going to increase the unit cost of those airplanes because you are not buying as many as you planned. That is not just something like the Joint Strike Fighter that is in early production. That is things like Apaches and Chinooks and anything that we are buying as we start to take those dollars out. That does not mean that that decreases the need because we still need those airplanes. So we are going to pay more to get the same plane that we could have if we had moved along through our budget and dropped whatever that capability is. It is an inefficient way of doing business. Our industrial base cannot plan for what they are doing. They are also making their own assessments. It is not a good way.

Senator KAINE. Let me just follow up with one question to follow up on Senator Ayotte's question about potential flexibility because you raised a point that I do not think everyone completely understands. Being already pretty far into a fiscal year, you at DOD have been planning around this kind of ugly, non-strategic, across-

the-board cuts. Everybody would agree that is not the way we should do it, but nevertheless you have been planning around how to do it, and we are pretty far into the fiscal year.

If suddenly the rule were to change and you do not have to do that, you have the flexibility now and then you would get some time to come up with flexible cuts and now we are farther into the fiscal year, I gather that there would be some effort that those cuts would have to be presented from the White House back to Congress and have Congress look at them and decide, and now we are farther into a fiscal year. Time is of the essence in terms of managing cuts of this size by this time in the fiscal year. Is it not?

Mr. ESTEVEZ. Absolutely, Senator. Of course, there are differences within the investment accounts where we are buying things that Congress has asked us to buy or that we asked Congress to help us authorize that you authorized in NDAA for Fiscal Year 2013. In the operation and maintenance accounts, where we have to pay for the war, we are going to pay for what our forces need forward. It is just a complete freeze-up because you have to push money through those things. So giving us this flexibility, while we take the time to replan, essentially means you go along with the plan that you have.

Senator KAINE. Yes.

No further questions. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Kaine.

Senator Blumenthal.

Senator BLUMENTHAL. Thank you, Mr. Chairman. Let me begin by thanking the chairman for having a hearing on March 13 concerning sexual assault in the military, and I expect and trust that all of you will cooperate and aid us in this very important hearing and the effort to further protect against this truly predatory, criminal action that is all too common still, even after some good faith efforts by the military to stop it.

I want to also begin by thanking each of you and your families for your service to our Nation and for what you have done in the past and what you will do in the future and hope that this committee and I personally can be of assistance to you.

On the issue of contracting with the enemy, I know Senator Ayotte has raised the issue already. She and I have been working on revisions to the current prohibitions to impose tougher penalties and also to streamline the potential investigation and prosecution and extend them to Departments other than Defense. So I appreciate your cooperation in that effort as well.

I want to begin on the Joint Strike Fighter, if I may. I know Senator McCain has raised it with you, and all of us are fully and passionately in favor of a better procurement process. I hope that we can work together on improving that process so as to cut costs and streamline the procurement and acquisition process.

But as to the Joint Strike Fighter, the F–35, do you agree with Lieutenant General Bogdan's remarks on that issue?

Mr. ESTEVEZ. I cannot speak for Lieutenant General Bogdan who has the daily relationship with Lockheed and Pratt on that contract. I can appreciate his frustration, and any PEO's frustration is that we are trying to get the best value, best buy for our dollar, and best capability for the taxpayer. That puts some tension in the

relationship with any contractor. We do expect our contractors and want to hold them accountable and will hold them accountable to produce.

Senator BLUMENTHAL. I agree completely that they should be held answerable and accountable for the quality of the product and costs and so forth.

There is no question in your mind that this Nation is committed to the F–35. Is there?

Mr. ESTEVEZ. No, there is not.

Senator BLUMENTHAL. That the procurement and acquisition of that plane really require us to remain, as much as possible, on schedule in buying the airplane because that is the best way to reduce the cost per unit?

Mr. ESTEVEZ. That is correct, Senator, though we would also say we have flattened our buys as we work through some of the issues that, to most extents, have been resolved, but we do have some testing. A little less than 50 percent of the testing is completed. There are some issues that need to be worked, and before we ramp up production, we want to ensure that we are getting the plane that we are paying for.

Senator BLUMENTHAL. The effort to test and improve the airplane really requires a close working relationship. Does it not?

Mr. ESTEVEZ. It does, Senator. It is not just at the General Bogdan PEO level. We are working that up to the Secretary level inside the Department.

Senator BLUMENTHAL. My hope is that Lieutenant General Bogdan's remarks do not reflect the general attitude in terms of what that relationship has been or should be because I know that American taxpayers would be disappointed if they believed that somehow these contractors were in some way being disingenuous, as I think those remarks imply. I am not sure that the Department of Defense would agree with Lieutenant General Bogdan in that implication.

Mr. ESTEVEZ. Again, I am not going to try to speak for General Bogdan. He and I have not talked about the remarks as reported in the newspaper. He is traveling in the world at the moment.

We need and we strive to have and I believe we do have a strong relationship with the defense industrial base to include Lockheed and Pratt.

Senator BLUMENTHAL. My own view, for what it is worth, is that that relationship perhaps could be improved, and I hope that you will endeavor to improve it, but that these remarks do not reflect even the relationship as it stands now because I think there are very complex and challenging issues related to the development of this new aircraft that we have a common interest in solving without the kind of tension that could be exacerbated by these remarks. I have great respect for Lieutenant General Bogdan. I am not being critical of him. As you say, these remarks were reported in the newspaper, but I know that Pratt & Whitney is fully committed to solving the technical issues and to providing the best value to the Department of Defense and the American taxpayer.

Mr. ESTEVEZ. I appreciate that, and frankly I believe that Lieutenant General Bogdan would agree with you on that.

Senator BLUMENTHAL. Thank you.

If I may ask Mr. Fanning. I know that the issue of suicide in the military has been raised and I know that the Department of Defense is endeavoring to address these issues very responsibly.

My understanding is that civilian insurance companies have the capability to look at lifestyle indicators, for lack of a better word, facts about a person's lifestyle that provide some indication about the possible tendency towards suicide. In light of the very alarming statistics—and I know that "epidemic" is a vastly over-used term in the Nation's capital, but certainly it is an alarming trend—I wonder whether the Air Force has been able to make use of practices in the civilian world by insurance companies to use those indicators to identify people who may be more at risk.

Mr. FANNING. Thank you, Senator.

I think across the Department of Defense, there has been an enterprise perspective or attempt to make use of those indicators. We know, for example, that financial issues, relationship issues, legal issues have a higher correlation to suicide than even deployment schedules. I think the answer is yes, and if confirmed into the Air Force, taking care of the men and women who volunteered to serve would be the highest priority I would think in my job and that would be one of the things I would look at much more closely.

Senator BLUMENTHAL. I just want to say—and I thank you for that comment—my own view is that our people are our greatest asset. As magnificent and amazing as the Joint Strike Fighter is and all of our hardware, all of our weapons systems, the people are still our greatest asset, and the more we can do to attract and retain the very best by showing that we not only care about them but we are willing to do something about it is, I think, one of the great challenges ahead. It is one of the reasons that I voted for Senator Hagel to be our next Secretary of Defense because I think he is truly committed and passionate about men and women in uniform and about our veterans. I would just urge—you do not need my urging, but offer my help in any way possible in any of those personnel issues that you may face in your next job, assuming you will be confirmed as I expect you will be.

Thank you, gentlemen, for your service to the Nation.

I thank you, Mr. Chairman. That concludes my questions.

Chairman LEVIN. Thank you, Senator Blumenthal.

Senator King.

Senator KING. Thank you, Mr. Chairman.

A few quick questions to each of you, some fairly specific, and I will be submitting some questions for the record, Mr. Chairman.

Chairman LEVIN. That will be fine.

Senator KING. Mr. Fanning, we were disappointed and somewhat surprised when Bangor, ME, was not selected as even a potential base for the KC–46. What do you see for the future of refueling? Is the KC–135 fleet a part of the future? My concern is, obviously, that if the KC–46 is going to be the future of refueling, I wonder about the future of the 101st wing in Bangor. Can you talk to me about that?

Mr. FANNING. Not having been confirmed yet, Senator, I have not been a part of those deliberations or the process by which the Air Force decides its basing for the new tankers. But if confirmed, just the timing of these announcements would make it a first priority

for me, and I would get back with you and your staff to provide you more information on that.

Senator KING. I hope you will because the 101st has done a spectacular job over the last 10 or 15 years, given the demands. I would hope that would be part of the future. Okay. There will be some other questions for the record.

Mr. Estevez, on procurement, one of the real problems that we are facing right now with the Continuing Resolution and the sequester is the loss of multi-year procurement contracts. It is bad for the taxpayers because you lose the benefit of multi-year buys, and it is also terrible for the industrial base. Will you work with us on these? In the authorization bill, we have a multi-year procurement, for example, to take just—it pops into my head, the 10-year DDG–51 procurement. How do you see this as we get through this budget situation?

Mr. ESTEVEZ. I would agree with you.

Senator KING. That was the right answer. [Laughter.]

Mr. ESTEVEZ. We have asked for those authorities to proceed with those multi-years.

Now, if there is no money, that presents a problem for any procurement, to tell you the truth, because we will have to look at what is available in those accounts. But we have asked for in our appropriation bill—and hopefully we will get one—authority to do those multi-years.

Senator KING. As I understand, the Appropriations Committee bill that is ready to go has the multi-year procurement in it. Is that your understanding? Out of the committee?

Mr. ESTEVEZ. The version that is out, yes.

Senator KING. Changing the subject slightly, what is your assessment of our logistical readiness for the drawdown in Afghanistan? It is not going to be easy to get all that materiel out of there. Where do we stand on that front?

Mr. ESTEVEZ. It is a fantastic challenge for the logistics system. It is absolutely executable. It is going to be much more difficult than the drawdown from Iraq. Afghanistan, just from a geography standpoint, is a landlocked country. It does not have the infrastructure that Iraq had. Nevertheless, our logistics system is up to the task and we will be able to execute the drawdown and remove our equipment from Afghanistan, as well as our people, of course.

Senator KING. It certainly is going to be a challenge because there is no access by sea.

Mr. Vollrath, I had a colloquy with now Secretary Hagel. When I meet with veterans in Maine, particularly the recent people who have left the Service, one of the biggest problems they find is the lack of information. It is a complicated system with the Veterans Affairs (VA) and Defense Departments and all the different programs and what is available, what they can access, how they do it. You folks have an extensive network of recruiters who bring people in. I would like you to consider and suggest a similar reciprocal program to help people when they leave. Out-placement services is, in effect, what I am suggesting. That was the number one problem that the veterans brought to me when I was discussing this issue with them last summer.

Do you have any thoughts about this?

Mr. VOLLRATH. Yes, I do, Senator. First, let me say thank you to Congress for a law that was passed called the Vow to Hire Heroes Act. That law stipulated that the Department of Defense would set up a very robust transition assistance program with the help of the Department of Labor and the Department of Veterans Affairs. That transition assistance program, as defined in law, has been put in place. Let me describe the depth of that.

First, the Department of Defense will set up 100 percent of every servicemember leaving Active Duty with a plan ahead.

Second, as part of that out-processing or that transition process, that servicemember will receive up to 4 days of transition assistance from the Department of Labor so that they understand how to create a resume, they know how to interview, and the Department of Labor will then give what is now termed a warm hand-off to that servicemember to the community to which they say they are going so that they have the name of a person in the Department of Labor establishment in that locale that they, in effect, can report to get the help.

The third part is the Veterans Administration. The VA has up to 2 days with each of the persons separating to inform them as to what their benefits are that can be provided by the Veterans Administration in their totality, and probably most important, sign them up before they leave for those benefits and, like with the Department of Labor, create the warm hand-off for that servicemember with a name in the community for the Veterans Administration to which the servicemember intends to go.

In addition to that, we are instituting a three-pronged voluntary session that each servicemember may avail themselves of, if they wish. One is to help them apply for school fully, if they want to go to college or to some trade school. We will help them with the application and everything they need to get on board.

Second, if they want to go to a trade school and get that type of training, then the Veterans Administration, before they leave, will also give them that capability and provide them with a place to go and get that training that they desire.

The third has to do with the Small Business Administration (SBA). The SBA has stepped up to the plate and they also are providing to any servicemember that is departing a 4-day course on how to be an entrepreneur to start a small business. That is key, we believe and so does the SBA, because as you all know, most of the jobs are created by small business in America.

So not only are we helping them transition, we are trying to provide them the full measure of transition back into the community. So your suggestion, Senator, I take fully and will definitely run with it.

Senator KING. It sounds like all the thinking is there. I just hope that the execution matches the vision. Thank you very much.

I want to talk about rising personnel costs, but we will do that on questions on the record. My time has expired.

Thank you, gentlemen, for your answers.

Chairman LEVIN. Thank you very much, Senator King.

Just on that last question of Senator King, is there a simple brochure which lays out each of those five points?

Mr. VOLLRATH. I do not have a simple brochure that does that, but I have an information paper that does that.

Chairman LEVIN. Can you put together a brochure which you could get to all the Members of Congress and then hopefully to all the servicemembers who are leaving which describes what efforts are being made to help them transition so that at one place every one of our servicemembers who is leaving can see this is what the Department of Defense is doing, this is what you can expect? Because I think that what Senator King has raised is something which is really very much on all of our minds. I think he has really targeted something which we hear an awful lot about.

Earlier today, Mr. Vollrath, I talked to you about what the VA program is in one community college in my home State which actually, apparently in a unique way, has a program which veterans come to from around the country now that will help give them credit for the work that they have done, the skills that they picked up in the military and gaining early certification from States for that particular skill whether they are going to become a nurse or a medical assistant or a truck driver with skills, whatever it is, whatever the skills they gained in the military, that they do not have to duplicate them and go through a 2-year program or a 1-year program when a 3-month program is all they need in order to qualify and to smooth the way through the certification being done in advance for them through the State agencies which have to certify those skills before they can operate.

So that point which Senator King has gone through with you is really a very significant part of what all of us I hope and know are about. When you are confirmed or even before—but that should come pretty quickly—work on that very simple one-pager that could go on a website and can be printed out and handed to those of us who still read.

Mr. VOLLRATH. Will do, Senator.

Chairman LEVIN. The printed word I should say.

Do any of my colleagues have any additional questions?

Senator KING. My only comment, Mr. Chairman, based upon what you just said and I alluded to it—in my experience, execution is as important as vision. This is really how it is executed on the street with these guys, men and women, as they leave. That is critically important because this is what we are hearing at home. Thank you.

Chairman LEVIN. Thank you all. We thank you, our nominees. We look forward to your speedy confirmation and we thank you and your families and friends who are here for your service and their support of you in that endeavor. Congratulations.

We will stand adjourned.

[Whereupon, at 11:17 a.m., the committee adjourned.]

[Prepared questions submitted to Hon. Alan F. Estevez by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delin-

eated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. I do not see the need for modifications to any of the Goldwater-Nichols Act provisions at this time. The Goldwater-Nichols Act has cultivated jointness within the Department of Defense (DOD) and has outlined appropriate responsibility to senior leaders within the acquisition and logistics community.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. N/A.

DUTIES

Question. Section 133a of title 10, U.S.C., describes the role of the Deputy Under Secretary of Defense for Acquisition and Technology (DUSD(AT)).

Assuming you are confirmed, what duties do you expect that the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L) will prescribe for you?

Answer. If confirmed, I expect the USD(AT&L) will assign me duties supporting the roles and missions assigned to him by the Secretary of Defense.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. I have over 30 years of experience working in defense establishments. For the last 6 years, I have operated at the most senior levels within the Office of the USD(AT&L), the last 2 as the Assistant Secretary of Defense for Logistics and Materiel Readiness (ASD(L&MR)). Prior to that, I was the Principal Deputy to that position for 5 years. For the last year, with the Principal Deputy AT&L position vacant, I have assisted the USD(AT&L) in managing the full gamut of AT&L issues and responsibilities to include not only acquisition, technology, and logistics matters, but also industrial base issues, installation and military construction issues, and operational energy issues. I have a proven track record as a skilled manager who is able to execute programs to completion and manage change. I have managed complex programs across the defense enterprise, and have worked issues at senior levels across the Federal Government, with Congress, and with industry. I have led the defense logistics enterprise and directed support to our forces in the field as we surged and subsequently drew down in two wars. Simultaneously, I led efforts to lower the costs of logistics. I have played a key role in driving our rapid acquisition support in both Iraq and Afghanistan and ensured the delivery and sustainment of critical capabilities, such as the Mine Resistant Ambush Protected (MRAP) vehicles. I have provided direct oversight to the Defense Logistics Agency (DLA), a $50 combat support agency, as it has supported our deployed forces, our organic industrial depots, and the American people in disaster relief operations, to include Super Storm Sandy. I have led the DOD efforts to ensure life cycle costs are considered early in major acquisition programs. In short, I have proven my skills in overcoming bureaucratic hurdles to provide needed capabilities to our warfighters at best value for our taxpayers.

Question. Do you believe that there are any additional steps that you need to take to enhance your expertise to perform these duties?

Answer. I believe that my expertise qualifies me to perform the duties of the Principal Deputy Under Secretary for Acquisition, Technology, and Logistics (PDUSD(AT&L)), and that no further steps are needed.

Question. Do you believe that any significant changes should be made in the structure and decisionmaking procedures of DOD with respect to acquisition matters?

Answer. No. I believe that the structure and decisionmaking procedures of the DOD with respect to acquisition matters are sound and efficient, and I do not advise making any changes.

QUALIFICATIONS

Question. If confirmed, you will be responsible for assisting the Under Secretary in the management of an acquisition system pursuant to which DOD spends roughly $400 billion each year.

What background and experience do you have that you believe qualifies you for this position?

Answer. I have over 30 years of experience operating in the defense establishment, including 10 years as a Senior Executive. Over the last 6 years, I have worked at the most senior levels within the Office of the Secretary of Defense. For the last 4 years, I have been responsible for leading the defense logistics enterprise, providing superb support to our warfighters engaged in combat operations while simultaneously lowering the cost of logistics operations. I have assisted the past three USD(AT&L)s in executing key programs, including enhancing our acquisition life cycle management capabilities and oversight, strengthening our nuclear parts management and oversight, executing operational energy support to provide battlefield flexibility, and driving the rapid acquisition process to provide and sustain capabilities, such as MRAP vehicles to support our deployed forces. I have played a key role in driving efficiencies in our budget, and in properly managing the Department's budget execution, to include supporting our efforts to achieve auditability. I am a proven leader who has demonstrated the skills to manage complex programs and lead change when necessary.

Question. What background or experience, if any, do you have in the acquisition of major weapon systems?

Answer. I have been a senior leader in the Office of the USD(AT&L) for the last 6 years, and I have been an advisor on the Defense Acquisition Board during that time. I have had input to every major defense weapon system acquisition program over that time period. I have been the leader in our efforts to strengthen the Department's policies to ensure sustainability and life cycle costs are considered in defense programs, and I am responsible for the ensuring life cycle sustainment projections are discussed as part of the acquisition process. I initiated the requirement to make the development of a Life Cycle Sustainment Plan part of a Program Manager's responsibilities, and I worked with Congress to designate a Product Support Manager as key program management leader. I have also been a key leader in the Department's rapid acquisition efforts in support of our warfighters. I played a key role in the acquisition, fielding, and sustainment of the MRAP Family of Vehicle program, and led efforts to ensure that the vehicles could be sustained in the field. I also helped to drive the requirements for the rapid acquisition and fielding of the lighter MRAP All-Terrain Vehicle (MATV) and the MRAP wrecker. I have a proven track record of strong, common sense management and the ability to manage and oversee change. These skills will be necessary to manage an acquisition system in an era of declining resources.

RELATIONSHIPS

Question. In carrying out your duties, what would be your relationship with:

The Secretary of Defense.

Answer. If confirmed, I will support the Secretary of Defense's priorities in acquisition, technology, and logistics.

Question. The Deputy Secretary of Defense.

Answer. If confirmed, I would support the Deputy Secretary's priorities and direction in matters of acquisition, technology, and logistics.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics.

Answer. If confirmed, I will serve as the principal advisor to USD(AT&L). In this role, I will support USD(AT&L) in his priorities and duties and provide counsel, when needed.

Question. The other Under Secretaries of Defense.

Answer. If confirmed, I will work with USD(AT&L) to coordinate actions with the other Under Secretaries to best serve the priorities of the Secretary of Defense.

Question. The Deputy Chief Management Officer of DOD.

Answer. If confirmed, I will assist USD(AT&L) in support of the Deputy Chief Management Officer in the improvement of business operations of DOD.

Question. The DOD General Counsel.

Answer. If confirmed, I will support USD(AT&L) in working with the General Counsel to ensure AT&L actions are legally and ethically within regulations and appropriate statutes.

Question. The Director of Operational Test and Evaluation.

Answer. If confirmed, I will support USD(AT&L) in his work with the Director of Operational Test and Evaluation to ensure appropriate oversight for major defense acquisition programs to assure that acquisitions systems are effective and suitable for combat.

Question. The Director of Cost Assessment and Program Evaluation.

Answer. If confirmed, I will work with USD(AT&L) and the Director of Cost Assessment and Program Evaluation (CAPE) to support CAPE's efforts in providing

the Department with independent cost analysis and resource assessments for defense acquisition programs.

Question. The Assistant Secretary of Defense for Acquisition.

Answer. If confirmed, I will assist the USD(AT&L) and the Assistant Secretary of Defense for Acquisition in providing oversight of Defense acquisition systems and programs while taking into consideration life cycle management costs.

Question. The Assistant Secretary of Defense for Research and Engineering.

Answer. If confirmed, I will work with USD(AT&L) and the Assistant Secretary of Defense for Research and Engineering to ensure DOD develops and incorporates latest technology and innovative capabilities while aiming to reduce cost and risk.

Question. The Assistant Secretary of Defense for Logistics and Materiel Readiness.

Answer. I currently serve as the Assistant Secretary of Defense for Logistics and Materiel Readiness (ASD(L&MR)). If confirmed, I will work with the incoming ASD(L&MR) and USD(AT&L) to provide oversight to DOD logistics programs operations.

Question. The Assistant Secretary of Defense for Operational Energy Plans and Programs.

Answer. If confirmed, I will support USD(AT&L) in his work with the Assistant Secretary of Defense for Operational Energy Plans and Programs to ensure support to the warfighter on the battlefield through energy planning and innovation while mitigating risks and costs.

Question. The Assistant Secretary of Defense for Nuclear and Chemical and Biological Defense Programs.

Answer. If confirmed, I will assist USD(AT&L) in his work with the Assistant Secretary of Defense for Nuclear and Chemical and Biological Defense Programs to protect the United States from nuclear, chemical, and biological threats.

Question. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

Answer. If confirmed, I will assist USD(AT&L) and the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict in their work to provide rapid capabilities to support special operations, counter-narcotics, and stability operations.

Question. The Deputy Under Secretary of Defense for Installations and Environment.

Answer. If confirmed, I will work with the USD(AT&L) and the Deputy Under Secretary of Defense for Installations and Environment to provide installation services that are cost-effective to support the warfighter.

Question. The Deputy Assistant Secretary of Defense for Developmental Testing.

Answer. If confirmed, I will work with USD(AT&L) and the Deputy Assistant Secretary of Defense for Developmental Testing to ensure that independent developmental testing assessments are used in informing acquisition decisions.

Question. The Deputy Assistant Secretary of Defense for System Engineering.

Answer. If confirmed, I will assist USD(AT&L) in his work with the Deputy Assistant Secretary of Defense for Systems Engineering to ensure effective systems engineering throughout the life cycle of Major Defense Acquisitions Programs, and to identify early and address systems engineering gaps and deficiencies.

Question. The Director of Program Assessment and Root Cause Analysis.

Answer. If confirmed, I will support USD(AT&L) in directing the Director of Program Assessment and Root Cause Analysis to ensure comprehensive performance assessments are conducted on all Major Defense Acquisition Programs and that cost and performance issues are identified and resolved as early in the acquisition Milestone timeline as possible.

Question. The Acquisition Executives in the Military Departments.

Answer. If confirmed, I will work with USD(AT&L) and the Service Acquisition Executives to ensure effective oversight and transparency of acquisition programs. Additionally, I will support USD(AT&L) and Service Acquisition Executives to share best practices and incorporate these strategies throughout acquisition programs in the Department and other Service branches.

Question. The Vice Chairman of the Joint Chiefs of Staff.

Answer. If confirmed, I will work with USD(AT&L) in his support of the Vice Chairman of the Joint Chiefs of Staff as an advisor to the Joint Requirements Oversight Council and a member of the Defense Acquisition Board. USD(AT&L) and I will support the Vice Chairman by ensuring that the requirements for acquisitions programs meet the services' missions and are cost-effective.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the USD(ATL)?

Answer. The principle challenges I may face as the PDUSD(AT&L) will be providing needed capabilities to defend the country and maintain the best military in the world, as outlined in our Defense Strategy, in a time of declining resources. In the near term, the Nation is still at war, we face the challenge of sustaining and drawing down our forces in Afghanistan, an operation which will be significantly more difficult than our drawdown in Iraq. We also must be able to sustain our readiness across the globe and avoid the pitfalls of a hollow force. We must manage our acquisition programs and our spending to ensure we get the best capability needed at the right cost for the American taxpayer. As military spending declines, we must ensure that our industrial base remains strong and vibrant, and capable of producing the needed innovations to build future military capability. While ensuring we develop the capabilities for our future challenges, we must also incorporate and not forget our hard learned lessons from our 12 years at war, including our ability to rapidly meet warfighter needs and to manage contractors on the battlefield. Finally, we must ensure we have a workforce, both military and civilian, that is trained and motivated to address these challenges. These challenges are exacerbated by the current budget uncertainty and the specter of sequestration.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I will support the USD(AT&L) to address these challenges.

We will continue to provide our warfighters the capabilities they need today to be successful on the battlefield in Afghanistan, while also providing the policies and supporting the processes needed to successfully drawdown.

We will continue to strengthen our management of the acquisition system under our Better Buying Power (BBP) initiative. We will work to control and reduce costs and provide affordable programs to meet our warfighters needs. We will continue to work with industry to provide appropriate incentives—and appropriate revenue—to drive higher productivity and stability, and we will work to identify, and protect, as necessary, our most fragile industry skills and capabilities. We will continue to drive changes in our doctrine and policy to incorporate our lessons related to rapid acquisition and contingency contract management. We will work to strengthen our workforce through training and development, and by rewarding good performance while holding people accountable for poor performance.

ACQUISITION ORGANIZATION

Question. Do you believe that the office of the USD(AT&L) is appropriately structured and staffed to execute its management and oversight responsibilities?

Answer. Yes, I believe the office of the USD(AT&L) is appropriately structured to execute its management and oversight of responsibilities and will ensure that it remains so in the future. I believe we will make some adjustments as we restructure the Deputy Under Secretary positions as required by law.

Question. Do you see the need for any changes in the relationship between the USD(AT&L) and senior acquisition officials in the Military Departments?

Answer. No.

Question. Do you see the need for any additional processes or mechanisms to ensure coordination between the budget, acquisition, and requirements systems of DOD and ensure that appropriate trade-offs are made between cost, schedule, and performance requirements early in the acquisition process?

Answer. I do not currently see the need for any additional processes or mechanisms to ensure coordination between the budget, acquisition, and requirements systems of the Department. The Joint Requirements Oversight Council and the Defense Acquisition Board have helped to ensure this coordination. If confirmed, I will continue to support USD(AT&L)'s priority of using affordability caps to ensure appropriate trade-offs between cost, schedule, and performance requirements are made early in the acquisition process.

Question. What do you believe should be the appropriate role of the Service Chiefs in the requirements, acquisition, and resource-allocation process?

Answer. The Service Chiefs should and do play an integral part of the requirements, acquisition, and resource-allocation process. The Service Chiefs requirements and resource decisions inform the professional acquisition workforce's acquisition decisions and are essential to ensuring that these acquisitions programs are successful from production to fielding and disposal. The Service Chiefs' leadership in the budget and requirements process ensures that the acquisition programs meet the needs of the Services, and are budgeted with the life cycle of the program in mind. I be-

lieve it is essential that our acquisition workforce work with the Service Chiefs to continue to make well-informed decisions.

Question. What do you see as the potential advantages and disadvantages to giving the Service Chiefs authority and responsibility for the management and execution of acquisition programs?

Answer. It is essential that our acquisitions workforce work in tandem with the Service Chiefs. We must recognize the fact that the Service Chiefs are often not acquisition professionals. Their thoughts and guidance are critical in the acquisitions process. However, the management and execution of programs should be done by acquisition professionals who have the necessary training, professional experience, and qualifications.

Question. What do you believe should be the appropriate role of the combatant commanders in the requirements, acquisition, and resource-allocation processes?

Answer. Combatant commanders must identify requirements and capability needs, and they must play a key role in the resource-allocation processes. If confirmed, I will reinforce USD(AT&L)'s goal of working with the combatant commanders in support of their acquisition needs to support wartime operations and evolving threats. The advice and input of the combatant commanders is needed to make sure that acquisitions programs meet their needs in strategic operations.

Question. What improvements, if any, do you believe are needed in the lines of authority and accountability for the procurement of major weapon systems?

Answer. I do not believe any improvements are needed in the lines of authority and accountability for the procurement of major weapons systems. The current process flowing from the Defense Acquisition Executive to the Secretaries of Military Departments to the Service Acquisition Executives and Program Executive Officers to Program Managers is successful so long as trained, competent leaders hold those positions. While I see no need for a current change to this structure, if confirmed, I will work with the USD(AT&L) to review the process to see if changes are needed in the future.

Question. What steps if any will you take, if confirmed, to empower program managers to execute major defense acquisition programs and hold them accountable for how well their programs perform?

Answer. Empowering program managers to effectively and efficiently execute major defense acquisition programs is a priority for USD(AT&L) and, if confirmed, I will support USD(AT&L) in this goal. Section 853 of the National Defense Authorization Act (NDAA) for Fiscal Year 2007 and its subsequent modifications in section 814 of the NDAA for Fiscal Year 2009 required the Department to enhance the role of Program Managers in developing and implementing acquisition programs. The Department has developed a strategy to better educate and train program managers to ensure leadership and program management accountability. This strategy includes formal acquisition training, program reviews, and Milestone Decision Authority forums led by program managers. Program managers should be fully knowledgeable of their programmatic, contractual, and financial details of their programs, and should be able to measure performance against plans and adjust accordingly. BBP 2.0, laid out by USD(AT&L), re-emphasizes the responsibilities of program managers. If confirmed, I will support USD(AT&L) to continue to empower program managers while holding them accountable.

MAJOR WEAPON SYSTEM ACQUISITION

Question. Do you believe that the current investment budget for major systems is affordable given decreasing defense budgets, the historic cost growth trends for major systems, and the continuing costs of ongoing contingency operations?

Answer. There is great uncertainty about future budgets at the present time. While I expect the costs of current contingency operations to decrease in the coming years, the specter of sequestration drive significant additional uncertainty. Without sequestration, the current investment portfolio is affordable. However, if the overall budget decreases more dramatically, it is unlikely the Department could afford the current portfolio of major systems and still maintain balanced risk in other parts of the budget.

Question. If confirmed, how do you plan to address this issue?

Answer. If confirmed, I would work with USD(AT&L) and others to ensure that the Department adheres to a sustainable and affordable investment strategy.

Question. Roughly half of DOD's major defense acquisition programs have exceeded the so-called "Nunn-McCurdy" cost growth standards established in section 2433 of title 10, United States Code, to identify seriously troubled programs. Section 206 of the Weapon Systems Acquisition Reform Act of 2009 (WSARA) tightened the standards for addressing such programs.

What steps if any would you take, if confirmed, to address the out-of-control cost growth on DOD's major defense acquisition programs?

Answer. If confirmed, I will work with USD(AT&L), as part of our BBP efforts, to make affordability and cost control a dominant part of our acquisition culture. I will integrate affordability and cost-consciousness into our decision processes, and enforce affordability caps for both production and sustainment. I will work to appropriately incentivize our industrial base partners though our contracts to promote cost control. I will also work to ensure the Department's requirements, acquisition, and budgeting processes ensure investment decisions are informed by sound affordability constraints. For those programs that do experience unacceptable cost growth, I would work closely with USD(AT&L) and others within the Department to examine all available options, including restructure or termination. Lastly, if confirmed, I would focus on ensuring future programs are started with a sound affordability and technical grounding to reduce the likelihood of future growth in costs.

Question. What steps if any do you believe that the Department should consider taking in the case of major defense acquisition programs that exceed the critical cost growth thresholds established in the Nunn-McCurdy provision?

Answer. I believe the basic requirements of the Nunn-McCurdy provision are sensible in that they require a thorough review of the root causes of the issues, as well as a careful examination of the management of the program, costs and options going forward, and a reassessment of the criticality of the particular program to meeting validated requirements and national security needs. I also believe the Department should continue to undertake similar kinds of reviews well before required to do so by Nunn-McCurdy, and use available authorities to make appropriate adjustments.

Question. Do you believe that the office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, as currently structured, has the organization and resources necessary to effectively oversee the management of these major defense acquisition programs? If not, how would you address this problem?

Answer. Yes.

Question. Do you see the need for any changes to the Nunn-McCurdy provision, as revised by section 206?

Answer. No. As I previously stated, I believe the basic tenets of the Nunn-McCurdy provisions are logical. Consistent with other efforts to streamline reviews in the Acquisition process, if confirmed, I would work with USD(AT&L) to tailor the reviews to meet the requirements of individual circumstances.

Question. What principles will guide your thinking on whether to recommend terminating a program that has experienced critical cost growth under Nunn-McCurdy?

Answer. If confirmed, I would be guided by the principles outlined in the Nunn-McCurdy statute.

OPERATING AND SUPPORT COSTS

Question. The Department estimates that operating and support (O&S) costs account for up to 70 percent of the acquisition costs of major weapon systems. Section 832 of the NDAA for Fiscal Year 2012 requires the Department to take a series of steps to improve its processes for estimating, managing, and reducing such costs.

What is the current status of the Department's efforts to implement the requirements of section 832?

Answer. The provisions of section 832 pertain to authorities vested in both the USD(AT&L) and the Cost Assessment and Program Evaluation Office (CAPE). The two organizations have collaborated on implementing policy that addresses the requirements outlined in section 832 through a major revision of Department of Defense Instruction (DODI) 5000.02, Operation of the Defense Acquisition System, which includes incorporating requirements from sections 805, 815, and 837 of the NDAA. Additionally, the CAPE and AT&L have restructured the Defense Acquisition Guidebook to further emphasize operations and sustainment (O&S) cost management among the acquisition workforce.

Question. What steps remain to be taken to implement section 832, and what is the Department's schedule for taking these steps?

Answer. AT&L will publish section 832 implementation guidance in the DODI 5000.02, Operation of the Defense Acquisition System, in calendar year 2013. In addition, we will supplement the section 832 guidance with an operating and support cost management guidebook to complement the Cost Assessment and Program Evaluation Office Operations and Sustainment (O&S) cost estimating guidebook. This management guidebook will further emphasize the importance of considering O&S cost during system design trades early in a program's life, and assist programs in developing Life Cycle Sustainment Plans that include measures to control O&S cost.

We are updating our guidance on Independent Logistics Assessments to ensure results are unbiased, and that programs use the assessments to improve reliability, availability, maintainability and reduce cost. Further, AT&L will monitor program efforts to manage and control O&S costs during Defense Acquisition Executive Summary reviews. I expect the Department to issue this amplifying guidance later this year.

Question. What steps, if any, are needed to ensure that the requirements and acquisition communities fully and effectively collaborate to understand and control the O&S costs prior to and early in product development, when it is possible to have the most significant impact on those costs?

Answer. The AT&L BBP initiative established an affordability cap requirement for both acquisition costs and Operations and Sustainment (O&S) costs. In so doing, we treat the O&S affordability cap in the same manner as we do a Key Performance Parameter—it will not be traded away against other system requirements. Accordingly, we are seeing positive results in Service-implemented configuration steering boards that facilitate active management of requirements between the acquisition and warfighter communities. With the proper requirements defined, AT&L evaluates a program's capability to meet availability and reliability requirements through milestone reviews and developmental and operational testing. The end result is an improved ability to optimize readiness and costs over a programs lifecycle.

The Product Support Manager (PSM) is a critical facilitator of collaboration between the acquisition and requirements communities. Since the NDAA for Fiscal Year 2010, section 805 established the requirement for PSMs, the Services have designated PSMs for Acquisition Category (ACAT) I and II programs. We also established the PSM as a key leadership position and revised the Life Cycle Logistics training curriculum at Defense Acquisition University to better equip PSMs for success. USD(AT&L) also provided detailed guidance in September 2011 for Program Managers and PSMs on development of the Life Cycle Sustainment Plans (LCSP). The LCSP is the program's primary tool for product support planning and is required for all acquisition milestones. The LCSP must provide the program's plan to satisfy the Joint Capabilities Integration and Development System mandated sustainment requirements, including the O&S cost key system attribute.

Question. What additional steps, if any, do you believe the Department needs to take to bring O&S costs under control?

Answer. We must execute and enforce key steps in the BBP initiative—sustainability, affordability, and cost constraints. We must use "should cost" management to drive costs down, including for sustainment contracts. We must ensure proper alignment of incentives between the government and its contractors. We are integrating policy, guidance, workforce training, and improved oversight of programs to reduce and control Operations and Sustainment (O&S) costs. This integrated approach provides better sustainment planning for those programs in the developmental phases of the acquisition process, a necessary first step to achieve quantifiable savings for programs in the operating and support phases of the life cycle. Our success will be the reduction of actual O&S costs realized in coming years.

SYSTEMS ENGINEERING

Question. One of the premises for WSARA was that the best way to improve acquisition outcomes is to place acquisition programs on a sounder footing from the outset by addressing program shortcomings in the early phases of the acquisition process.

Do you believe that DOD has the systems engineering and developmental testing organizations, resources, and capabilities needed to ensure that there is a sound basis for key requirements, acquisition, and budget decisions on major defense acquisition programs?

Answer. Yes. The Department has put emphasis on building the systems engineering and developmental testing capabilities required for acquisition. The numbers of system engineers and developmental testing personnel has increased. There is a potential challenge with workforce demographics as senior workforce personnel near retirement and a number of relatively junior people gain more experience and proficiency. If confirmed, I will strive to identify ways to address this problem.

Question. What is your assessment of the Department's implementation to date of section 102 of WSARA, regarding systems engineering?

Answer. In response to section 102, the Department established the Office of the Deputy Assistant Secretary of Defense for Systems Engineering, and has staffed this office with highly qualified professionals. There has also been additional guidance and oversight provided to the systems engineering capabilities in the Military

Services. If confirmed, I will continue to support the Deputy Assistant Secretary of Defense for Systems Engineering in his oversight of this area.

Question. What additional steps will you take, if confirmed, to implement this provision?

Answer. I will work with the Service Acquisition Executives to implement systems engineering policy and guidance to strengthen implementation of section 102. We need to continue to address the competency, capacity, and authority of the systems engineering workforce as critical components of the acquisition system

OPEN ARCHITECTURE PROGRAMS

Question. Certain programs within DOD have made considerable investments over the past several years in an effort to transition development of combat systems to an open business model, commonly referred to as Open Architecture (OA). OA systems are characterized by modular design, public access to design specifications, software reuse, common interface standards, and seamless interoperability between system hardware and software applications. By exercising the government's rights to the software developed with government funds, rejecting proprietary and closed solutions, the government may be able to bring to bear the critical elements of competition and innovation to achieve improved system performance and affordability of major systems both during the initial acquisition and during the sustainment phase.

To what extent do you believe that DOD implementation of an open architecture strategy can lead to more efficient and effective development, production and sustainment programs for major weapon system acquisition?

Answer. I believe the Department must strongly promote competition throughout the acquisition lifecycle to obtain the best value for the warfighter at the lowest cost to the taxpayer. To support a competitive environment, the Department has been aggressively pursuing open systems architecture (OSA) as a means of opening our acquisition efforts to greater competition, as well as more effectively managing intellectual property to rapidly bring greater innovation, from a wider array of sources, to the hands of our warfighter.

I support the Department focus on open systems architectures and believe we must do a better job of creating options with approaches like this to promote competition throughout the product lifecycle. Promoting OSA business and technical best practices is one aspect of BBP 2.0, and the Department is developing tools and guidance to ensure that OSA practices are effectively applied.

Question. Are you aware of any legislative or regulatory impediments to more broadly applying such a strategy?

Answer. I am not aware of any legislative or regulatory impediments that inhibit implementing the DOD OSA strategy. The Department is working on implementing the legislative authority given us in the last NDAA for rights to data associated with segregation and reintegration information. I believe this is a positive change that will be especially helpful in crafting competitive open business models.

TECHNOLOGICAL MATURITY

Question. Section 2366b of title 10, U.S.C., requires the Milestone Decision Authority for a major defense acquisition program to certify that critical technologies have reached an appropriate level of maturity before Milestone B approval.

What steps if any will you take, if confirmed, to make sure that DOD complies with the requirements of section 2366b?

Answer. If confirmed, I would support USD(AT&L) in his role as chair of the Defense Acquisition Board (DAB) and Milestone Decision Authority (MDA) for Major Defense Acquisition Programs in fulfilling this requirement.

Question. What steps if any will you take to ensure that the Assistant Secretary of Defense for Research and Engineering and the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation are adequately staffed and resourced to support decisions makers in complying with the requirements of section 2366b?

Answer. If confirmed, I will continuously monitor the staffing levels for the Assistant Secretary of Defense for Research and Engineering and the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation to ensure they can comply with their requirements, to include those tasks to certify critical technologies for major defense acquisition programs as written in title 10, U.S.C., section 2366b. To date, I am not aware that these offices have been unable to meet their statutory requirements, but I will be vigilant to ensure they will be able to continue meeting this requirement.

CONCURRENCY

Question. Some of the Department's largest and most troubled acquisition programs appear to have suffered significantly from excessive concurrency—the effort to produce a weapon system, even as it is still being designed.

What impact do you believe that such excessive concurrency has on our efforts to produce major weapon systems on schedule and on budget?

Answer. While some degree of concurrency may be appropriate, I believe that when the proper balance is exceeded the result can increase costs and lead to schedule delays. Any decision to concurrently enter into production while still in the design phase must take into account the risk in the development phase, the urgency of the need, and the impact on cost and schedule as a result of concurrent development. If confirmed, I will strive to ensure a careful balance is established between the risk of concurrency and the urgency for the need for programs that use it.

Question. What steps will you take, if confirmed, to address this issue?

Answer. If confirmed, I intend to ensure that concurrency in any planned major weapon system is thoroughly assessed from a risk and benefit perspective before recommending the program for initiation, and then re-evaluate the risks and benefits for each major program decision. I expect cost and schedule estimates to clearly identify the impact of any level of concurrent development and production. I will also ensure that the risks are carefully tracked over the life of the development effort.

JOINT STRIKE FIGHTER

Question. Secretary Kendall has been quoted as saying that it was "acquisition malpractice" to place the Joint Strike Fighter into production years before the first flight test.

Do you share this view?

Answer. Yes, I share Under Secretary Kendall's view. Specifically, the decision to begin production of the F–35 prior to flight test was a departure from accepted and proven principles. As Under Secretary Kendall has clarified, it is important to note that this judgment does not extend to the F–35 program as a whole or any specific person. The Department remains committed to the F–35 program and the program, if appropriately managed, the program will provide the Department to acquire a critical capability at an acceptable cost.

Question. What steps if any do you believe that we can take now to address any problems or deficiencies that may have developed as a result of excessive concurrency on the Joint Strike Fighter program?

Answer. I believe that the Department has already taken a number of steps that will minimize the risks of concurrency. The decision to maintain production at a fixed rate in fiscal years 2013 and 2014 will allow time to validate and stabilize the design through the flight test program. A ramp up in production is not planned until the need for further design changes are reduced. The Low Rate Initial Production Lot 5 contract has been structured to ensure the appropriate amount of cost risk is shared between the contractor and the Government. If confirmed, I will ensure that future production decisions are based on adequate understanding of the concurrency, costs, and design stability.

Question. What additional steps if any do you believe we should take to avoid similar problems in future acquisition programs?

Answer. I believe we need to pursue acquisition strategies based on the sound principles of program management and system engineering. If confirmed, I will ensure that the acquisition and engineering professional leadership in the Department reviews major programs early and regularly to preclude planning that is overly optimistic in assumptions. I believe that a program based on sound acquisition and engineering strategies will have the best chance to succeed and execute within planned cost and schedule.

FIXED PRICE-TYPE CONTRACTS

Question. Section 811 of the NDAA for Fiscal Year 2013 requires the use of fixed-price contracts for the production of major weapon systems, with limited exceptions. Similarly, section 818 of the NDAA for Fiscal Year 2007 establishes a preference for the use of fixed-price contracts for the development of major weapon systems.

What is your understanding of the advantages and disadvantages of using fixed-price contracts for the development and procurement of major weapon systems?

Answer. The decision to use a fixed price or cost plus contract for development and/or procurement of a major weapons system should be based on an understanding of the requirement, the technical risk, supplier experience and strength,

and the market for the product. Fixed price contracts limit the Government's exposure to financial risk, but introduce other risks.

Development fixed-price contracts make sense where we have firm requirements with technical trades complete, where design is established and required technologies are mature (low risk), where potential bidders have actual experience with the type of product desired and where they have the capacity to absorb some level of financial loss if problems arise. In this instance it is appropriate to place the financial burden on industry. The disadvantage is if the development effort experiences problems, there can be serious financial impact for the contractor. Further, because of the fixed price nature of the arrangement, it is much more difficult for the Government to provide technical guidance without having to renegotiate the contract.

For procurement I'm much more comfortable with fixed price contracts provided there has been sufficient development and testing to have firm requirements, a proven design, established manufacturing processes and qualified suppliers. Use of incentive contracts in early production especially makes sense.

Question. Under what circumstances, if any, do you believe it is appropriate for the Department to use a cost-type contract for the development or production of a major weapon system?

Answer. Since most major weapon system development programs deal with maturing designs and significant integration problems, the factors I listed in the above question are not present and a fixed price development contract imposes too much risk on industry. A cost plus contract, on the other hand, reduces the financial risk and helps facilitate a more open working relationship with industry to achieve the desired outcome for the warfighter.

Question. Do you see the need for any changes in the law governing the use of fixed-price contracts for the development and production of major weapon systems?

Answer. No. The Federal Acquisition Regulation and the DOD Federal Acquisition Regulation Supplement already provide adequate flexibilities.

TECHNOLOGY TRANSITION

Question. The Department continues to struggle with the transition of new technologies into existing programs of record and major weapons systems and platforms. Further, the Department also has struggled with moving technologies from DOD programs or other sources rapidly into the hands of operational users.

What impediments to technology transition do you see within the Department?

Answer. Over the past 2 years, as part of Deputy Secretary of Defense's Warfighter Senior Integration group, I have seen improvements in transitioning technology to the hands of the operator. However, there are still impediments, such as the lead time and rigidity of the budget process, the formality and inflexibility associated with Programs of Record, the difficulties in altering military requirements, and the hurdles small businesses and non-defense companies have in doing business with the Government.

Question. What steps if any will you take, if confirmed, to enhance the effectiveness of technology transition efforts?

Answer. There are already a number of activities underway in the Department to enhance the effectiveness of technology transition. The rapid acquisition programs that the Department has initiated to support ongoing operations have been very successful at acquiring new technologies and fielding them quickly.

The Department needs to institutionalize the rapid acquisition process so that future urgent needs can also be met effectively, and efforts are underway for expanding the rapid acquisition of Joint Urgent Operational Needs (JUONs) from primarily off the shelf technology to those that require some limited development time and may not be directly associated with ongoing operations.

Under the BBP initiatives, the Department has taken steps to improve the use of open systems and open architectures as a means of permitting new technologies to be inserted into existing programs. These are just examples of the types of steps the Department needs to take to improve technology transition.

If confirmed, I will work with the USD(AT&L) and Assistant Secretary of Defense for Research and Engineering to drive additional opportunities to enhance technology transition.

Question. What role do you believe Technology Readiness Levels and Manufacturing Readiness Levels should play in the Department's efforts to enhance effective technology transition and reduce cost and risk in acquisition programs?

Answer. Technology and Manufacturing Readiness Levels (TRLs and MRLs) are aids to understand how the maturity of technologies or the lack of maturity can affect an acquisition programs risk. I believe they are valuable knowledge-based

benchmarks against which to assess program risk, but I also believe that TRLs and MRLs alone are not conclusive about whether or not a program should proceed to development and production. Each decision requires an understanding of the actual risk associated with a technology, and the steps that could be taken to mitigate that risk. If confirmed, I will continue to use TRLs and MRLs, but I will also seek to improve how we handle risk assessments early in programs.

Question. Section 1073 of the NDAA for Fiscal Year 2011 established a competitive, merit-based rapid innovation fund to accelerate the fielding of technologies developed pursuant to SBIR projects, technologies developed by the defense laboratories, and other innovative technologies.

What is your view of the rapid innovation fund established by section 1073?

Answer. This program emphasizes rapid, responsive acquisition with preference to small, innovative businesses solving defense problems using a fully merit-based, competitive proposal process. In September 2011, the Department issued the initial solicitations for Rapid Innovation Fund (RIF) proposals, receiving over 3,500 responses, which lead to awards of 177 contracts by the end of September 2012. Given that the performance period for the majority of these contracts spans 18–24 months, my view is that it is too early to determine the RIF's overall impact. Our implementation processes were successful in obtaining proposals, primarily from small businesses. However, contract awards should not be the sole criteria for success. I believe it will take more time to objectively assess the effectiveness of RIF in achieving its goals.

Question. In your view, has the Department been successful in ensuring that awards under this program are made on a merit basis and benefit the Department?

Answer. Yes, the Department successfully established a merit-based Rapid Innovation Fund (RIF) program. The Department employed Broad Agency Announcements in 2011 and 2012 for a competitive, two-step source selection process. This facilitated submission of white papers, with a "go/no go" evaluation, followed by request for full proposals to the highest rated "go" proposals. All vendors received a notification. With regard to program benefit, it will be at least 12–24 months before the Department can effectively evaluate the outcome and benefits of RIF. However, owing to the in-depth involvement by acquisition program staff in evaluation of RIF proposals, I expect substantial benefits to be demonstrated.

UNREALISTIC COST, SCHEDULE, AND PERFORMANCE EXPECTATIONS

Question. Many acquisition experts attribute the failure of DOD acquisition programs to a cultural bias that routinely produces overly optimistic cost and schedule estimates and unrealistic performance expectations. Section 201 of WSARA seeks to address this problem by promoting early consideration of trade-offs among cost, schedule, and performance objectives in major defense acquisition programs.

Do you believe that early communication between the acquisition, budget and requirements communities in DOD can help ensure more realistic cost, schedule, and performance expectations?

Yes, early communication between these three communities is essential at all levels

Question. If so, what steps if any would you take, if confirmed, to ensure such communication?

Answer. If confirmed, I would reinforce existing efforts in the area of early communication between the communities. I will work with the component acquisition executives to stress the importance of their participation in similar early discussions for all acquisitions in their organizations. I will also stress the need to forge closer collaboration and understanding between those articulating military needs and those charged with fulfilling those needs. After early consideration of cost and capability trade-offs, I will strive to sustain stable programs through mechanisms such as Configuration Control Boards, and other forums where requirement, acquisition, and financial communities can interact usefully to achieve affordable and realistic outcomes. I will also foster training that inculcates these approaches into the culture of our workforce.

Question. DOD has increasingly turned to incremental acquisition and spiral development approaches in an effort to make cost, schedule and performance expectations more realistic and achievable.

Do you believe that incremental acquisition and spiral development can help improve the performance of the Department's major acquisition programs?

Answer. Yes, but I recognize this is not a panacea, and how these approaches are applied to a particular situation requires careful deliberation. The strategy can be effective when faced with technology that is rapidly changing or we are faced with an evolving threat. It can also allow the fielding of a capability to the force that

is "good enough" in the short-term, while continuing to advance a new technology to upgrade the system to provide the warfighter with a technical advantage long-term.

Question. What risks do you see in the Department's use of incremental acquisition and spiral development?

Answer. Applied appropriately, in the right circumstances, these approaches should not add additional risk. Technical risk can be minimized with a design that allows for incremental addition of capability, but this must be inherent in the program plans from the outset so that upgrades to the final configuration are as seamless as possible, or rolled into the product as changes in the production sequence. These approaches require careful consideration of technical rights, open or commercial standards, and interface requirements. If requirements are not clearly defined early in the effort, schedules are not realistic and resources are not provided in the required amount and with the proper phasing, the acquisition will take longer, cost more, and deliver less, regardless of the program's execution method.

Question. In your view, has the Department's approach to incremental acquisition and spiral development been successful? Why or why not?

Answer. I believe that the Department's approach to incremental acquisition and spiral development has had varied results. As with any approach, there are examples of both effective and ineffective employment of this type of acquisition process in the Department's history. It has been more challenging than expected in certain cases to "pre-plan" future spirals of capability. Employed carefully, in the right circumstances, these approaches can be successful and if confirmed, I would work to achieve that.

FUNDING AND REQUIREMENTS STABILITY

Question. The poor performance of major defense acquisition programs has also been attributed to instability in funding and requirements. In the past, DOD has attempted to provide greater funding stability through the use of multi-year contracts. Section 814 of the NDAA for Fiscal Year 2009 requires the use of Configuration Steering Boards to exercise control over any changes to requirements that would increase program costs.

Do you support the use of Configuration Steering Boards to increase requirements stability on major defense acquisition programs?

Answer. Yes. Activities such as Configuration Steering Boards provide a leadership forum to review proposed changes to programs in terms of requirements, technology, or system configuration with the intent to preclude adverse program impacts on cost or schedule. If confirmed, I will continue to emphasize the positive aspects of Configuration Steering Boards and other similar forums.

Question. What other steps if any would you recommend taking to increase the funding and requirements stability of major defense acquisition programs?

Answer. If confirmed, I will work with senior leaders in DOD to strive to maintain funding and requirement stability to the maximum extent possible. The acquisition, requirements, and resource communities must work together to ensure programs have realistic requirements and funding profiles at inception, and must continue to work effectively together as programs execute throughout the lifecycle.

MULTI-YEAR CONTRACTS

Question. The statement of managers accompanying section 811 of the NDAA for Fiscal Year 2008 addresses the requirements for buying major defense systems under multi-year contracts as follows: "The conferees agree that 'substantial savings' under section 2306b(a)(1) of title 10, U.S.C., means savings that exceed 10 percent of the total costs of carrying out the program through annual contracts, except that multi-year contracts for major systems providing savings estimated at less than 10 percent should only be considered if the Department presents an exceptionally strong case that the proposal meets the other requirements of section 2306b(a), as amended. The conferees agree with a Government Accountability Office (GAO) finding that any major system that is at the end of its production line is unlikely to meet these standards and therefore would be a poor candidate for a multi-year procurement contract."

If confirmed, under what circumstances, if any, do you anticipate that you would support a multi-year contract with expected savings of less than 10 percent?

Answer. Though each situation is different, I believe that multi-year contracts can provide substantial cost savings and should be considered as an option to best serve the warfighter and taxpayer. Key considerations would be the total savings that could be achieved and the firmness of the procurement plan. While 10 percent or more is the goal, it should not be an absolute standard; a lesser percent on a large

procurement still yields significant dollar savings for the Department. If the Department is confident that the procurement is needed during the time period, then every opportunity for potential savings and increasing buying power will be critical in balancing the Department's budget as budgets decline.

Question. If confirmed, under what circumstances, if any, would you support a multi-year contract for a major system at the end of its production line?

Answer. I would have to review the merits of the particular situation since these are complex circumstances without simple answers, and there may be times it may be appropriate. In general, I would look for the total savings potential and stability in the planned procurement.

Question. What are your views on multi-year procurements? Under what circumstances do you believe they should be used?

Answer. I believe multi-year procurements are beneficial if they provide significant savings to the taxpayer, and there is a firm commitment to the planned procurement to provide stability to the industrial base. The circumstances and risks of each case need to be weighed carefully on the individual merits, but the magnitude of the savings and the expected stability of the program are among primary considerations.

Question. Under what circumstances, if any, should DOD ever break a multi-year procurement?

Answer. I would expect such a circumstance to be very unusual, but in the rare situation when it occurs, it could be an outcome of a decision to not to fund a program due to unanticipated budget cuts forcing the Department to reprioritize, an inability of the contractor to perform so another supplier must be arranged for, or an unanticipated threat that makes the program unneeded. If confirmed, I would continue to support the Federal laws and defense contracting regulations concerning multi-year procurement.

CONTINUING COMPETITION AND ORGANIZATIONAL CONFLICTS OF INTEREST

Question. Section 202 of WSARA requires DOD to take steps to promote continuing competition (or the option of such competition) throughout the life of major defense acquisition programs.

What is your view on the utility of continuing competition as a tool to achieve long-term innovation and cost savings on major defense acquisition programs?

Answer. Competition is the Department's most effective tool to reduce prices, and DOD should use direct competitive acquisition strategies whenever possible. Competition allows the Department to leverage innovation, science and technology, design, and drive efficiency through a program's lifecycle, providing a stronger return on investment. The Department should attempt to use this paradigm as much as possible in its programs and contracting strategies. Using the BBP initiatives, we have stressed the need for a competitive environment to the greatest extent possible in all our programs, realizing the classical head to head competition situation is not always viable. If confirmed, I will work with USD(AT&L) to continue to stress creating a competitive environment as one of the most effective ways the Department has of controlling cost.

Question. Do you believe that such continuing competition is a viable option on major defense acquisition programs?

Answer. Yes, creating competition at both the prime and sub-contract level is among one of the most powerful tools available to the Department to drive productivity and control cost. To ensure that competition is emphasized during each phase of the acquisition process, the Department has issued policy requiring our Program Managers to present a competition strategy at each program milestone. If confirmed, I will work with USD(AT&L) and Component Acquisition Executives to ensure this policy is effectively executed.

Question. In your view, has the consolidation of the defense industrial base gone too far and undermined competition for defense contracts?

Answer. The consolidation of the defense industrial base has left us with a limited number of prime contractors. Further consolidation at the prime contractor level is probably not in the best interest of the taxpayer or the Department. If confirmed, I will review any proposed business deal objectively on its merits and provide my input to the USD(AT&L). I expect to see increased activity in mergers and acquisitions in the lower tiers of the industrial base, and even consolidations to further streamline capabilities and respond in a market-driven manner to the reduced budgets anticipated over the coming decade. The USD(AT&L) and I will examine these transactions carefully on a case-by-case basis to preserve competition and facilitate the most efficient and effective industrial base possible.

Question. If so, what steps if any can and should DOD take to address this issue?

Answer. The Department's policy is to allow market forces to shape the market except in those cases that eliminate competition and are not ultimately in the best interest of the Department and taxpayer. The Department discourages mergers and acquisitions among defense materiel suppliers that are anti-competitive or injurious to national security. The Department is not, however, an antitrust regulator and the ability for the other regulatory agencies to intervene must meet statutory criteria. In cases of concern, I would ensure the Department provides information and support needed to the antitrust regulators for their merger reviews. I would also seek to encourage new entrants or exploration of alternatives in cases where consolidation has resulted in a loss of competition.

Question. Section 203 of WSARA requires the use of competitive prototypes for major defense acquisition programs unless the cost of producing such prototypes would exceed the lifecycle benefits of improved performance and increased technological and design maturity that prototypes would achieve.

Do you support the use of competitive prototypes for major defense acquisition programs?

Answer. Yes. Competitive prototyping can be an effective mechanism for maturing technology, refining performance requirements, and improving our understanding of how those requirements can drive systems acquisition costs. They should be used primarily as a means of reducing future risk in the Engineering and Manufacturing Development (EMD) and production phase. There are cases however when the cost in time and money associated with competitive prototypes outweighs the potential benefits

Question. Under what circumstances do you believe the use of competitive prototypes is likely to be beneficial?

Answer. Competitive prototyping is risk reduction; however, this comes with a tradeoff of cost and schedule. Like all other risk reduction techniques, competitive prototyping has to be considered on a case-by-case basis and it has to reduce the risk of entering Engineering and Manufacturing Development (EMD). The level of risk depends on the maturity of candidate technologies, and more importantly, the risk associated with integrating those technologies into a viable product. When planned or proposed technology has implementation risk, particularly in an integrated product, and has not been demonstrated adequately, competitive prototyping during the technology development phase can be a key element of a comprehensive technical risk management process. Overall, competitive prototyping can provide benefits beyond risk reduction to include sustaining competition further into the design process, reducing total program cost, and lead to better products for our warfighters.

Question. Under what circumstances do you believe the cost of such prototypes is likely to outweigh the potential benefits?

Answer. In cases where the material solution is based on mature technologies and demonstrated designs with little integration risk, the additional costs, and schedule of competitive prototyping may not offset the potential reduction of risk and overall system lifecycle costs. Prototypes requiring very high investments with the prospect of very limited production runs are also not likely to be cost effective. For example, competitive prototyping of ships and satellites is frequently cost-prohibitive, both in a Technology Demonstration phase and in Engineering and Manufacturing Development phase. When a low risk approach is taken such as using a modified non-developmental item the benefits of competitive prototyping may not justify the cost.

IMPLEMENTATION OF THE WEAPON SYSTEMS ACQUISITION REFORM ACT OF 2009

Question. Several new major weapons programs have been started since the WSARA was enacted. Examples include the *Ohio*-class Submarine Replacement Program, the KC–46 Aerial Refueling Tanker Replacement Program, the VXX Presidential Helicopter Replacement Program, and the Ground Combat Vehicle Program.

In your view, how effectively have such "new start" major defense acquisition programs abided by the tenets, and implemented the requirements, of the WSARA, particularly those that address "starting programs off right" by requiring that early investment decisions be informed by realistic cost estimates, sound systems engineering knowledge, and reliable technological risk assessments?

Answer. I believe the Department has abided by the tenets and effectively implemented the requirements of WSARA in each of its "new start" programs begun since WSARA's enactment. The certifications required by WSARA provide a means to enforce each program's implementation. Each of the new start programs cited above received careful attention to develop well understood and technically achievable requirements with a sharp focus on affordability. I strongly believe that the keys to

successful program execution are sound and realistic planning at program initiation, which are fundamental principles embodied in WSARA.

Question. Where do you think there might be room for improvement?

Answer. I believe WSARA provides adequate guidance and authority without the need for changes at this time. If confirmed, I will support USD(AT&L) and ensure the "new start" programs implement WSARA and BBP initiatives to maximize the program's probability of successfully delivering affordable, technically sound capability to the warfighter and the taxpayer. Fundamentally, the BBP initiatives that Deputy Secretary Carter and Under Secretary Kendall started are based on the premise that the Department can learn from experience and continuously improve. If confirmed, I will work to identify and implement continuous improvements to the acquisition system.

THE BETTER BUYING POWER INITIATIVE

Question. DOD's Better Buying Power initiative provides acquisition professionals with important guidance on how to achieve greater efficiency, enhanced productivity, and affordability in how the Department procures goods and services.

If confirmed, what steps if any will you take to follow-through on this guidance and ensure that it is implemented as intended?

Answer. I will work closely with USD(AT&L) on a daily basis as we continue to pursue the efficiency, productivity, and affordability initiatives started in 2010 under BBP. The BBP initiatives are not static, they are under continuous review and are being modified, added to, and matured as the Department learns more from its experience with the initiatives. If confirmed, I will follow-through on implementation of the initiatives and carefully consider additional steps consistent with the principles and objectives of the initiatives.

Question. What steps do you believe the Department should take to strengthen and improve the implementation of the BBP initiative?

Answer. The Department is fully dedicated to the successful implementation of BBP. Under Secretary Kendall recently introduced BBP 2.0 as part of the Department's commitment to continuous process improvement in the defense acquisition system. Many of the initiatives encompassed in BBP 2.0 are continuations from earlier BBP initiatives begun in 2010, because their implementation is long-term and ongoing. If confirmed, I will work closely with USD(AT&L), the Component Acquisition Executives, and others in the Department to monitor and drive the implementation of these initiatives, as well as identify additional ways to improve implementation. I will ensure we update appropriate policies and regulations, issue additional guidance, update training, and institute data collection mechanisms to objectively assess outcomes.

URGENT AND EMERGING NEEDS

Question. Section 804 of the NDAA for Fiscal Year 2011 required the Department to establish procedures to ensure that rapid acquisition processes are not misused for the acquisition of systems and capabilities that are not urgent and would be more appropriately acquired in accordance with normal acquisition procedures.

Do you agree that rapid acquisition procedures are not generally suited to the acquisition of complex systems that require substantial development effort, are based on technologies that are unproven, and are too risky to be acquired under fixed price contracts?

Answer. I agree that rapid acquisition procedures are not generally intended for programs of the complexity normal for a standard developmental acquisition program. The Department reserves rapid acquisition procedures for urgent requirements where a capability must be delivered as soon as possible, but generally within 24 months. These programs, by their nature, are not sustained development programs. They generally have limited cost risk as compared to traditional major development efforts, and if a nondevelopmental solution exists, it makes sense to acquire that solution in order to meet warfighter needs as soon as possible. However, for many Joint Urgent Operational Needs (JUONs) and Joint Emergent Operational Needs (JEONs), some modification, integration, or development of existing products is required to satisfy the requirement. Not all of these programs are suitable for fixed price contracts because they often utilize small, non-traditional suppliers who are not capable of absorbing the cost risks.

These issues are considered when the requirement is initially validated, and the acquisition community continues to review them as the program progresses to ensure that we meet warfighter requirements in as timely way wherever possible. There may also be exceptional cases where a technological leap by an adversary may call for taking unusual risks not normally typified under rapid acquisition pro-

cedures. If confirmed, I will review the Department's use of rapid acquisition procedures to ensure that they are being properly applied.

Question. DOD recently established a new category of requirement, known as Joint Emergent Operational Needs (JEON). Like JUONs, JEONs may be acquired through rapid fielding processes. Unlike JUONs, however, JEONs are not limited to capabilities that can be fielded within 2 years, do not require extensive development, are based on proven technologies, and can be appropriately acquired through fixed price contracts. The committee report on the NDAA for Fiscal Year 2013 directs the Department to develop additional protections to ensure that the JEON process is not abused.

Would you agree that it would be inappropriate to use the JEON process to initiate significant acquisition programs without conducting cost-schedule-performance trade-offs, developing reasonable cost, schedule, and performance expectations, providing strong systems engineering, and ensuring the use of appropriately mature technologies?

Answer. In general, I agree that a JEON is not intended as a mechanism to initiate a Major Defense Acquisition Program. There may be exceptions in which a rapid development initiated as a JEON (or even a Joint Urgent Operational Need (JUON)) could lead to significant acquisition programs. For example, route clearance vehicles acquired in response to a JUON provided the first V-shaped hulled vehicles to Iraq and Afghanistan. Their success in theater led to the initiation of additional JUONs that resulted in a significant acquisition program—the MRAP class of vehicle.

I understand that it is important to evaluate cost, schedule and performance trade-offs for JEON solutions because doing so is critical to responding to these requirements in a way that is consistent with their urgency. Systems engineering, cost and performance tradeoffs, and addressing technical maturity for JEONs, within the time available, is critical to ensuring we deliver sufficient capability when it is needed. The Department tailors its acquisition processes to ensure we address these important considerations while meeting the warfighter's immediate need. If confirmed, I will review the Department's handling of JEONs to ensure the appropriate procedures are in place and are being followed.

Question. If confirmed, will you ensure that the Department develops additional guidance for JEONs, in accordance with the direction of the committee report on the NDAA for Fiscal Year 2013?

Answer. Yes.

CONTRACTING FOR SERVICES

Question. By most estimates, the Department now spends more for the purchase of services than it does for products (including major weapon systems). After a decade of rapid growth, section 808 of the NDAA for Fiscal Year 2012 placed a cap on DOD spending for contract services for fiscal years 2012 and 2013. Section 955 of the NDAA for Fiscal Year 2013 requires a 5 percent reduction in spending for contract services over the next 5 years.

Do you believe that DOD can do more to reduce spending on contract services?

Answer. Yes, that is why I strongly support USD(AT&L) and Department leadership in continuing to make this a priority as indicated in USD(AT&L)'s November 13, 2012, memorandum entitled, "Better Buying Power (BBP) 2.0: Continuing the Pursuit for Greater Efficiency and Productivity in Defense Spending". Through the initiatives that began under the original BBP in 2010, BBP 2.0 will focus on initiatives to improve our stewardship over service contracts, while ensuring the Department only acquires what it truly needs as economically as possible.

Question. Do you believe that the current balance between government employees (military and civilian) and contractor employees is in the best interests of DOD?

Answer. I believe the Department must routinely assess its Total Force mix to ensure an appropriate alignment of workload to military, civilian, and contract support. This alignment is driven by many variables, it takes time to rebalance, and is likely to change based on mission, operating environment, workload, and costs. I think we must ensure that we have a properly sized and highly capable government workforce that guards against an erosion of critical, organic skills and an overreliance on contracted services, particularly in such areas as acquisition program management, information technology, and financial management. However, the Department must also recognize the contributions and value of the private sector as a vital source of expertise, innovation, and support to the Department's Total Force. If confirmed, I will continue to support the administration's and Department's focus on ensuring our utilization of contracted support is appropriate given the nature of the mission, risks, and work required.

Question. What steps if any would you take, if confirmed, to control the Department's spending on contract services and ensure that the Department complies with the requirements of section 808 and section 955?

Answer. USD(AT&L) is continuing to make the acquisition of services a priority as part of his broader BBP initiatives. Through the initiatives that began under the original BBP in 2010, there will be a focus on initiatives to improve our stewardship over service contracts. If confirmed, I will support every effort to continue the Department's effort to comply with the requirements of sections 808 and 955. The Deputy Secretary of Defense has issued guidance to the Department on how to comply with the limitation on funds for contracted services imposed by section 808. Subsequently, a class deviation to the Defense Federal Acquisition Regulation Supplement (DFARS) implementing that guidance has been issued on July 31, 2012.

Question. Would you recommend the use of fixed price contracts as the preferred contracting method for services? If not, why not?

Answer. I would recommend that for service requirements that can be expressed in performance-based terms, with a defined output, the Department use fixed-priced contracts as the preferred method. However, contract type must be tailored to each particular requirement in order to influence desired results with the contracted service provided. For example, where contracted support is level of effort in nature, with no defined output, a cost plus fixed fee arrangement may likely be an appropriate approach. If confirmed I will support efforts to continue to address the determination of appropriate contract type as a key element of consideration in the review and approval process of acquisition strategies for service requirements.

Question. Under what circumstances do you believe that fixed price contracts should or should not be used for the purchases of services?

Answer. I would recommend fixed price contracts be used for work that can be expressed in performance-based terms that has a defined output.

Question. Section 812 of the NDAA for 2007 required DOD to develop a management structure for the procurement of contract services. Sections 807 and 808 of the NDAA for Fiscal Year 2008 (subsequently codified in section 2330a of title 10, U.S.C.) require DOD to develop inventories and conduct management reviews of contracts for services.

Do you believe the Department is providing appropriate stewardship over service contracts?

Answer. Yes I do, but recognize there is room for further improvement in the Department's stewardship. If confirmed, I would strongly support USD(AT&L) and Department leadership in continuing to make this a priority in the BBP initiatives, which focus on initiatives to improve our stewardship over service contracts.

Question. Do you believe that the Department has appropriate management structures in place to oversee the expenditure of more than $150 billion a year for contract services?

Answer. Yes, though they can continue to be improved and expanded upon. The Military Departments, DLA, and the Missile Defense Agency, which have the largest portion share of the Department's expenditures on the acquisition of services, have identified a Senior Service Manager who is responsible for overseeing all acquisition of services. These Senior Service Managers are responsible for identifying and implementing more effective methods to procure required services and meeting on a regular basis to share lessons learned and best practices. Each of these Senior Service Managers has developed its own organizational structure and mechanisms to provide the appropriate oversight, management structure and review process for the acquisition of services. In addition, all acquisitions for services which exceed $1 billion are reviewed and approved by the Director, Defense Procurement and Acquisition Policy and his staff to ensure that the strategy incorporates tenets the Department has established as requirements for the effective acquisition of services.

Question. Do you support the use of management reviews, or peer reviews, of major service contracts to identify "best practices" and develop lessons learned?

Answer. Yes, I believe that the Peer Review process that the Department has employed on the acquisition of services implemented for service contracts, and other major acquisitions, has been extremely beneficial. For acquisitions of services valued at $1 billion or more, a Peer Review team, comprised primarily of senior leaders and attorneys from outside the military department or defense agency whose procurement is the subject of the review, meet with acquisition teams to critically assess whether the acquisition process for services was well understood by both government and industry individuals. Similarly, military departments and defense agencies have developed and are executing plans to accomplish Peer Reviews within their respective organizations for acquisitions valued at less than $1 billion. The Peer Review process helps the Department to influence consistency of approach, en-

sure the quality of contracting, and drive cross-sharing of ideas such as best practices and lessons learned.

Question. If confirmed, will you fully comply with the requirement of section 2330a, to develop an inventory of services performed by contractors comparable to the inventories of services performed by Federal employees that are already prepared pursuant to the Federal Acquisition Inventory Reform (FAIR) Act?

Answer. Yes.

Question. Section 863 of the NDAA for Fiscal Year 2011 requires DOD to establish a process for identifying, assessing, reviewing, and validating requirements for the acquisition of contract services.

What is the status of the Department's efforts to implement the requirements of section 863?

Answer. On March 4, 2012, the Deputy Secretary of Defense sent a memorandum to the Secretaries of the Military Departments and the Directors of the Defense Agencies directing they submit their respective processes and initial implementation plans to fulfill the requirements of section 863. The components have now submitted their plans through the Director of Defense Procurement and Acquisition Policy.

Question. What steps remain to be taken, and what schedule has the Department established for taking these steps?

Answer. The BBP initiatives recently announced by USD(AT&L) includes as a new initiative to expand the use of requirements review boards and tripwires. This initiative recognizes that a more robust process is required to identify, assess, review, and validate requirements for contracted services. Implementation details are expected in the coming weeks. If confirmed, I will support vigorous implementation.

Question. What additional steps if any would you take, if confirmed, to improve the Department's management of its contracts for services?

Answer. Consistent with statutory requirements for management oversight and control processes and the requirements in the original BBP memorandum of September 14, 2010, the components have put in place a framework to manage the acquisition of services. The components have each established a senior manager for services acquisitions. If confirmed, I would continue to support the Director of Defense Procurement and Acquisition Policy in developing, for the Under Secretary's approval, a new Department of Defense Instruction (DODI) to govern the acquisition of services to replace and expand upon existing guidance in DODI 5000.02, Enclosure 9. Further, I would support rigorous oversight of these policies, once put in place.

CONTRACTOR PERFORMANCE OF CRITICAL GOVERNMENTAL FUNCTIONS

Question. Over the last decade, the Department has become progressively more reliant upon contractors to perform functions that were once performed exclusively by government employees. As a result, contractors now play an integral role in areas as diverse as the management and oversight of weapons programs, the development of personnel policies, and the collection and analysis of intelligence. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as DOD employees. Section 1706 of title 10, U.S.C., as added by section 824 of the NDAA for Fiscal Year 2013, requires that key positions on major defense acquisition programs be filled by full-time government employees.

In your view, has DOD become too reliant on contractors to support the basic functions of the Department?

Answer. I recognize that the private sector is, and will continue to be, a vital source of expertise, innovation, and support. DOD, which relies on an all-volunteer military force, cannot operate without the support of contractors. We must also maintain a properly sized, and highly capable, government workforce that guards against an erosion of critical, organic skills and an overreliance on contracted services. If confirmed, I will continue to support the administration's and Department's focus on ensuring our utilization of contracted support is appropriate given the nature of the mission, risks, and work required.

Question. Do you believe that the current extensive use of personal services contracts is in the best interest of the Department of Defense?

Answer. Generally, I do believe that personal service contracts, established in accordance with the applicable statues, are in the best interest of the Department. I recognize that certain requirements, such as limited use of medical care providers, may be appropriately fulfilled using personal service contracts. However, I also recognize that service contracts that have been categorized as nonpersonal contracts may inappropriately evolve into personal service arrangements in practice. If con-

firmed, I will work to address this risk and enforce the limits on use of personal service contracts.

Question. What is your view of the appropriate applicability of personal conflict of interest standards and other ethics requirements to contractor employees who perform functions similar to those performed by Government employees?

Answer. When it is appropriate for contractors to perform work that is similar to work performed by government employees, my view is that those contractor employees should be held to similar ethical and conflict of interest standards as the government employees they support. In particular, they should not be allowed to misuse the information which may be available to them as a result of their performance under a DOD contract.

WARTIME CONTRACTING

Question. The number of U.S. contractor employees in Afghanistan now substantially exceeds the number of U.S. military deployed in that country.

Do you believe that the Department of Defense has become too dependent on contractor support for military operations?

Answer. At this time, I do not believe the Department is too dependent on contractors in support of military operations. The Total Force is comprised of U.S. military forces, DOD civilians, and our DOD contractor partners. We live in a constrained resource environment and future operations will continue to use this Total Force. Military force structure is fixed by law, and we concentrate military manpower on combat capabilities and selected tasks that are inherently governmental. In addition, deployable DOD civilians also handle inherently governmental tasks. Military planners typically assign the remaining tasks to other elements of the total force, many of which are appropriate for contractor support. Contractors are force multipliers, performing non-inherently governmental functions, and allowing limited military resources to focus on what they are trained to do. Going forward, our management of contractors in support of military operations requires constant attention and review to continue to identify management improvements.

Question. What risks do you see in the Department's reliance on such contractor support? What steps do you believe the Department should take to mitigate such risk?

Answer. The risks associated with a heavy reliance on contractor support include possible loss of selected services for future contingencies in changed operational environments, the migration of inherently governmental functions to contractors, the erosion of the Department's critical core knowledge and capability, and the risk of losing contingency contract management expertise and structure that has been established over the last several years. I will ensure we conduct risk assessments associated with reliance on contract support in a variety of contingency operations to ensure the risks are addressed and mitigated. The Department must properly incorporate enduring polices, training, and doctrine to alleviate these risks. If confirmed, I will support the additional steps to integrate contractor support estimates into existing planning processes and procedures, and in force planning scenario development and joint force assessments.

Question. Do you believe the Department is appropriately organized and staffed to effectively manage contractors on the battlefield?

Answer. Yes, though each situation will be different, and this was not always the case. We are constantly improving our processes and procedures based on feedback from commanders in the field, congressional support, and suggestions from our service providers. The Department is aggressively operational contract support constructs to better manage contractors on the battlefield. This approach incorporates Requirement Definitions, as prescribed by Congress; Risk Management; and Operational Contingency Management practices that include consideration of contingency contractors and operational support capabilities in mission planning and execution.

Question. Section 848 of the NDAA for Fiscal Year 2011, section 820 of the NDAA for Fiscal Year 2012, and section 845 of the NDAA for Fiscal Year 2013 establish planning requirements for contractor logistics support.

What is the status of the Department's efforts to implement the requirements of sections 848, 820, and 845?

Answer. As required by section 820, contractors have been recognized as part of the Total Force, in addition to military and DOD civilians, in the appropriate strategic documents including the Quadrennial Defense Review and relevant policy and planning documents. Additionally, section 820 risk assessments on the use of contractors are being conducted, and contractors are being integrated into force mix evaluations and operational planning, including the biennial risk assessments by the Chairman of Joint Chiefs of Staff. Over the past 6 years the Department has

made far reaching improvements in the management and oversight of contractors to include contractor officer representative training, instruction in our senior service colleges, and in the General Officer/Flag Officer Capstone training. Strategically, the Operational Contracting Support Functional Capabilities Integration Board (FCIB) governance structure oversees continuing efforts to meet requirements outlined in section 845, as well as, requirements in previous legislation, the findings of the Commission on Wartime Contracting, and the Gansler Commission.

Question. What additional steps do you believe the Department needs to take to improve its planning processes for the use of contractors in contingency operations?

Answer. As required by law, we continue to refine contractor support requirements definition, the contingency program management organization, and related processes to ensure all needs are captured to avoid unnecessary duplication of capabilities, and to ensure we are synchronized with our agency partners. The recent transition in Iraq and the pending transition in Afghanistan have provided us numerous lessons learned in these areas.

With regards to operational contracting support, the Joint Staff is finalizing their important update to Joint Publication 4–10, Operational Contract Support. Planners at each of the combatant commands have developed annexes for contracted support in key OPLANS and CONPLANS, and we are continuing to improve the plans for integrated contracted support at the service component level. If confirmed, I will continue to monitor their initiatives closely.

Question. Sections 841 and 842 of the NDAA for Fiscal Year 2012 gives the Department new tools to ensure that it does not enter contracts with any person or entity who is actively supporting hostile forces in Afghanistan.

What is the status of the Department's efforts to implement the requirements of sections 841 and 842?

Answer. The Department implemented sections 841 and 842 in the Defense Federal Acquisition Regulation Supplement (DFARS) via the Class Deviation #2012–O0005 on January 26, 2012. The deviation adds two new clauses to the DFARS—252.225–7993, Prohibition on Contracting with the Enemy in the U.S. Central Command (CENTCOM) Theater of Operations; and 252.225–7994, Additional Access to Contractor and Subcontractor Records in the U.S. Central Command Theater of Operations.

This class deviation allows the Heads of Contracting Activity (HCA) to exercise the authorities provided in the deviation, upon receipt of the enemy notification letter from the CENTCOM Commander, to restrict, terminate, or void contracts with persons or entities that support an insurgency or otherwise actively oppose U.S. or coalitions forces in Afghanistan. This deviation also grants contracting officers an additional access to any contractor's records, including subcontractors, regardless of contract value, to ensure Department's contracts are not subject to extortion or corruption. The CENTCOM Commander has issued four section 841 notifications to date, resulting in the termination of three subcontracts.

Question. What additional steps do you believe the Department needs to take to avoid contracting with the enemy in Afghanistan?

Answer. I believe sections 841 and 842 provide the Department sufficient statutory authorities to avoid contracting with the enemy in Afghanistan.

Question. Does the Department need additional tools for this purpose?

Answer. I believe the tools provided through sections 841 and 842 are sufficient to enable us to succeed in this area.

PRIVATE SECURITY CONTRACTORS

Question. Do you believe the Department of Defense and other Federal agencies should reduce their reliance on contractors to perform security functions that may reasonably be expected to require the use of deadly force in highly hazardous public areas in an area of combat operations?

Answer. I believe the use of private security contractors must be carefully considered against the risk of becoming involved in combat operations. I also believe it may be appropriate to use private security contractors for specific security functions in contingency operations when they are limited by specific rules of engagement. However, the Department of Defense must provide proper guidance and supervision when using private security contractors and must ensure they do not engage in combat operations.

Question. What steps if any would you take, if confirmed, to ensure that any private security contractors who may continue to operate in an area of combat operations act in a responsible manner, consistent with U.S. defense and foreign policy objectives?

Answer. If confirmed, I will ensure the Department of Defense has policies that effectively guide the operations of private security contractors when they are used, and that we provide proper oversight. We must also ensure all contractors, to include private security contractors, are legally accountable for their actions, and that private security contractors that operate in an area of combat and contingency operations act responsibly.

Question. Section 846 of the NDAA for Fiscal Year 2013 requires the Department of Defense to undertake risk assessments and risk mitigation whenever it relies on contractors to perform critical functions in support of overseas contingency operations.

What steps will you take, if confirmed, to ensure that the Department fully implements the requirements of section 846?

Answer. I believe that contract support is an essential part of the total force and will remain so in the future. In many cases contractors are absolutely vital. If confirmed, I will ensure that the Department of Defense policy and operational guidance addresses this requirement, and that proper risk assessments are conducted.

U.S. SPECIAL OPERATIONS COMMAND ACQUISITION AUTHORITIES

Question. U.S. Special Operations Command (SOCOM) is unique within the DOD as the only unified command with acquisition authorities and funding. Further, the Commander of SOCOM is the only uniformed commander with a subordinate senior acquisition executive.

Would you recommend any changes to SOCOM's current acquisition authorities?

Answer. I would not recommend any changes at this time. If confirmed, I will support continued dialogue between SOCOM and USD(AT&L) to improve acquisition efficiency and effectiveness.

Question. What role do you believe SOCOM's development and acquisition activities should play in broader Service and Department of Defense efforts?

Answer. I believe the Department should always seek the broadest benefit and application of its development and acquisition activities. The best way for the Department to take advantage of potential synergies and identify best practices is through close coordination between SOCOM's activities and the broader Department acquisition system. This coordination would also help to eliminate duplication and control costs.

Question. If confirmed, how would you ensure that special operations capabilities and requirements are integrated into overall Department of Defense research, development and acquisition programs?

Answer. If confirmed, I will continue to support the "SOCOM Acquisition Summit" that meets in person every 6 months to coordinate, collaborate, and integrate SOCOM's activities with the rest of the Department. This initiative, instituted by Deputy Secretary Carter and Under Secretary Kendall, has proven very beneficial to both SOCOM and the Department. I see the summit as important to ensure SOCOM's acquisition needs are understood and integrated with other Department efforts.

PASS-THROUGH CONTRACTS

Question. Section 852 of the John Warner NDAA for Fiscal Year 2007 requires the Department of Defense to promulgate regulations prohibiting excessive "pass-through" charges on DOD contracts. Section 802 of the NDAA for Fiscal Year 2013 adds the requirement for contracting officers to consider the availability of alternative contract vehicles before entering into pass-through contracts in the first place.

In your view, how extensive is the use of pass-through contracts in the Department of Defense and how important is it for the Department to reduce the use of such contracts?

Answer. To the extent that pass-through costs exist, I believe it is important to reduce these costs because of the complexity of the weapon systems being procured by the Department. Prime contractors generally need to subcontract a portion of the effort in order to provide the most effective overall response to the requirement. However, I do not believe that there are necessarily extensive pass through costs associated with these subcontracting efforts. In response to the requirements of section 852 of the NDAA for Fiscal Year 2007, the Federal Acquisition Regulations (FAR) were modified to require prime contractors to identify their intention to subcontract more than 70 percent of the total cost of work to be performed, and to provide a description of the added value being provided by the prime as related to the work to be performed by the proposed subcontractors.

Question. What changes, if any, would you recommend to the requirements of section 852 and section 802 regarding pass-through contracts?

Answer. Per statute, the Secretary of Defense, Secretary of State (State), and the Administrator of U.S. Agency for International Development (USAID) have 180 days from enactment to implement section 802 of the NDAA for Fiscal Year 2013 to issue guidance and implement regulations. A Federal Acquisition Regulation case, 2013–012, was established for this purpose. Until this guidance is developed via the regulatory rule making process, it is difficult to comment on changes required by either section.

Question. What additional steps, if any, do you believe the Department should take to address the problem of excessive pass-through charges?

Answer. At this time, I believe we should wait for the Departments of Defense, State, and USAID to develop the guidance and regulations required by section 802 to determine if any additional steps need to be taken.

INTERAGENCY CONTRACTING

Question. What is your assessment of the risks and benefits associated with DOD's continued extensive use of interagency contracts?

Answer. When used properly, interagency contracts can reduce procurement lead time, reduce administrative costs, and support strategic sourcing objectives. I believe DOD, in collaboration with numerous non-DOD agencies, the Office of Federal Procurement Policy, and Congress, have implemented processes and procedures that minimize the potential for inappropriate usage. I note on February 14, 2013, the GAO removed the Management of Interagency Contracting from their "2013 High Risk List". I believe this action reflects these efforts and acknowledges that the risk of inappropriate usage under interagency contracts has been significantly reduced.

Question. Do you believe additional authority or measures are needed to hold DOD or other agency personnel accountable for their use of inter-agency contracts?

Answer. No. I have not seen any information that current policies, statute or regulations are not adequate. DOD policy encourages the use of an interagency solution when it's the best procurement approach and is a good business decision for the Department. Recent changes to the Federal Acquisition Regulations have bolstered the documentation requirements when conducting an interagency acquisition.

Question. Do you believe contractors have any responsibility for assuring that the work requested by DOD personnel is within the scope of their contract?

Answer. Yes, I believe contractors should review any order they receive to ensure the supplies or services ordered by the Government are within the scope of the contract that the requirement is being placed under. However, the contracting officer has primary responsibility for ensuring the work is within the scope of the particular contract. If a contractor has any concern that the work ordered is not appropriate under the contract then they should contact the agency contracting officer who placed the order and request clarification.

Question. Do you believe that DOD's continued heavy reliance on outside agencies to award and manage contracts on its behalf is a sign that the Department has failed to adequately staff its own acquisition system?

Answer. No, on the contrary, Congress has provided authority for numerous agencies to provide acquisition support to others. These potential solutions provide DOD requirements, organizations, and contracting officers additional flexibility and opportunity, not previously available, to best meet warfighter and mission needs. The use of interagency solutions enhances the Department's efforts to run as efficiently and effectively as possible and is consistent with our BBP initiatives.

ACQUISITION OF INFORMATION TECHNOLOGY

Question. Most of the Department's Major Automated Information System (MAIS) acquisitions are substantially over budget and behind schedule. In particular, the Department has run into unanticipated difficulties with virtually every new business system it has tried to field in the last 10 years. Section 804 of the NDAA for Fiscal Year 2010 required the Department of Defense to establish a new acquisition process for information technology.

Do you believe that unique problems in the acquisition of business systems require different acquisition strategies or approaches?

Answer. Yes, some business systems require acquisition approaches different from those normally used by the Department to acquire weapons systems. Business systems acquisition approaches should be tailored to the product being acquired. Information technology developed by the software industry for the commercial sector is aligned to best practices for personnel management, finance and accounting, contract management, and the supply chain. In order to be adopted for use by DOD,

emphasis needs to be placed on re-engineering Department business processes to align with best practices. The Department has already begun to adapt to the unique challenges of business information system acquisition through the implementation of the Business Capability Lifecycle (BCL), which emphasizes well defined increments of capability that are developed, tested, and often fielded in increments structured around 1–2 year software builds. In addition, this approach will also be incorporated in the revised DOD Instruction 5000.02. If confirmed, I will assess this further and continue to promote practices that support better acquisition decisions of business systems.

Question. What steps if any do you believe the Department of Defense should take to address these problems?

Answer. The Department has issued guidance requiring the use of the Business Capability Lifecycle (BCL) for the acquisition process for business systems, which is an important step for improving the acquisition process for business systems. Over the past year this approach has been mandated for all new start business systems that are above the statutory Major Automated Information System (MAIS) threshold. In addition, this approach will also be incorporated in the revised DOD Instruction 5000.02. If confirmed, I will continue to support USD(AT&L) in his efforts to improve performance in this area and will continue to monitor the effectiveness of this approach to acquiring business systems to determine if further changes are needed.

Question. What steps has the Department taken to implement the requirements of section 804? What steps remain to be taken?

Answer. The Department continues to make progress implementing several of the key approaches outlined in section 804, specifically in the areas of Acquisition, Requirements, Testing and Certification, and Human Capital. We have implemented a framework for implementing a more flexible and streamlined process for the acquisition of business information systems to include the Business Capabilities Lifecycle. The Department's testing community has been working in collaboration with USD(AT&L) to incorporate an integrated testing, evaluation, and certification approach to reduce redundancies and improve the efficiency and effectiveness of testing on the Department's information systems. The Joint Staff continues to work efforts to include more streamlined requirements management and approval process for acquisition of information systems. A comprehensive review of Information Technology (IT) acquisition competencies is also currently being conducted by the Department's Chief Information Officer. This review will update the IT acquisition competencies to better define DOD critical skill sets. If confirmed, I will continue to assess these actions to ensure continued progress in these areas.

Question. If confirmed, how would you work with the Chief Information Officer of the Department of Defense to take these steps?

Answer. If confirmed, I will continue to work closely with the DOD CIO, and I will ensure the OUSD(AT&L) staff and the DOD CIO staff work collaboratively to identify and take steps needed to improve the acquisition of IT based capabilities. Program Managers responsible for procuring IT have traditionally been charged with acquiring the infrastructure they need to support their assigned procurement. This is an essential area for the Department to achieve consistently better outcomes given the continuing rapid evolution of technology.

Question. Section 806 of the NDAA for Fiscal Year 2011 gives the Department of Defense new tools to address supply chain risk in the acquisition of information technology.

What is the status of the Department's efforts to implement the requirements of section 806?

Answer. The authorities provided by section 806 have the potential to significantly reduce risks associated with those who may have intentions to damage our systems and capabilities through the supply chain. We are working to exercise these authorities effectively. The Department has submitted a draft DFARS rule (2012–D050) in order to make use of the section 806 authority to the Defense Acquisition Regulation (DAR) Council. We anticipate the DFARS rule will next go to OMB with a request for an interim rule. In the meantime, we have been conducting table top exercises with the Services and Agencies to understand what implementation would look like, and documenting supporting tools and guidance.

Question. What additional steps do you believe the Department needs to take to address supply chain risk?

Answer. We must continue to incrementally refine and extend implementation of our Trusted Systems and Networks and Program Protection Planning strategies. The Department has developed a foundation for addressing supply chain risk in acquisition, and codified this in DODI 5000.02 program protection planning practice, as well as the DODI 5200.44 Trusted Systems and Networks policy, co-signed in No-

vember 2012 by USD(AT&L) and CIO. The Department will continue to implement these policies. No additional authorities are needed at this time to address supply chain risk management.

Question. Section 818 of the NDAA for Fiscal Year 2012 establishes new requirements for DOD and its contractors to detect and avoid the use of counterfeit electronic parts.

What steps has the Department taken to implement the requirements of section 818?

Answer. In March 2012, AT&L published overarching Counterfeit Prevention Guidance employing a risk-based approach to the detection, prevention, reporting, and disposal of counterfeit parts in accordance with NDAA for Fiscal Year 2012 section 818. Additionally, we have drafted a Department-wide Counterfeit Prevention Policy based on the legislation and the March 2012 overarching guidance memorandum.

The Department has developed training and education programs which are available to DOD personnel and other Federal employees. The Department is also currently conducting a study into hardware (HW) and software (SW) assurance testing which will result in a state-of-the-art report on HW/SW testing tools/techniques by the end of 2013.

Question. What steps remain to be taken, and what schedule has the Department established for taking these steps?

Answer. We are nearing completion on a department-wide Counterfeit Prevention Policy based on the NDAA for Fiscal Year 2012 section 818 legislation and the AT&L March 2012 overarching guidance memorandum with an estimated issue date in the second quarter of fiscal year 2013. We have also drafted three proposed rules currently making their way through the review and approval process: (1) DFARS case (2012–D055) "Detection and Avoidance of Counterfeit Electronic Parts", (2) a drafted FAR case (2013–002) "Expanded Reporting of Non-conforming Items", and (3) a proposed FAR case (2012–032), "Higher level Contract Quality Requirements." We expect publication of the three proposed rules for public comment in calendar year 2013. Meanwhile, we are modernizing the GIDEP system to improve functionality, data throughput, customer support functions, and the ability to accommodate international requirements.

Question. What additional steps do you believe the Department needs to take to address the problem of counterfeit electronic parts?

Answer. We will need to continue to collaborate with industry, law enforcement, Federal agencies, and OMB to develop strategies and acceptable global awareness standards to minimize the introduction of counterfeit parts in the DOD supply chain. The Department also needs to explore expanding the use of technology in combating this threat through detection and prevention of their items entering our supply chain. We continue to evaluate different identification technologies and quality control techniques, including enhancements in our test and inspection regime to better assure parts authenticity, and provide early identification of non-conforming materiel. We will continue to participate in industry-sponsored working groups, such as those hosted by the Aerospace Industry Association, the trade association for many of our prime suppliers, and the Society of Automotive Engineers, as we strive for "improved" commercially acceptable global sourcing standards.

Question. Some have argued that the current test and evaluation process does not appropriately address the unique circumstances applicable to the acquisition of information technology systems.

What steps if any do you believe the Department should take to improve the test and evaluation process for information technology systems, including their vulnerabilities in the face of a growing cybersecurity threat environment?

Answer. Information systems technologies exist throughout virtually every system the Department operates and produces. While information technology systems are currently tested as part of the acquisition process, the Department should explore the effectiveness of more efficient and tailored test strategies for each of these types of systems. For example, consideration should be given to earlier interoperability and cyber security testing to support the software development process. The Department should also seek to improve capabilities and approaches that promote a more continuous test approach that integrates developmental test, operational test, as well as certification and accreditation activities. If confirmed, I will work to improve our ability to test information technology systems.

CYBERSPACE-RELATED PROCUREMENT POLICY

Question. DOD's new strategic guidance highlights the increasing importance of cyber operations with respect to both defensive and offensive capabilities. As a re-

sult, this is one of the few areas in which the Department is proposing to increase its investments.

What acquisition challenges do you foresee that are unique to the procurement of cyber-related capabilities?

Answer. I foresee many dynamic challenges in this area. The Department recently instituted a new process for cyber acquisition to recognize and address these issues, and more effectively acquire capabilities for offensive and defensive cyberspace operations.

To keep pace with the threat and changing technologies, cyber related products must often go through the acquisition lifecycle of development, testing, and fielding on very short timelines. The challenge to acquiring cyber capabilities at the pace needed will be managing the risk while streamlining the acquisition process; accommodating the rapid pace of information technology changes; and maintaining a rapid pace while prudently evaluating operational performance prior to fielding. This requires timely collaboration across a very broad spectrum of stakeholders, including industry partners, to ensure appropriate results are achieved. If confirmed, I will work closely with USD(AT&L) to implement and refine the approaches to address these challenges.

Question. What steps if any will you take, if confirmed, to address these unique challenges?

Answer. Section 933 of the Ike Skelton NDAA for Fiscal Year 2011 directed the Department to provide a strategy for the rapid acquisition of tools, applications, and other capabilities for cyber warfare. In response, the Department created a Cyber Investment Management Board (CIMB) and prescribed processes to meet urgent acquisition needs for cyber capabilities.

If confirmed, I will work with the USD(AT&L) to help actively oversee the Department's cyber acquisition investments in cooperation with appropriate personnel across the Department. I will also work with other Federal agencies and with industry to address the challenge of acquiring cyber offense and defense capabilities, especially in the Defense Industrial Base as highlighted in the recent Executive Order on Critical Infrastructure and Presidential Policy Directive (PPD) 21—Critical Infrastructure Security and Resilience.

ACQUISITION WORKFORCE

Question. Section 852 of the NDAA for Fiscal Year 2008 established an Acquisition Workforce Development Fund to help the Department of Defense address shortcomings in its acquisition workforce. The fund was restructured and extended by section 803 of the NDAA for Fiscal Year 2013.

Do you believe that the Acquisition Workforce Development Fund is still needed to ensure that DOD has the right number of employees with the right skills to run its acquisition programs in the most cost effective manner for the taxpayers?

Answer. Yes. The fund has enabled DOD to strengthen the workforce in many critical functions and is needed for continuous improvement of workforce skills and qualifications. The quality of the workforce and their efforts are vital to acquisition outcomes that support the warfighter while managing of taxpayer resources.

Question. If confirmed, what steps will you take to ensure that the money made available through the Acquisition Workforce Fund is spent in a manner that best meets the needs of the Department of Defense and its acquisition workforce?

Answer. If confirmed, I will support USD(AT&L) as he works with senior acquisition leaders and the leadership of the Military Departments to wisely use the fund to implement strategic guidance and priorities, which include providing the right balance across various acquisition professional career fields, and improving the professionalism and qualifications of the workforce.

THE DEFENSE INDUSTRIAL BASE

Question. What is your view of the current state of the U.S. defense industry?

Answer. I believe the Department relies on a broad technical and industrial base that is far more global, commercial, and financially complex than ever before. For the past decade the defense industrial base has enjoyed a period of increasing budgets that is now at an end. In addition, financial uncertainty has caused firms to delay investment decisions and seek other markets. While I think our industrial base is currently strong, I am concerned about the impact that further defense budget cuts would have on the ability of the base to provide the broad range of products and services that the Department and our Nation need. If confirmed, the continuing health of the industrial base will be a high priority for me.

Question. Do you support further consolidation of the U.S. defense industry?

Answer. I believe that the expansion and consolidation of industries and companies at all tiers is the hallmark of a robust free market economy as it responds to the market forces. I expect, and encourage the free market to act when faced with changing demand signals. However, I also believe the Government must be watchful for consolidations that eliminate competition or cause market distortions. The Department's leadership, including Deputy Secretary Carter and Under Secretary Kendall, have indicated that further consolidation at the top tier would not be viewed favorably, though it is reasonable to expect continued mergers and acquisition in the lower tiers in response to anticipated reduced budgets. I believe that each individual case of consolidation, acquisition, or merger dealing with our defense firms must be examined carefully for what is best for the warfighter and the taxpayer, particularly with regard to its impact on competition.

Question. What is your position on foreign investment in the U.S. defense sector?

Answer. Foreign investment in our industrial base has generally benefitted the United States, including DOD, by providing needed capital and increasing access to leading-edge technologies. However, I believe foreign investment, particularly in the defense sector, can expose critical national defense-related technologies to risks, including the possible loss of intellectual property that gives our warfighters the technological edge they rely upon. Congress has put provisions in place to address critical national security concerns of this nature, including the Committee on Foreign Interests in the United States (CFIUS) led by the Department of the Treasury. If confirmed, I will continue DOD's commitment to its oversight function and to ensuring that national security concerns are addressed in transactions that involve foreign investments in the United States.

Question. What steps if any do you believe the Department of Defense should take to ensure the continued health of the U.S. defense industry?

Answer. If confirmed, I would ensure the sources of manufacturing and services that DOD relies on are capable of meeting our warfighters' requirements. I will ensure the Department proactively monitors the industrial base to identify risks that need to be addressed on a case-by-case basis. When necessary and as resources permit, the Department should be prepared to act to ensure that certain key industrial capabilities are sustained, although we must recognize this will not be possible in every case.

I believe the Department must simultaneously be receptive to industry's concerns and address their issues as effectively as possible, consistent with the Department's priorities and the resources available. I will also continue to make myself assessable to industry, as I always have, working closely and communicating to ensure that, as DOD makes changes necessary to adapt to a new set of strategic and budgetary challenges, it does not inadvertently jeopardize critical elements of the industrial base.

Question. What is your understanding of the status of the Department's ongoing Sector-by-Sector, Tier-by-Tier (S2T2) analysis of the defense industrial base?

Answer. In 2012 the Department tested the S2T2 analytical process with the Army M–1 Abrams program. It was a labor-intensive collaboration between OSD and the Army to identify the most critical and fragile capabilities in the industrial base, and develop a cost effective option for preserving the ability to support the current generation and next generation of ground vehicles. I note that this is a process, rather than a single analysis, and the Department has plans, which I would support if confirmed, to expand this process to more broadly support the other services and perform an assessment of multiple sectors and programs.

Question. Has the Department taken any concrete steps to enhance the health and status of a particular sector or tier based upon this analysis?

Answer. The test case for S2T2 analysis is the M–1 Abrams program. The primary goal of the assessment was to preserve the tank industrial base by developing an affordable acquisition profile that would maintain needed industrial capabilities. Potential Foreign Military Sales were factored in as a way to make-up for at least some lost work. Bridge buys or other forms of investment were also factored in for critical and fragile second to fourth tier suppliers to determine the fiscal year 2014 funding profile required to address risks in 2015. Where practical, targeted investments using existing authorities and other programs are being considered to improve and preserve critical manufacturing capabilities.

Question. Under what circumstances if any do you believe the Department should use Defense Production Act Title III authorities to address defense industrial base needs?

Answer. I believe that the Department should only use title III authorities when it meets the two determinations consistent with section 303 of that law that: taking such action is essential to the national defense; and without such action, U.S. industry cannot reasonably be expected to provide the capability for the needed industrial

resource, material, or critical technology item in a timely manner. These decisions must be informed by a thorough industrial base analysis, consultations with the Defense Production Act Committee (DPAC), as well as the advice of other agencies in determining industrial base priorities for DPA title III investments.

Question. What is your view of current or anticipated consolidation efforts by major defense contractors?

Answer. As I stated in my previous response, I do not foresee a time in the near future where further consolidation of this part of the base would be in the best interest of the warfighter or the taxpayer. I believe that we should preserve as much competition as possible and avoid market distortions not in the best long-term interests of the Government.

SCIENCE AND TECHNOLOGY

Question. What, in your view, is the role and value of science and technology programs in meeting the Department's transformation goals and in confronting irregular, catastrophic, traditional and disruptive threats?

Answer. Science and Technology (S&T) programs of the Department have always been critical to meeting new and emerging threats, and I anticipate this will continue. S&T helps the Department meet transformation goals; and continues to address emerging threats such as anti-access/area denial challenges. With a focused, high quality, aggressive science and technology program that is responsive to the full range of capabilities required by our Armed Forces, we will be able to preserve the future and maintain technological superiority over our adversaries.

Question. If confirmed, what direction will you provide regarding funding targets and priorities for the Department's long-term research efforts?

Answer. If confirmed, I will work with the USD(AT&L), the ASD(R&E) and the department's leadership to provide direction for funding targets for long-range research, balanced against other priorities. The Department and the administration have placed a strong emphasis on sustaining S&T spending. Secretary Panetta and the USD(AT&L) have repeatedly indicated that technological superiority underpins the Department's recently released Military Strategy Guidance; I share that view. If confirmed I will continue that emphasis and, subject to the Secretary's approval, use available mechanisms for establishing funding targets.

Question. What specific metrics would you use, if confirmed, to assess whether the Department is making adequate investments in its basic research programs?

Answer. Establishing viable metrics to assess investments in basic research has proved to be difficult, in part because the time scale from basic research funding to output and fielded system can be long. If confirmed, I will work with USD(AT&L) and the ASD(R&E) to assess investments made by the military services and agencies in basic research and ensure effective management of this portfolio. Specific metrics should include publications, patents, and technology transitions to our acquisition programs. However, these are incomplete, and if confirmed, we will continue to seek basic research metrics.

Question. Do you feel that there is sufficient coordination between and among the science and technology programs of the military services and defense agencies?

Answer. I believe that the Department is improving in this area, with additional room for improvement. The Department has recently reintroduced the process whereby all S&T portfolios with significant multi-agency investment must deliver an integrated roadmap for review by the Department's S&T Executives. As a pilot, the Department has established seven Priority Steering Councils, consisting of scientists and engineers from the services and agencies, whose job it is to develop cross-cutting roadmaps for the Department's recently designated S&T Priorities. The councils are complemented by Communities of Interest (COIs) populated by scientist and engineers from the services and agencies for the purpose of integrating the Department's S&T program in specific technology areas. COIs are permanent in nature. There are also short-term Technology Focus Teams (TFTs) that perform in-depth analysis of specific technology issues and report their findings to the S&T EXCOM. If confirmed, I will work with the USD(AT&L) and the ASD(R&E) to continue improvements in coordination among these areas.

Question. Are you satisfied that the Department has a well articulated and actionable science and technology strategic plan?

Answer. There is a well-coordinated technology strategic investment strategy, but I believe there is room for improvement in strategies that cover specific topical areas. The Department has well-articulated and actionable strategic plans for basic research, and for Science, Technology, Engineering, and Mathematics (STEM) education. I believe it would be valuable to document an overarching Departmental Science and Technology strategic plan. If confirmed, I will work with the

USD(AT&L) and the Assistant Secretary of Defense for Research and Engineering to develop such a plan.

Question. Do you see a need for changes in areas such as hiring authority, personnel systems, financial disclosure and ethics requirements, to ensure that the Department can recruit and retain the highest quality scientific and technical workforce possible?

Answer. I have not seen specific evidence of problems attributable to these areas. I believe, as does USD(AT&L), that the Department needs to continue to strengthen its workforce in the science and engineering fields. If confirmed, I will work with the USD(AT&L), the ASD(R&E), and other Department leadership to assess this situation and determine whether any corrective action is needed.

Question. The Assistant Secretary of Defense for Research and Engineering (ASD(R&E)) has been designated as the Chief Technology Officer of the Department of Defense.

In your view, what is the appropriate role of the Chief Technology Officer of the Department of Defense?

Answer. As outlined in the Department of Defense Directive 5134.3, I believe the appropriate role of the Chief Technology Officer (CTO) is to provide technical leadership, guidance, and oversight for the Department's Research and Engineering activities, to include the early identification of critical technology opportunities that could lead to affordable new capabilities. Finally, the CTO should evaluate the adequacy of the Department's overall Research & Engineering investment and program content.

Question. What authority should the ASD(R&E) have over the Defense Advanced Research Projects Agency (DARPA)?

Answer. DARPA is a Defense Agency under the direction, authority and control of the USD(AT&L) through the ASD(R&E). The DARPA director directly reports to the ASD(R&E), and consequently DARPA should operate in accordance with high-level direction from ASD(R&E). I would not recommend any changes in these roles or authorities.

Question. What authority should the ASD(R&E) have over other Service and Agency science and technology efforts?

Answer. I believe the existing authorities outlined in DOD Directive 5134.3 are appropriate. The ASD(R&E) is to recommend approval, modification, or disapproval of programs and projects of the Military Departments and Defense Agencies to eliminate unpromising or unnecessarily duplicative programs, and is also designated to recommend the initiation or support of promising projects or programs for the science and technology program. Finally, the ASD(R&E) is responsible for recommending budget adjustments to the USD(AT&L) and the Secretary of Defense.

Question. Do you see the need for any changes in organizational structure, workforce, or availability of resources to improve the effectiveness of the Office of the Assistant Secretary of Defense for Research and Engineering?

Answer. No. If confirmed, I will continuously monitor the alignment and balance of all acquisition, technology, and logistics offices to improve their effectiveness and ability to meet the mission

DEFENSE LABORATORIES

Question. What is your view on the quality and relevance of the DOD laboratories as compared to the DOE national laboratories, Federal laboratories, academic laboratories, and other peer institutions?

Answer. My view is that the DOD laboratories are in general staffed with dedicated competent scientists and engineers performing important missions for the Department. A key issue going forward is how to operate these Laboratories as an enterprise to meet the needs of the Department even more effectively. The ASD(R&E) is working with the Office of Science and Technology Policy, the Services, and other Departmental stakeholders on an analysis to address Federal laboratory capacity. If confirmed, I will support the USD(AT&L) in his assessments of this area.

Question. What metrics will you use, if confirmed, to evaluate the effectiveness, competitiveness, and scientific vitality of the DOD laboratories?

Answer. If confirmed, I will primarily rely on an evaluation based on success in developing and transitioning new technologies to warfighters, the quality of their technical workforce, and the results of external reviews of their effectiveness and innovation. I would also be open to new approaches for objectively assessing the performance of the laboratories.

Question. What steps if any will you take, if confirmed, to increase the mission effectiveness and productivity of the DOD laboratories?

Answer. The USD(AT&L) has initiated the process to assess the productivity of DOD's acquisition institutions, including laboratories. If confirmed, I will support that process with the ASD(R&E) to review options and opportunities to increase the mission effectiveness of DOD laboratories.

Question. In your view, have the DOD laboratories struck an appropriate balance between investments in near-term technology programs that are tied to current battlefield needs and investments in longer term, higher risk, and revolutionary capability development?

Answer. Yes. The realities of a nation at war have forced our laboratories to develop near-term programs. However, the labs have maintained long-term efforts as well. As the Department draws down from current combat operations, I would expect a modest shift back to medium and long-term efforts. The Services currently align approximately one-third of their basic science budgets to in-house programs. A recent review of the labs' basic science program was conducted by the Defense Science Board (DSB) and their report concluded that the in-house basic research program was technically strong and healthy. In general, I think the Department has a reasonable balance; however, if confirmed, with the USD(AT&L), I will continue to assess this balance to determine if adjustments are needed.

Question. Do you believe that this balance is likely to change with the completion of our withdrawal from Iraq and our ongoing drawdown in Afghanistan?

Answer. I expect the balance between near-term and longer-term research will not change dramatically as a result of these events, but will move slightly away from near-term efforts. In addition, the portfolio of research topics will likely shift to support the Department's recently released strategic guidance, particularly toward any emerging threats, such as anti-access/area denial. If confirmed, I will continue to assess the balance with the ASD(R&E).

Question. Section 219 of the NDAA for Fiscal Year 2009 authorizes the directors of a defense laboratory to use up to 3 percent of the total funds available to the laboratory to fund innovative research, technology transition activities, and workforce development.

What is your understanding of the extent to which the Department has implemented section 219?

Answer. I understand each of the Services has implemented section 219 programs in a unique fashion that aligns with their unique Service business models. Though the statute gives authority to lab directors to utilize up to 3 percent of all available funds for this program, the actual amount to date has been in the 1 to 2 percent range. The Department submits a section 219 status report annually to Congress to detail the related investment, the latest of which was delivered on June 4, 2012.

Question. Do you believe that the funding flexibility provided by section 219 has been appropriately utilized by the Department?

Answer. Yes. Each lab director has balanced section 219 investments with other programs and procurements, and used the flexibility of section 219 to support their business model. If confirmed, I will continue to monitor the use of this flexibility by lab directors.

Question. Do you believe that it would be feasible or appropriate for the Department to use the authority of section 219 to adjust the balance between investments in near-term technology programs and longer-term, higher-payoff investments?

Answer. I believe these adjustments are already being done under section 219, so I recommend no changes at this time.

DARPA

Question. In your view, has DARPA struck an appropriate balance between investments in near-term technology programs that are tied to current battlefield needs and investments in longer term, higher risk, and revolutionary capability development?

Answer. Yes. DARPA's mission of creating and preventing technological surprise does require a focus on high-impact opportunities for the future. At the same time, DARPA has contributed to near-term needs, and in the process learned valuable lessons that inform its longer-term efforts.

Question. What are the major issues related to DARPA investments, management and workforce, and research outcomes that you will seek to address?

Answer. DARPA continues to be a key center for DOD innovation. If confirmed, I will continue to help it remain a preeminent source of creative and technically superior capabilities.

Question. Do you feel that DARPA is adequately transitioning its programs to the Services and Defense Agencies? If not, how will you address that challenge?

Answer. This is always a challenge for high-impact efforts that challenge the status quo. DARPA continues to build strong relationships with the Services to ease the way for transition. If confirmed, I will place a high priority on technology transition.

Question. Do you believe that there has been an appropriate level of interaction between DARPA and its intelligence community analog, IARPA, given the overlap in many research areas?

Answer. I have not looked into how DARPA interacts with IARPA, but if confirmed, I will look into this interaction and take action if appropriate.

TEST AND EVALUATION

Question. The Department has, on occasion, been criticized for failing to adequately test its major weapon systems before these systems are put into production.

What are your views about the degree of independence needed by the Director of Operational Test and Evaluation (DOT&E) in ensuring the success of the Department's acquisition programs?

Answer. I believe the DOT&E must be an independent entity to ensure the Department's weapon systems are realistically and adequately tested in their intended operational environment. If confirmed, I will work with the DOT&E on testing and evaluation issues as a partner in the acquisition process, and continue to welcome his insights on program performance and other issues. DOT&E's independence is of value in the acquisition process.

Question. What are your views about the role of the Director of Developmental Test and Evaluation (DT&E) in ensuring the success of the Department's acquisition programs?

Answer. I believe the role of the DASD(DT&E) is beneficial to the Department's acquisition process, and if confirmed I will rely on the DASD(DT&E) for advice on the demonstrated maturity of designs to enter initial production and on the adequacy of planned test programs.

Question. Are you concerned with the level of test and evaluation conducted by the contractors who are developing the systems to be tested?

Answer. I have no evidence that this is a major area of concern. The test strategy for an acquisition program is based on a variety of factors, and each program requires a different mix of government and contractor testing. However, to ensure the Department's systems are adequately tested, I believe there needs to be government leadership of DT&E.

Question. Do you believe that the operational and developmental testing organizations in DOD and the military services are adequate to ensure an appropriate level of testing, and testing oversight, on major defense acquisition programs?

Answer. Yes. I also believe the Department can improve its performance in this area by defining test requirements earlier in a program and putting more emphasis on early developmental test and evaluation activities to reduce the likelihood of late discovery of design or production issues. If confirmed, I will continue to work with the DASD(DT&E) and DOT&E to ensure the Department conducts effective and efficient developmental and operational testing.

DEPOT ISSUES

Question. A decade of overseas contingency operations has increased maintenance requirements and expenditures. These requirements and expenditures are expected to remain high for several years after the conclusion of operations in Afghanistan before they begin to decrease.

What do you believe the Department has learned from this experience, and how will these lessons learned affect, if at all, the future of DOD maintenance and logistics?

Answer. Since overcoming initial issues early in Afghanistan and Iraq, the Department has provided superb logistics support to our deployed forces. There are a number of lessons learned, some of which have already been incorporated into our policies, processes, and doctrine. Others are still being documented. We created and have institutionalized Combatant Command Deployment and Distribution Operations Centers to facilitate the deployment of forces and delivery of sustainment supplies. The Department has increased maintenance capability to support equipment left in theater and optimally structured reset of equipment retrograded with unit redeployments. This tailoring has enabled both maximum readiness of materiel in theater to support warfighting operations, but also of that CONUS to support force generation and training. An example of this optimization can be clearly seen in the operations of the Army Field Support Brigades, as well as in the tailored reset work packages that address not only the high OPTEMPO and harsh theater

environments, but also the restoration and protection of useful life of our equipment. We have also been able to efficiently and effectively augment unit maintenance with contractor maintenance support. Finally, we have incorporated Operation Contract Support to manage contractors in our policy and doctrine.

Question. For how many years after the end of combat operations do you believe the Department will need to continue to pay for increased maintenance to reset and reconstitute the force?

Answer. Our estimates indicate it will take 2 to 3 years to complete reset and reconstitution post-combat operations in Afghanistan. This time depends on the velocity of our retrograde process, the availability of funding, and the capabilities that will be needed in the force structure to meet the Defense Strategy within the budget constraints.

Question. What factors do you believe should govern the Department's strategy to manage workload as maintenance requirements begin to decrease?

Answer. We must maintain a ready and controlled source of government-owned and -operated depot maintenance capability by leveraging the principals of Core and 50/50 statutes. We must also sustain the critical capabilities of the private sector. To do this, we must leverage the partnership between the public and private sectors, and wisely improve our efficiency of maintenance operations in both the public and private sectors to continually reduce cost and increase our buying power. This holistic approach will ensure strong national capabilities.

LOGISTICS AND READINESS

Question. If confirmed, what steps if any would you take to ensure that life cycle maintenance requirements and sustainment support are considered in the acquisition process for new DOD systems?

Answer. The Department has made great strides in this area over the past 2 years. We have heightened the focus on sustainment by elevating the importance of sustainment planning in milestone reviews to a comparable level of oversight within acquisition and engineering plans. Since issuing guidance on requisite content for sound sustainment plans, we have completed and approved the Life Cycle Sustainment Plans (LCSPs) for nine Major Defense Acquisition Programs. If confirmed, I will support the Department's efforts, working closely with the Service acquisition and materiel stakeholders, to develop solid maintenance requirements and effective LCSPs that meet system readiness objective and deliver affordable product support.

The NDAA for Fiscal Year 2009 requires the Department of Defense to conduct life-cycle cost analysis for new capabilities including the fully burdened cost of fuel during the analysis and evaluation of alternatives in the acquisition program design trades.

Question. Do you believe that the fully burdened cost of fuel is an appropriate factor for the Department to consider in the evaluation of acquisition alternatives?

Answer. Yes. The Fully Burdened Cost of Energy is a useful component of the total life cycle cost estimating process, which helps the Department understand the full, long-term expenses the Department is signing up to when it commits to a new system. Being scenario based, the Fully Burdened Cost of Energy provides an operational cost perspective which helps decisionmakers differentiate between the fuel and logistics demands of competing system concepts.

AFGHANISTAN DISTRIBUTION CHALLENGES

Question. Last year, an agreement was reached with the Pakistani Government to reopen the ground lines of communication (GLOC), allowing military supply convoys to resume logistical support to U.S. forces inside Afghanistan. However, since the GLOC were closed for several months, the DOD incurred much higher logistical costs having to rely entirely upon the Northern Distribution Network (NDN) and aerial resupply.

Are you satisfied with the current rate of logistical resupply flow through the GLOC?

Answer. Since the Pakistan Ground Line of Communication (PAKGLOC) reopened, there have been challenges working through transit authority procedures required to increase the flow of cargo movements. Currently, the Department is conducting multiple proofs of principle (PoPs) to test these new procedures. Initial results are promising. We anticipate new cargo movements in the Spring 2013 with larger volumes of retrograde cargo moving through Pakistan in the summer timeframe.

Question. Does the Department have appropriate plans in place to provide for the retrograde of equipment from Afghanistan as we prepare for the withdrawal of our forces?

Answer. The Department relies on multiple transportation routes for its retrograde operations, including a combination of ground, air, sea, and rail. We have a resilient transportation system that provides more than one way to support the theater. Additionally, the Department has plans for the disposition of U.S. equipment and supplies to enable retrograde movements. All military equipment needed for future military force needs, except equipment that may still be needed by U.S. Forces in Afghanistan, will be returned to the United States, repaired, and distributed back to the force. Equipment that will not be needed to meet future military needs, which is mostly non-military base operating equipment, will be donated to the Afghan Government, transferred to other coalition or regional partners, or destroyed in Afghanistan, depending on the nature of the equipment and legislated authorities.

Question. To what extent is the DOD anticipating throughput challenges in Pakistan that would limit the DOD's ability to remove equipment from Afghanistan?

Answer. The Department is currently conducting multiple PoPs to test the new procedures for movements through Pakistan. Initial results are good, and we expect these tests to be successful. We anticipate new cargo movements in Spring 2013 with larger volumes of retrograde through Pakistan in the Summer timeframe. This will enable two-way flow to support both resupply and retrograde operations. The Department's transportation plans for retrograde operations include the use of multiple routes under varying assumptions, including scenarios with and without the use of the PAKGLOC.

Question. To what extent has DOD developed alternatives to the Pakistan GLOC to be able to remove equipment from Afghanistan?

Answer. The Department has developed multiple transportation routes to augment the ability to retrograde from Afghanistan. One is the use of the NDN, which is a series of routes through Europe, Russia, and Central Asia. Another transportation option is to use a combination of airlift and sealift (multi-modal) movement out of Afghanistan. These alternatives can and will be used for retrograde operations. However, sole reliance on these methods is not ideal for significant volumes of retrograde due to cost, limited airfield capability in Afghanistan, and the time it will take.

Question. What challenges remain in developing these alternatives?

Answer. These transportation alternatives are in place today. We anticipate more extensive use of all transportation routes as we complete the proofs of principle and work with host nations on customs and transit procedures. Afghanistan poses additional challenges based on its location, making retrograde operations inherently more difficult than Iraq. The movement of personnel is not an issue.

Question. In a 2011 report to Congress, GAO found that although U.S. Transportation Command has established some processes for oversight, it does not have full oversight of the distribution of supplies and equipment to the warfighter in Afghanistan. GAO highlighted several issues to include: a lack of adequate radio-frequency identification information to track all cargo movements; no common operating picture for distribution data and integrated transportation systems; complex customs clearance processes in Afghanistan and Pakistan that delay shipments; limited information on incidents of pilferage and damage of cargo; and ineffective tracking and management of cargo containers.

To what extent, if any, has DOD improved its visibility over equipment and supplies in Afghanistan?

Answer. Our warfighters and other managers have visibility of equipment and materiel from a number of sources, and lack of visibility has not been identified as a significant problem by our warfighters. With that said, Department policy requires all DOD cargo transiting Afghanistan to use Radio Frequency Identification tags. This technology enables the visibility of cargo during transit and storage. Enhanced in-transit visibility through the use of satellite-enabled technology is also available for high priority movements. Additionally, we require contracted carriers to provide automated updates to DOD systems at key points throughout the movement process. Furthermore, in January 2013, CENTCOM published a directive to DOD shippers with instructions for improving cargo security and the tracking and reporting of shipments transiting Pakistan.

Question. To what extent has DOD developed a common operating picture to improve its processes for tracking equipment and supplies in Afghanistan?

Answer. CENTCOM has developed and implemented an automated Logistics Common Operating Picture, which includes information on the amount of supplies on-hand and personnel and cargo movements supporting CENTCOM.

NONSTANDARD EQUIPMENT

Question. DOD has acquired millions of dollars in tactical nonstandard equipment (NSE) to address evolving threats in Afghanistan (and previously in Iraq).

If confirmed, what would be your plan of action to deal with the NSE accumulated by the Services over the last several years?

Answer. Our forces have greatly benefited from the access to rapid acquisition of newly emerging technologies and capabilities for Iraq and Afghanistan. If confirmed, I will work with the Services as they consider future force structure and requirements, and for items that are to be retained, that the Services have effective plans to sustain this mission-essential NSE.

Question. What is your assessment of the amount of NSE that has been transferred by the Services into programs of record to date?

Answer. I do not have data on which NSE has transferred to become programs of record. The Services continue to carefully evaluate their force equipment requirements. Some examples of technologies we are keeping and putting into our formations are the Counter Rocket Artillery Mortars system that was so effective against the indirect fire threat in OIF and OEF, as well as selected MRAP vehicles. If confirmed, I will monitor Service actions to transition NSE to programs of record.

Question. To what extent, if any, has DOD identified and planned for future maintenance and sustainment costs for any NSE that will have to be funded in future budgets?

Answer. For enduring capabilities, it is important that we budget for sustainment. My understanding is that the Services have begun the process of determining their maintenance and sustainment costs for NSE identified as necessary to meet future force enduring requirements. If confirmed I will support and provide oversight to the Services actions to monitor and sustain NSE selected for enduring requirements.

CORROSION PREVENTION AND CONTROL

Question. GAO estimates that corrosion damage to equipment and weapons systems costs the DOD approximately $22 billion per year. The Office of Corrosion Prevention and Control has been in existence for almost 2 years now, and a corrosion prevention and control plan (CPCP) is now required for all category one acquisitions.

Do you believe that a CPCP should be considered during the analysis of alternatives process or the RFP process?

Answer. I consider corrosion an important factor in system life cycle cost and performance which should be considered during the analysis of alternatives (AoA). I support the existing direction to the Military Departments to objectively evaluate corrosion as part of program design and development activities, and to weigh the trade-offs through an open and transparent AoA. Similarly, the RFP process should also clearly articulate to industry specifically what our needs are for addressing corrosion prevention and control. Without clearly articulated requirements in the proposal process, we risk additional costs in acquisition or sustainment.

Question. What is your assessment of existing alternatives for hexavalent chromium?

Answer. I am not currently familiar with the use of or alternatives to hexavalent chromium. If confirmed, I will assess the alternatives for this material.

OPERATIONAL ENERGY

Question. The NDAA for Fiscal Year 2009 created the position of the Assistant Secretary of Defense for Operational Energy Plans and Programs

If confirmed, how would you work with office of the Assistant Secretary of Defense for Operational Energy Plans and Programs to advance the objectives of that office?

Answer. If confirmed, I will work with ASD(OEPP) to ensure defense energy investments increase military capabilities, provide mission success, and lower total costs. I also will assist ASD(OEPP) and USD(AT&L) in implementing any necessary changes in the defense acquisition system to support these objectives.

Question. What role do you expect to play, if confirmed, in developing strategies to reduce the logistical footprint of deployed units operating in hostile environments?

Answer. The safety and effectiveness of our forces will always be my highest priority. If confirmed, I will work with USD(AT&L), the ASD(L&MR), the Joint Staff, and the Military Services to ensure we optimize our sustainment, maintenance, and materiel reliability to reduce the logistical footprint of deployed forces. I will support policies that promote technologies and strategies to reduce the logistics footprint,

and continue to emphasize logistics implications as a key factor in the decision processes for new weapon systems.

Question. What role do you expect to play, if confirmed, in developing and pursuing alternative energy sources for the Department of Defense?

Answer. If confirmed, I expect to exercise oversight of the Department's efforts to develop and pursue energy innovations that advance military missions and capabilities, or innovations that lower our base operating costs.

Question. What is your assessment of DOD's current ability to track fuel consumption after point of sale at forward-deployed locations?

Answer. The Department's ability to track fuel consumption after point of sale at forward-deployed locations has improved and continues to improve. The Department is collecting quarterly estimates of operational energy consumption with increasing granularity, and improving its ability to better manage energy in the deployed environment. While there are still challenges in tracking fuel consumption by contingency base camps and ground vehicles, I am confident the Department will continue to increase its ability to measure—and, thus manage—consumption of operational energy at forward-deployed locations.

Question. Many of the energy efficiency initiatives that are currently being developed are designed for use in high heat desert terrains.

To what extent, if any, is DOD planning and developing energy saving equipment and technologies to support the warfighter in other environments that may have differing climates?

Answer. The Departments energy priorities are derived from current and projected operational needs, so that our forces can operate effectively in every region of the world, in every environment, and against every threat. If confirmed, I will ensure that the energy-saving equipment and technology we are fielding is flexible and adaptable across a range of contingencies, and is designed to improve our warfighting capability by lightening the load for our expeditionary forces, reducing the vulnerability of logistics support lines, and optimizing the performance of our systems and operating bases.

Question. Last July, the Assistant Secretary of Defense for Operational Energy Plans and Programs published a policy that any alternative drop-in replacement fuel procured for DOD-wide use and distribution within the Class III (Bulk) supply chain must compete with petroleum products and any awards will be based on the ability to meet requirements at the best value to the government, including cost.

What is your view of this policy?

Answer. I support this policy. It is prudent for the Department to engage in tests and demonstrations that confirm defense equipment can operate on a range of fuels; however, as the Department allocates its limited resources to ensure it delivers necessary warfighting capability, it should only buy large volumes of these fuels when they are cost-competitive with petroleum products.

Question. What is your assessment of section 526 of the Energy Independence and Security Act of 2007? What impact, if any, has this provision had on the operations and activities of the Department of Defense?

Answer. Section 526 has not restricted the Department from purchasing whatever fuel it has needed to support military operations. It is my understanding that section 526 applies only to contracts that are for the express purpose of buying alternative or synthetic fuel. As long as mission capability is not restricted, it is helpful to have this guidance that new fuels should not be any more polluting than fuels produced from conventional petroleum sources.

Question. If confirmed, what priorities would you establish for Defense investments in energy technologies?

Answer. If confirmed, my priority will be to focus on energy technologies, as well as tactics, techniques, and procedures, that improve the capabilities and effectiveness of our military forces, reduce our costs, or help meet the needs of our installations. This means energy innovations and policies that improve the performance of our systems, expeditionary outposts, and even portable equipment carried by our personnel.

ENVIRONMENTAL SECURITY

Question. If confirmed, you will be responsible for assisting the Under Secretary in the oversight of environmental security issues for the Department of Defense.

What do you see as the most significant challenges facing the Department in the area of environmental security?

Answer. The greatest challenge will be maintaining and improving the Department's level of environmental performance given the extremely challenging budget environment—to include the threat of sequestration to impose across the board cuts

despite legal requirements; the execution difficulties posed by Continuing Resolutions; and the overall tightening of the budget. If confirmed, I will continue to look for ways to meet these challenges to protect human health and the environment across our enterprise.

Question. Assuming you are confirmed, what plans if any do you have for addressing these challenges?

Answer. If confirmed, I will continue the aggressive oversight of environmental programs, with the goal of minimizing management costs and making our organizational structure and performance contracts as efficient and effective as possible. I will also continue to emphasize strategic R&D investments in technologies to lower the costs associated with environmental cleanup and compliance.

Question. While the Military Departments have made considerable progress addressing environmental contamination at military installations, there remains a substantial amount of work to be done, including the remediation of discarded munitions and Unexploded Ordnance (UXO), at current and former DOD sites. The military departments have managed to maintain reasonably level funding for these cleanup programs over the past several years; however, many of these clean-ups will take years to complete and, in the current budget environment, the restoration accounts will come under pressure.

What steps, if any, do you believe are needed to ensure that the DOD remediation programs receive adequate funding and make meaningful progress, particularly in the detection and clearance of discarded munitions and UXO?

Answer. I believe that continuing the Department's existing remediation programs is important, and, if confirmed, I will work to balance resources so as not to extend cleanup timelines and jeopardize our ability to meet cleanup goals. I also support continued R&D investments in programs that can reduce the cost and timelines for cleanup. The Department is validating new technology for detection and clearance of unexploded ordinance that may dramatically accelerate cleanup of these sites and will lower the overall liability of the Department.

Question. How might the Strategic Environmental Research and Development Program (SERDP) help with the overall progress of the Defense Environmental Restoration program, particularly in view of the current fiscal environment?

Answer. SERDP and its companion program, the Environmental Security Technology Certification Program (ESTCP), have and should continue to reduce the cost and improve the efficacy of the Department's cleanups under the Defense Environmental Restoration Program.

Question. Technologies that can significantly reduce the costs of Unexploded Ordnance (UXO) cleanup that were developed by SERDP are now being demonstrated under ESTCP at actual UXO contaminated sites across the country. We expect the new cleanup technologies to become the standard approach at UXO contaminated sites within a few years, reducing the costs significantly. SERDP and ESTCP have already saved DOD billions of dollars by developing and transitioning technologies for contaminated ground water and sediment sites.

Answer. SERDP and ESTCP are now turning toward more challenging and complex sites that constitute the remaining liability under the Defense Environmental Restoration Program. If confirmed I will continue to support these programs and work to ensure that they are adequately funded and effectively executed.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Principal Deputy USD(ATL)?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted com-

mittee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR BILL NELSON

WASTEFUL SPENDING

1. Senator NELSON. Mr. Estevez, we are often so focused on the next budget to be passed that we consider the termination of a program as savings. According to a report from Forbes magazine, the Army has wasted $32 billion on weapons projects since 1995 and both the Navy and Air Force cancelled their share of programs to save money. What lessons have we learned from cancelling these contracts?

Mr. ESTEVEZ. We have learned over the years that cancelling developmental programs is a mixed proposition.

When a program becomes less valuable due to changing threats or significant technical problems, such cancellations may be exactly the right thing to do—we avoid spending even more money on unaffordable or nonperforming programs. In such cases, we need to make cancellation decisions as early as possible.

The most important lessons we have learned from major program cancellations are to ensure a program is affordable from the start and to understand and track the key framing assumptions for each program. Blind optimism about long-range affordability does not serve us well; we must analyze long-range cost estimates relative to reasonable budgetary expectations early during requirements generation to make each program affordable. We must also understand the risks to cost and schedule inherent in framing assumptions and act early upon any changes to avoid incurring large sunk costs on programs. We must control requirements creep through methods such as configuration control boards.

Not all sunk costs are squandered when we cancel a program, however. Technology and manufacturing knowledge from such programs can be applied to some extent in other systems and programs.

The Department is managing our acquisition processes for improved efficiencies through our Better Buying Power initiative.

2. Senator NELSON. Mr. Estevez, how can we improve our acquisitions and procurement processes in the future to avoid this wasteful spending?

Mr. ESTEVEZ. The Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics has initiated several processes to improve acquisitions and procurement in our ongoing Better Buying Power initiative efforts. Below are some key elements:

First, we need to avoid starting or continuing programs that cannot be produced and supported within our future long-range budgets. Our process for affordability analysis must involve the requirements and resource communities to scope requirements early, set lifecycle cost constraints on programs, and enforce those constraints through cost-control measures and possible early tradeoffs of requirements.

Second, if we consider starting an effort with the intent of developing technology or designing capabilities, we must carefully select those efforts and weigh the costs and benefits of new technologies as we learn more as the program progresses. Then we must decide whether to halt an effort that initially appeared promising, or for which we may not need production in quantity in the short-term. In doing so, our program reviews and gates must be meaningful, deliberate, and more effective.

Third, we need to understand and monitor the key assumptions that frame each developmental program. Developing systems that push the state-of-the-art involves risks, uncertainty, and informed assumptions on technologies and operational paradigms. We must overtly consider these framing assumptions at program initiation, then establish and monitor indicators as assumptions prove to be true or not. Then we can intervene early to solve the problem or cancel the program before sinking significant resources into an unviable or immature capability.

Fourth, we must continue to increase the cost consciousness of the acquisition workforce. It is critical that we target affordability, control cost growth, and incentivize productivity and innovation while ensuring the best support to the warfighter. Our efforts must span across all acquisition and sustainment activities. In order to be successful, we need to instill a culture of cost consciousness through

sound business acumen, establishing clear expectations, and recognizing/rewarding the right behavior.

F–35 ACQUISITION

3. Senator NELSON. Mr. Estevez, the National Defense Authorization Act (NDAA) for Fiscal Year 2013 called for the purchase of 29 F–35 Joint Strike Fighter aircraft. Sequestration will slow the acquisition of these aircraft by three to four each year. How will sequestration affect the per unit cost of the future purchase of an F–35?

Mr. ESTEVEZ. The F–35 program was established on the concept of economies of scale for production costs. Any reduction in the procurement quantity of F–35s in a given year, either from our international partners or from a U.S. Service, will result in an increase in the cost of each remaining jet. The Department is assessing the impact that sequestration will have on the fiscal year 2013 budget; however, if sequestration is continued over the next 10 years, the impact on the F–35 program will be significant. In one scenario the Department of Defense (DOD) is considering, sequestration could result in a reduction of seven to nine U.S. aircraft from the fiscal year 2013 Low Rate Initial Production Lot 7 buy across all three Services producing a corresponding increase in the cost per jet in Lots 7–11 of approximately 2.3 percent.

4. Senator NELSON. Mr. Estevez, what is the effect on our allies and their desire to purchase F–35s?

Mr. ESTEVEZ. The F–35 program was established on the concept of economies of scale for purchases. Many of our allies and partners are facing financial challenges similar to what we are encountering. While there continues to be strong support from the Services in these countries, at the political level we are seeing increased scrutiny and pressures. Any change in the per unit cost of the F–35 in a given year may cause our partners to reassess their purchases in that year and potentially delay their procurement.

JOINT SURVEILLANCE TARGET ATTACK RADAR SYSTEM

5. Senator NELSON. Mr. Estevez, the Joint Surveillance Target Attack Radar System (JSTARS) aircraft have proven themselves in all recent conflicts, including Libya. The decision has been made to terminate the reengining program and the Air Force has indicated a need to upgrade the avionics sensors, as well as other systems to keep the aircraft viable. In light of the current budget environment and the need to recapitalize the fighter, bomber, and tanker fleet concurrently, do you believe it makes sense to modernize the JSTARS platform?

Mr. ESTEVEZ. Yes, it makes sense to modernize but such modernization must be prioritized along with other critical programs. Due to severe fiscal limitations, DOD is rationalizing how best to allocate its continued investment in the E–8C JSTARS modernization. The JSTARS program currently includes funds to operate and maintain the system through the Future Years Defense Program. In this austere budget environment, the limited JSTARS funding available was prioritized to address diminishing manufacturing sources in order to keep the aircraft mission capable. Any future JSTARS modernization or recapitalization will leverage ongoing technology development from other Defense programs and will be weighed against other DOD priorities.

QUESTIONS SUBMITTED BY SENATOR CLAIRE MCCASKILL

CONTRACTING AND ACQUISITION

6. Senator MCCASKILL. Mr. Estevez, I have already reached out to DOD to ask how officials plan to implement the major components of my wartime contracting reform legislation, which was signed into law as part of the NDAA for Fiscal Year 2013. Many of those provisions will fall within the responsibility of the Acquisition, Technology, and Logistics (AT&L) secretariat to carry out, including those that pertain to current contingency in Afghanistan. Will you commit to identifying whether AT&L has sufficient personnel to address the reforms required in these provisions?

Mr. ESTEVEZ. Yes, if confirmed, I will commit to identifying whether AT&L has sufficient personnel to address the reforms required in these provisions.

7. Senator MCCASKILL. Mr. Estevez, are you committed to ensuring that the reforms are integrated into planning and training so that they will not be ignored in future contingencies? If so, what steps do you commit to taking?

Mr. ESTEVEZ. Yes, I remain fully committed, in partnership with appropriate DOD organizations, to include the Joint Staff, and the combatant commands, to integrate planning and training reforms to ensure improved contingency contracting performance and management during future contingencies.

Specifically, I will, if confirmed, continue ongoing efforts and initiate new efforts to institutionalize process tools (e.g., 3 in 1; Contingency Acquisition Support Module, and other business and planning tools used across the combatant commands) and doctrine that facilitate and strengthen both Contingency Contracting and Operational Contract Support (OCS). The Department has established the OCS Functional Capabilities Integration Board to actively monitor all ongoing and planned OCS related initiatives across the Department. The Board meets quarterly, or more often, as required, to conduct independent assessments and analyses of OCS capabilities (to include supporting doctrine, organization, training, materiel, leadership and education, personnel, and facilities of the armed forces). Additionally, the Department is in the process of revising pertinent guidance to address any weakness in our training with several new and revised OCS courses in the development phase.

8. Senator MCCASKILL. Mr. Estevez, in a constrained fiscal environment, it is more important than ever to ensure that there is a sufficient number of trained acquisition and other management personnel capable of overseeing, not just executing, contracts by DOD to ensure that U.S. taxpayers' dollars are being spent wisely. How will you ensure that the quality and current level of oversight of contracts is maintained despite austere budgets?

Mr. ESTEVEZ. I agree contract oversight is a key element of ensuring taxpayer dollars are spent wisely. The largest portion of DOD contract oversight rests with the Defense Contract Management Agency (DCMA) and the Department has taken steps, aided by the Defense Acquisition Workforce Development Fund (DAWDF), to grow and strengthen the DCMA workforce. Since 2008, DCMA has increased its acquisition workforce by over 15 percent, and projects continued growth in the foreseeable future. Additionally, DCMA has bolstered its training programs and partnered with the Defense Acquisition University to establish the College of Contract Management to provide critical courseware that is both relevant and rigorous. If confirmed, I will work with the rest of the Department leadership to sustain these gains.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

EFFICIENCIES

9. Senator INHOFE. Mr. Estevez, for years DOD has embarked on several efficiency campaigns. Both Secretaries Gates and Panetta have included efficiency initiatives as part of the President's budget submission. Do you believe DOD has adequate tools to track efficiencies?

Mr. ESTEVEZ. Yes, DOD has the tools to track efficiencies. As you stated, Secretaries Gates and Panetta have included efficiency initiatives as part of the President's annual budget submission, and required the Department to track the status of the initiatives. The Department continues its process of tracking the status of each efficiency initiative to determine if the projected savings are on track, while at the same time assessing the associated program and milestone risks. For those efficiency initiatives under the purview of the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, our efficiencies remain valid and at the projected levels.

10. Senator INHOFE. Mr. Estevez, how successful has DOD been in realizing the efficiencies already assumed in previous budget requests?

Mr. ESTEVEZ. DOD has been very successful implementing and realizing efficiencies assumed in recent budgets. There is a robust process of tracking the status of each efficiency initiative to determine if the projected savings are on track and whether there are associated program and milestone risks. For those efficiency initiatives under the purview of the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, our efficiencies remain valid and at the projected levels. These initiatives enabled the Department either to reduce funding requirements or apply them to other high-priority requirements.

11. Senator INHOFE. Mr. Estevez, what lessons have you learned in the assumptions used in taking efficiencies?

Mr. ESTEVEZ. I have learned that no matter how many times you have looked for efficiencies in the past, there is always a way to improve the level of efficiency of your overall portfolio. However, in identifying efficiencies, it is paramount that the affected functional communities and oversight organizations be involved, and that any barriers to implementing or executing efficiencies be identified and addressed.

DEPOT IMPACT FROM DECREASED BUDGETS

12. Senator INHOFE. Mr. Estevez, you mentioned in your answers to the advance policy questions that "We must maintain a ready and controlled source of Government-owned and -operated depot maintenance capability by leveraging the principles of core and 50/50 statutes." The prospect of a $42 billion cut from the defense budget this year from sequestration and the pressure of underfunded readiness accounts due to the Continuing Resolution will have a devastating effect on depot and shipyard maintenance activities for the rest of the year. In your opinion, in this unprecedented fiscal environment, what can be done to preserve our defense depot capabilities?

Mr. ESTEVEZ. While leveraging the principles of core and 50/50 statues will help us preserve the depot and shipyard critical capabilities, the magnitude of the reductions and shortfalls are forcing trade-offs between priority requirements across the Department. Negative impacts on depot workloads are unavoidable given the need to sustain operations in Afghanistan and meet our global commitments.

13. Senator INHOFE. Mr. Estevez, how will you maintain the critical skills of our depot and shipyard employees?

Mr. ESTEVEZ. DOD is required by title 10, U.S.C., section 2464, to maintain a core logistics capability. However, the reductions associated with sequestration have the potential to erode critical skills and capabilities over the long-term. If confirmed, I will ensure we attempt to protect critical skills by workloading the most critical capabilities.

14. Senator INHOFE. Mr. Estevez, if confirmed, what will you do to maintain an efficient and consistent workload through military depots if defense budget sequestration is allowed to occur?

Mr. ESTEVEZ. Unfortunately, due to operating under a Continuing Resolution for half of the fiscal year, implementation of sequestration and higher than anticipated Overseas Contingency Operations costs, the Services are reducing and cancelling third and fourth quarter depot inductions. Given the concentrated effect of this fiscal situation, the Services do not have sufficient funding to maintain current, consistent, nor efficient depot workload. In this environment, DOD and the Services will smooth workload adjustments by slowing throughput of existing funded work and pacing the remaining funded inductions while attempting to satisfy readiness requirements.

15. Senator INHOFE. Mr. Estevez, please describe how you plan to leverage the principles of core and 50/50 statutes during this budget crisis.

Mr. ESTEVEZ. Adherence to core and 50/50 statutes will help us preserve the depot and shipyard critical capabilities. Within that framework, DOD will allocate resources and execute schedules to minimize negative impacts to our depot capability and protect critical maintenance functions. This should enable the Department to protect critical capabilities in both the public and private sectors.

DEPOT WORKLOAD

16. Senator INHOFE. Mr. Estevez, the Military Services and the National Guard all operate military depots with a certain degree of capacity and workload duplication. The Logistics Management Institute pointed out in a February 2011 report that "at the strategic level, enhanced, integrated governance is required to best manage the day-to-day workload across all organic depot-level capabilities." Do you agree with this statement?

Mr. ESTEVEZ. Yes, cross-Service strategic governance is provided through DOD regulations and instructions and executive committees and boards, such as the Maintenance Executive Steering Committee, the Joint Group on Depot Maintenance, and the Joint Logistics Board. The Department continually improves its strategic governance by enhancing the effectiveness and efficiency of these executive

bodies. In addition, the Department is in the final stages of issuing a revised Depot Source of Repair instruction that will enhance strategic assignment and establishment of depot capability.

17. Senator INHOFE. Mr. Estevez, in your opinion, what needs to be done within DOD to minimize workload duplication at a time when workload will be decreasing?

Mr. ESTEVEZ. While we have improved cross-Service collaboration and have had some success in workload reallocation to improve efficiency, DOD is limited in addressing capacity duplication with respect to existing capability. To mitigate unnecessary assignment of future workload, the Department is in the final stages of issuing a revised Depot Source of Repair instruction to enhance strategic assignment and establishment of depot capability by requiring single-departmental and single-Service sources of repair.

18. Senator INHOFE. Mr. Estevez, are we at the point that the Services should look to consolidating similar workloads, such as aircraft engines, into one facility?

Mr. ESTEVEZ. Yes, we are. Our current fiscal situation demands that we look at all opportunities to enhance efficiency and reduce our cost of operations. While we have improved cross-service collaboration and have had some success in workload reallocation to improve efficiency, DOD is limited in addressing capacity duplication with respect to existing capability. However, the Department is implementing a Depot Source of Repair instruction to prevent unnecessary assignment of future workload.

19. Senator INHOFE. Mr. Estevez, to what extent should the Military Services be allowed to manage their depot activities taking into consideration their unique mission requirements?

Mr. ESTEVEZ. The Services should manage their depot workload to meet their mission requirements; however, DOD's draft Depot Source of Repair instruction will ensure consideration of existing depot capability prior to establishing duplicate capability. Additionally, the Department's joint governance bodies, such as the Maintenance Executive Steering Committee, the Joint Group on Depot Maintenance, and the Joint Logistics Board enable collaboration and strategic decisionmaking.

20. Senator INHOFE. Mr. Estevez, do you believe the methodology for the determination of core depot requirements needs to be strengthened? If so, how?

Mr. ESTEVEZ. Yes, DOD is currently reviewing DOD Instruction 4151.20, "Depot Maintenance Core Capabilities Determination Process," and will assess current methodology with the objective of strengthening the requirements determination process. Given where we are in the assessment process, it is premature to identify specifics.

DEPOT POLICY

21. Senator INHOFE. Mr. Estevez, as you may know, we experienced a bit of turmoil over the last year on Federal statutes intended to provide guidance for the management of defense depot requirements. The Senate was successful in December in restoring the traditional framework, which has resulted in a balance over the years of a consistent workload for depots. Part of the agreement with DOD was to inform Congress of any potential depot policy changes before they take place. If confirmed, will you agree to share with Congress any concerns and/or policy issues related to the management of military depot activities before promulgating any policy changes to the Military Services?

Mr. ESTEVEZ. Yes, if confirmed, I will share any policy changes prior to implementation.

22. Senator INHOFE. Mr. Estevez, do you currently anticipate proposing any changes to depot policies?

Mr. ESTEVEZ. We are reviewing current polices for potential updates. We anticipate improvements in how we define depot maintenance to include clarification of modifications coincident with maintenance operations and software maintenance. We also anticipate adjustments that would address maintenance in support of systems that were acquired in nontraditional acquisitions. If confirmed, I look forward to working with the committees as we develop these proposals and will ensure our depot policies follow congressional intent.

BETTER BUYING POWER 2.0

23. Senator INHOFE. Mr. Estevez, DOD is currently developing its latest initiative designed to achieve continuous improvement. This enterprise, called Better Buying Power 2.0, places particular importance on improving not only the technical qualifications but experience and leadership skills of DOD's acquisition workforce. Ensuring DOD's acquisition workforce has greater experience and improved technical competence in order to achieve the goals of acquisition reform was a central argument in Ronald Fox's book, "Defense Acquisition Reform, 1960 to 2009: An Elusive Goal," and the Defense Science Board's 2009 study titled, "Creating a DOD Strategic Acquisition Platform". However, what is less certain are the means by which DOD intends to achieve a better trained and more experienced acquisition workforce. What are DOD's specific plans to increase the skills and experience of its acquisition workforce through the Better Buying Power 2.0 initiative?

Mr. ESTEVEZ. DOD is focused on increasing the professional skills and experience of its acquisition workforce through the Better Buying Power 2.0 initiative, which includes establishing higher professional qualification standards for Key Leadership Positions (KLPs) and the "Certification to Qualification" initiative.

The KLP initiative will define mandatory KLPs and establish core position requirements, qualifications, and attributes. The "Certification to Qualification" structure framework is currently in development and will focus on the demonstration and documentation of the skill sets required by the acquisition workforce in order to achieve successful acquisition results. The Defense Acquisition Workforce Development Fund (DAWDF) has proven to be a critical asset for the Department to increase the capacity and capability of its acquisition workforce. The DAWDF has enabled the DOD Components (Services, Defense Agencies, and other DOD organizations) to provide targeted training and leadership development programs for acquisition workforce personnel.

DEFENSE PRODUCTION ACT

24. Senator INHOFE. Mr. Estevez, as you may know, I've expressed concern that the wide ranging authorities contained in the Defense Production Act (DPA) are being used by DOD to spend $170 million for the design and construction of a commercial biofuels refinery. Given the current budget crisis facing DOD are there higher priorities for the DPA, other than to construct a biofuels refinery, that are not currently funded?

Mr. ESTEVEZ. As one of the world's largest consumers of petroleum, the Department has an interest in diversification of fuel supplies as a hedge against potential supply disruptions, especially for our legacy fleet of ships and aircraft, which will be with us for decades to come. This initiative is consistent with the intent of the authorities of Title III of the Defense Production Act, which are uniquely focused on enabling multiple departments to leverage cost sharing with the private sector, and investing in capital expenditures, such as facility retrofits or wholesale construction.

The authority was specifically created to promote industrial production that would meet essential national defense requirements and assist in creating economically viable production capabilities. In addition to the biofuel initiative, the Title III Program is continuing to make significant investments in almost forty efforts by creating or expanding domestic production capabilities for essential materials and technologies. These include advanced lithium ion batteries for space and military applications, carbon nanotube and advanced composites for high-performance structural components, specialty steels, lightweight ammunition, and armor and advanced electronic components for next-generation radars and electronic warfare applications. We believe we are appropriately using DPA Authorities to meet our key priorities.

25. Senator INHOFE. Mr. Estevez, do you think that biofuels are a higher priority than the urgent requirements identified by the DPA Committee such as telecommunications security and the manufacturing of critical materials for military weapon systems by a country other than China? Please provide a list of the initiatives required to address shortfalls in metal fabrication, power and energy, telecommunications, and lightweight materials that are not currently funded.

Mr. ESTEVEZ. There are no unfunded DPAC initiatives. The biofuel initiative is being developed and executed concurrently with other important DPA Title III initiatives that will benefit our national defense needs and is not diverting resources from other DPA investments. The DPAC has recommended the following projects for which funds are available.

1. Metal Fabrication Study Group Heavy Forging Initiative: The DPA Title III Executive Agent is presently negotiating with the sole remaining domestic heavy forging company to modernize and expand their heavy forging capabilities that are critical for naval and other defense applications.
2. Telecommunications Study Group Optical Networks Initiative: The DPAC is working with interagency customers, including DISA and DoE that have identified a need for trusted domestic sources of hardware to support optical telecommunications capabilities.
3. Lightweight Materials Study Group: The DPAC is further defining interagency requirements for an investment in lightweight materials. Projects being developed include low cost carbon fiber and magnesium alloy processing.
4. The Power and Energy Study Group is developing initiatives for flexible solar cells for application such as Unmanned Aerial Vehicles as well as soldier portable power and power switching devices for power grid applications.

ACQUISITION REFORM

26. Senator INHOFE. Mr. Estevez, for the past several years, the Chiefs of the individual Services have repeatedly stated requirements creep is one of the major factors creating increased costs and delays in the acquisition of weapon systems. Specifically, additional capability requirements continue to be added during the development of weapons systems. Among other difficulties created by additional requirements is the redesign, and even rebuilding, of weapons systems. These concerns continue despite the fact the Joint Requirement Oversight Council must approve of any requirements changes. Therefore, what additional steps is DOD using to ensure requirements creep is reduced and to reform the Joint Capabilities Integration Development System?

Mr. ESTEVEZ. As a key factor in mitigating cost and schedule risk, control of requirements (including prevention of creep) is a priority Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) objective. DOD efforts are focused on definition of affordable, technically-executable requirements earlier in program development, identification of cost-informed tradespace, and robust oversight of requirements stability. Several initiatives have been introduced to address the drivers of changing requirements. Service Acquisition Executive-chaired Configuration Steering Boards (CSB) are intended as an oversight and controlling mechanism for proposed changes to requirements, stipulating annual identification of de-scoping options to reduce program cost or technical/schedule risk, and continuous monitoring of requirements stability. The USD(AT&L) Better Buying Power 2.0 initiative and DOD Instruction 5000.02 revision both advocate the CSB as a best practice to manage changes to requirements.

Recent revisions to the Joint Capabilities Integration and Development System process and business rules for the Joint Requirements Oversight Council have led to more flexible, rapid review, and, if necessary, modification of validated requirements that drive program cost or schedule growth beyond affordability caps. In addition, the Vice Chairman of the Joint Chiefs of Staff; USD(AT&L); and Director, Cost Assessment and Program Evaluation, as well as Service Vice Chiefs and Acquisition Executives, recently agreed to establish a periodic leadership forum to synchronize requirements, acquisition and programming, and budgeting activities. This will ensure further top-level leadership attention to emerging program difficulties caused by changing requirements and facilitate early engagement to ensure programs remain on track to provide timely and cost-effective capabilities to the warfighter.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

OHIO-CLASS SUBMARINE REPLACEMENT/MODERNIZATION

27. Senator CHAMBLISS. Mr. Estevez, you will be dealing with a litany of challenges from current budget constraints. According to your duties, you will aid in the establishing of policies for acquisition (including procurement of goods and services, research and development, developmental testing, and contract administration) for all elements of DOD. There is concern that in this time of fiscal uncertainty, the replacement of the *Ohio*-class submarine, a requirement for past Senate ratification of the new Strategic Arms Reduction Treaty (START), will be overlooked or delayed. How will you balance and maintain oversight of the modernization of crucial programs, such as the *Ohio*-class replacement program, during your time as the Under Secretary?

Mr. ESTEVEZ. DOD is dedicated to recapitalizing the SSBN force to provide the Nation's most survivable deterrence capability. The Department remains committed to an ultimate SSBN force level of 12, which is required to meet current U.S. Strategic Command (STRATCOM) strategic deterrence requirements.

To balance DOD priorities and meet fiscal constraints, the President's budget request for fiscal year 2013 shifted *Ohio*-class replacement's (OR) lead ship construction from fiscal year 2019 to fiscal year 2021 with all follow-on submarines also being shifted 2 years. The Department remains committed to accomplishing the design and construction in the most cost-effective manner possible.

This delay results in a 10-year reduction in SSBN force level. Delaying the start of construction adds risk to the Navy's ability to meet current STRATCOM requirements in the 2030s; however, during this time, neither the *Ohio*-class (nor the *Ohio* replacement) will have major overhauls planned, helping to mitigate the risk associated with a reduced force level during this period. The Navy will be closely managing this risk during this transition period. By 2042, OR construction plans will return the SSBN force level to 12, supporting the start of extended maintenance periods for the new class and removing on average 2 SSBNs from the operational fleet per year.

This delay will not materially affect the ability of the Department to support the President's commitment to a safe, secure, and effective nuclear deterrent as long as nuclear weapons exist. I believe that we must continue to aggressively scrutinize each of our programs to ensure we maintain critical capabilities in a fiscally responsible manner, which includes force modernization efforts such as the *Ohio*-class replacement.

ACQUISITION WASTE

28. Senator CHAMBLISS. Mr. Estevez, DOD, at times, has a dismal record in regards to its acquisition programs. In a report by the Center for Strategic and Budgetary Assessment, they estimate that in the last decade alone, $46 billion has been utilized on programs that were never fielded to the force. Wasteful spending must be mitigated and eliminated in regards to our defense acquisition programs. What overhaul or changes will you implement to ensure that acquisition programs are feasible and executable?

Mr. ESTEVEZ. If confirmed, I will continue to support the evolution of the Department's Better Buying Power initiatives and related activities. I will facilitate the implementation of affordability analysis and cost constraints on programs; in particular, this will involve monitoring and enforcing affordability caps while working with the Service Acquisition Executives and the requirements community to address cases where, despite all efforts to control costs, the caps cannot be met. In addition, I will expand the use of identifying and monitoring key framing assumptions as a tool for informing decisions as early as possible.

Throughout all of these activities, I will support the development of our acquisition workforce. Program feasibility and executability rely on our ability to work openly and intelligently with our partners outside the immediate acquisition community to inform their decisions and expectations as to what capabilities our technology and industrial base can provide and at what cost and schedule.

SMALL BUSINESS ACT

29. Senator CHAMBLISS. Mr. Estevez, there is inherent value of small businesses in our economy which support public good especially in the economic advancement of disadvantaged demographics such as Veterans, Native Americans, Women, and Minorities. However, the Military Services all struggle to reach the 23 percent small business award goal set forth in the legislation of the Small Business Act. The Services often feel pressure to award a contract to small business to reach that goal, sometimes at greater expense to the taxpayer and lower quality to the warfighter. As a consequence, this adversely affects the cost and quality of capabilities needed by our warfighters. Also, equally worthy organizations such as non-profit institutions or educational organizations are excluded from contract competition. Given the current budget crisis facing DOD, how should we amend the Small Business Act to better serve the taxpayers and the warfighters?

Mr. ESTEVEZ. I believe that the Small Business Act, as implemented in the Federal Acquisition Regulation (FAR) and DOD FAR Supplement, properly protects the best interests of our warfighters and the taxpayers and, at this time, I do not believe that changes to the Small Business Act are needed to achieve that objective.

Although the Small Business Act requires that the Government-wide goal for small business prime contracts be established at not less than 23 percent, the Small Business Administration negotiates with agencies to establish individual agency goals that, in the aggregate, comprise the Government-wide goal. The fiscal year 2013 DOD goal for Small Business prime contracting is 22.5 percent. Among the Military Services, the Department of the Army has consistently exceeded the DOD goal, averaging 24.06 percent between fiscal year 2009 and fiscal year 2012.

Furthermore, it has not been my experience that awarding contracts to small businesses has resulted in greater expense to the taxpayer and lower quality to the warfighter. I note in this regard that the FAR Part 19.501(g) provides that, "Except as authorized by law, a contract may not be awarded as a result of a small business set-aside if the cost to the awarding agency exceeds the fair market price." FAR Part 9, pertaining to contractor qualifications, prescribes the policy at FAR Part 9.103 that, "Purchases shall be made from, and contracts awarded to, responsible prospective contractors only." I believe DOD's acquisition workforce strives to ensure that awarded contracts represent the best value to the Government and taxpayers, while ensuring that quality goods and services are provided. In my experience, rather than adversely affecting the cost and quality of capabilities, small businesses are an important source of cost-effective innovation critical to supporting the needs of our warfighters.

30. Senator CHAMBLISS. Mr. Estevez, how would you direct the Services to implement current exceptions to the FARs to protect educational or other non-profit institutions as well as our ability to achieve industrial mobilization?

Mr. ESTEVEZ. This is an important area and, if confirmed, I will monitor it closely. I believe the FAR permits educational and other non-profit institutions to participate in full and open competition for DOD procurements. I am unaware of instances where they have been prohibited from doing so. Additionally, protecting our ability to achieve industrial mobilization and protecting educational or other non-profit institutions providing critical support in this area can be addressed using FAR Part 6.302–3. This regulation provides that "Full and open competition need not be provided for when it is necessary to award the contract to a particular source or sources in order: (i) To maintain a facility, producer, manufacturer, or other supplier available for furnishing supplies or services. to achieve industrial mobilization," or "(ii) To establish or maintain an essential engineering, research, or development capability to be provided by an educational or other nonprofit institution or a federally funded research and development center."

Furthermore, most of DOD's work with educational and other non-profit institutions takes place pursuant to grant regulations rather than under the FAR. Therefore, at this time, I do not feel that it is necessary to provide additional direction to the Services to address these issues.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

DEFENSE INDUSTRIAL BASE

31. Senator AYOTTE. Mr. Estevez, in your responses to the advance policy questions, you say that you are: "concerned about the impact that further defense budget cuts would have on the ability of the [industrial] base to provide the broad range of products and services that the Department and our Nation need." What impact would defense sequestration and a full year Continuing Resolution have on our defense industrial base?

Mr. ESTEVEZ. Although a full year Continuing Resolution did not materialize, Defense sequestration is expected to lead to unintended, unsafe, and wasteful consequences for the Department, some of which will have secondary effects that last for years. Sequestration will degrade capital market confidence in the defense industry. Companies have been less willing to make internal investments in their defense portfolio, including investments in innovation and design. The impact of sequestration will be even greater on smaller firms at the lower levels of the supply chain, where much of the innovation takes place. These smaller firms often lack the capital structure to withstand prolonged uncertainty. As a result, we expect to see additional merger activity and vertical integration at the lower tiers. Some firms, particularly the small firms with more fragile capital structures, may have to close their doors completely. Continued technological innovation and the financial viability of our defense industrial base are strongly in our national interest.

32. Senator AYOTTE. Mr. Estevez, what impact would this damage to our defense industrial base have on our warfighters?

Mr. ESTEVEZ. With reductions in funding, there is a likelihood that market forces and dynamics will lead to a restructuring of our industrial base. In a normal downturn cycle, these forces, and competition in general, can be positive in that they ensure industry is cost-effective and providing the greatest value for the taxpayer's investment. However, in a rapid or unstructured decline, the impact can have long-term negative consequences.

In the near-term, we could expect to see some consolidation within the smaller and mid-size firms in the industrial base, which may siphon away some critical skills, particularly in the areas of engineering and design. Our technological superiority on the battlefield relies on the skills of the engineering and design teams within industry. The loss of these design teams could have a long-term negative impact on the Department's ability to field the capabilities our warfighters need.

Recognizing the changing nature of the fiscal outlook, in 2011, the Department implemented a sector-by-sector and tier-by-tier approach to assessing the industrial base. This approach methodically assesses the criticality and fragility of DOD vendors, across sectors and down through the tiers, to identify critical skills and capabilities that if lost, could negatively affect the ability of industry to satisfy DOD requirements when called upon. In part, because of these analyses, the Department is better able to inform decisionmakers in the Services and at the Department level of the potential industrial capability impacts of budget decisions.

33. Senator AYOTTE. Mr. Estevez, how would this impact our national security?

Mr. ESTEVEZ. Defense cuts must be carefully managed to minimize the impact on national security. With reduced investment in the private sector, it is logical to expect some job losses as industry right-sizes to support the Department's needs. Defense cuts may disproportionately impact smaller firms at the lower levels of the supply chain because these firms lack the capital structure to withstand prolonged cuts. As a result, we will see additional merger activity and vertical integration at the lower tiers of the defense industrial base as companies reduce capacity to meet demand. This merger activity could lead to the loss of innovation and design capabilities in the industrial base. Mergers may result in reduced competition, which the government will have to monitor or address on a transaction by transaction basis. With reductions in design capabilities and production capabilities, we may see longer timelines to field, maintain, or overhaul equipment. We may also need, over the long-term, to invest significantly to restore lost capability and capacity during a crisis.

QUESTIONS SUBMITTED BY SENATOR MIKE S. LEE

BIOFUELS

34. Senator LEE. Mr. Estevez, in 2012, the Navy undertook the expensive "Great Green Fleet" demonstration, purchasing 450,000 gallons of biofuel at $26 a gallon for a total of $12 million spent on fuel for just one demonstration. The Air Force similarly spent $639,000 on 11,000 gallons of biofuels for a demonstration in 2012, costing the taxpayer $59 per gallon. With the prospect of sequestration and a much tighter defense budget in coming years, do you believe that the military should continue such large-scale demonstrations using biofuels? Please provide a yes or no answer, and if answering yes, please provide a justification as to why programs involving biofuels should be prioritized over other research and development programs.

Mr. ESTEVEZ. Yes, I believe that DOD should continue its modest investment in alternative fuels. As one of the world's largest consumers of petroleum, the Department has an interest in diversification of fuel supplies as a hedge against potential supply disruptions, especially for our legacy fleet of ships and planes, which will be with us for decades to come. Over the next 5 years, 96 percent of the Department's funding to improve operational energy use is devoted to reducing the amount of fuel required for military operations. The remaining 4 percent is a relatively small, but important investment in alternative fuels, which is a longer term strategy for our energy security. Most of this investment ensures that our equipment can operate on a wide range of fuels, so we are prepared if and when alternative fuels become commercially available. As petroleum is a finite resource, we believe this to be a prudent investment, and we have been performing these types of activities since 2003.

The Department's primary alternative fuels goal is to ensure operational military readiness and further the flexibility of military operations through the ability to use

multiple reliable fuel sources. To help achieve this goal, we released the DOD Alternative Fuels Policy for Operational Platforms in July 2012. The policy confirms that all investments are subject to rigorous, merit-based evaluation and that the Department will not make bulk purchases unless they are cost competitive with petroleum products. To date, the Department has only purchased relatively small test quantities of alternative fuels, which are used in testing, evaluation, or demonstration activities. These purchases are mostly prototypes and should not be equated with commercial fuels purchases. I will ensure that the Department complies with the existing internal policy.

FUTURE ACQUISITION PROCESS

35. Senator LEE. Mr. Estevez, with the prospect of sequester cuts to DOD this year and continuing cuts through the next 9 fiscal years, we must change the way that acquisitions are conducted in order to be more efficient and cost effective. Necessary acquisitions, such as our next generation fighter jet, have been plagued by delays and budget overruns. What lessons have been learned so far from the F–35 program that you will implement in future acquisitions?

Mr. ESTEVEZ. There are a number of lessons from the F–35 program that we are applying across the acquisition structure. The previously approved level of concurrency in the F–35 program was based on the expectation that improvements in engineering design tools and modeling and simulation capabilities would result in a reduced level of discovery in flight test compared to our historical experience with similar acquisition programs. However, we learned those assumptions were invalid and they have not replaced the need for careful and thorough developmental testing of complex weapons systems. We need to ensure acquisition strategies are based on sound technological judgment, reinforced with strong program management underpinned with proven systems engineering and appropriate developmental testing. We have introduced Better Buying Power initiatives that will reinforce strong acquisition discipline, manage costs and program affordability, and strengthen the acquisition workforce. I believe it is vital that the acquisition and engineering professional leadership in the Department exercise early active involvement in our acquisition programs, and regularly ensure sound program management, engineering, and testing for every program. A program based on sound acquisition and engineering principles will have the best chance to succeed and execute within its planned cost and schedule.

F–35 COST OVERRUNS

36. Senator LEE. Mr. Estevez, delays and cost overruns with the F–35 have caused some of our partner nations, most recently Canada and Australia, to reassess their acquisition of the jets. What effects will a reduction of purchases outside of the United States have on the program and the cost of the jet?

Mr. ESTEVEZ. The F–35 delivers joint- and partner-nation air power essential to our mutual security strategy and is a capability needed to defeat 21st century threats. The F–35 program was established on the concept of economies of scale for purchases. Any reduction in the planned procurement quantity of F–35s, either from the International Partners or from a U.S. Service, will result in an increase in the unit cost of each remaining F–35 to be procured. The amount of the cost increase will be a factor of how many jets are reduced from the currently planned procurement quantities, and in which years.

37. Senator LEE. Mr. Estevez, how are DOD and the Air Force working with our partner nations to address their concerns and maintain their participation in the program?

Mr. ESTEVEZ. The F–35 Program Executive Officer (PEO) and his staff actively engage the F–35 Partner nations on a daily basis. Members of the Partner nations are fully integrated into the F–35 Program Office. The PEO ensures open lines of communication to all of the Partners, so that all countries have the latest programmatic, technical, and financial updates to support their sovereign decisions on participation and purchases. Additionally, the Lead Service Acquisition Executive and the PEO host a number of forums throughout the year, such as the JSF Executive Steering Board, where all of the Partner nations can voice their concerns and have a discussion with senior program leaders. The Defense Acquisition Executive informs all of the Partner National Armament Directors on major U.S. budget developments affecting development and procurement accounts, in addition to hosting them annually (along with the CEOs of the larger F–35 defense contractors) to re-

view strategic level program progress and concerns. The F–35 program has demonstrated continued progress in a number of areas. Of paramount interest to the partner nations is affordability and they are encouraged with the continued cost reduction improvements realized in the unit cost of the aircraft. However, sequestration effects may negatively impact this improvement in affordability over the long-term.

[The nomination reference of Hon. Alan F. Estevez follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 22, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Alan F. Estevez, of the District of Columbia, to be a Principal Deputy Under Secretary of Defense, vice Frank Kendall III.

[The biographical sketch of Hon. Alan F. Estevez, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF ALAN FREDRIC ESTEVEZ

Education:

North Arlington High School, NJ

- 1971–1975
- High School Diploma awarded 1975

Rutgers University

- 1975–1979
- Bachelor of Arts Degree awarded 1979

Industrial College of the Armed Forces/National Defense University

- 1994–1995
- Masters of Science Degree awarded 1995

Employment record:

Department of Defense

- Assistant Secretary of Defense (Logistics & Materiel Readiness)
  - August 2011–Present
- Principal Deputy Assistant Secretary of Defense (Logistics & Materiel Readiness)
  - November 2006–August 2011
  - Performing the Duties of the Assistant Secretary of Defense (Logistics & Materiel Readiness), April 2009–August 2011
- Assistant Deputy Under Secretary of Defense (Supply Chain Integration)
  - October 2002–November 2006
- Deputy, Office of the Assistant Deputy Under Secretary of Defense (Transportation Policy)
  - May 2000–October 2002
  - Acting Assistant Deputy Under Secretary of Defense (Transportation Policy), September 2001–December 2001
- Assistant for Traffic Management, Office of the Assistant Deputy Under Secretary of Defense (Transportation Policy)
  - December 1995–May 2000

Honors and awards:

Department of Defense Distinguished Public Service Award (2013)
Department of Defense Distinguished Civilian Service Award (2011)
Presidential Rank Distinguished Executive Award (2011)
Presidential Rank Meritorious Executive Award (2006)

Office of the Secretary of Defense Medal for Meritorious Civilian Service (2005 & 2009)
Service to America Medal, National Security Category (2005)
Office of the Secretary of Defense Medal for Exceptional Civilian Service (2001)
Office of the Secretary of Defense Award for Excellence (1997)
Defense Logistics Agency Superior Civilian Service Award (1997)

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Hon. Alan F. Estevez in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Alan Fredric Estevez.

2. **Position to which nominated:**
Principal Deputy Under Secretary of Defense (Acquisition, Technology, and Logistics).

3. **Date of nomination:**
January 22, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
September 20, 1957; Kearny, NJ.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Susan Hideko Pearson (Ludrick).

7. **Names and ages of children:**
N/A.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Industrial College of the Armed Forces/National Defense University, Masters of Science in National Resource Strategy 1994–1995
Rutgers University, Bachelor of Arts in Political Science 1975–1979
North Arlington High School, NJ, High School Diploma 1971–1975

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Assistant Secretary of Defense (Logistics & Materiel Readiness), Department of Defense, Pentagon, Washington, DC, Aug. 2011–Present
Principal Deputy Assistant Secretary of Defense (Logistics & Materiel Readiness), Department of Defense, Pentagon, Washington, DC, Nov. 2006–Aug. 2011

- Performing the Duties of the Assistant Secretary of Defense (Logistics & Materiel Readiness) April 2009–August 2011

Assistant Deputy Under Secretary of Defense (Supply Chain Integration), Department of Defense, Pentagon, Washington, DC, Oct. 2002–Nov. 2006
Deputy, Office of the Assistant Deputy Under Secretary of Defense (Transportation Policy), Department of Defense, Pentagon, Washington, DC, May 2000–Oct. 2002

- Acting Assistant Deputy Under Secretary of Defense (Transportation Policy), Department of Defense, Pentagon, Washington, DC, Sept. 2001–Dec. 2001

Assistant for Traffic Management, Office of the Assistant Deputy Under Secretary of Defense (Transportation Policy), Department of Defense, Pentagon, Washington, DC, Dec. 1995–May 2000

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
DOD Liaison to Board of Governors, Electronic Product Code Global (EPCGlobal), Global Standard 1 (GS1) (standard setting group) 2004–2011.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.
None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Member, National Defense Industrial Association
Member, Museum of Modern Art, NY
Member, Defenders of Wildlife
Member, Friends of the National Zoo
Member, Corcoran Gallery
Member, WETA
Member, The Potomac Conservancy
Member, Habitat For Humanity
Member, National Parks Conservation Association
Member, The Nature Conservancy
Member, Rails to Trails
Member, Chesapeake Bay Foundation
Member, WAMU 88.5
Member, Philips Collection
Member, Potomac Appalachian Trail Club
Member, C&O Canal Trust

13. **Political affiliations and activities:**
(a) List all offices with a political party which you have held or any public office for which you have been a candidate.
None.
(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.
None.
(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.
None.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.
Department of Defense Distinguished Public Service Award, 2013
Department of Defense Distinguished Civilian Service Award, 2011
Presidential Rank Distinguished Executive Award, 2011
Presidential Rank Meritorious Executive Award, 2006
Office of the Secretary of Defense Medal for Meritorious Civilian Service, 2005 & 2009
Service to America Medal, National Security Category, 2005

Office of the Secretary of Defense Medal for Exceptional Civilian Service, 2001
Office of the Secretary of Defense Award for Excellence, 1997
Defense Logistics Agency Superior Civilian Service Award, 1997

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Estevez, A.F. and S. Geary (2006), "RFID: The Future is Now," Exceptional Release Magazine, Summer 2006, pp 26–29.

Estevez, Alan F., (2005), "RFID Vision in the DOD Supply Chain," Army Logistician, May–June 2005, pp 5–9.

Estevez, A.F. and S. Geary (2004), "Lessons from the Desert," Supply Chain Management Review, November/December 2004, pp. 38–43.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

I speak in my official capacity at various events about once a month on topics general DOD logistics topics. However, these are not formal speeches.

17.**Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

ALAN F. ESTEVEZ.

This 25th day of February, 2013.

[The nomination of Hon. Alan F. Estevez was reported to the Senate by Chairman Levin on March 20, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on October 30, 2013.]

[Prepared questions submitted to Mr. Frederick E. Vollrath by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

If so, what areas do you believe might be appropriate to address in these modifications?

Answer. Currently, I am not aware of a need for modifications to the act but if confirmed I will review its implementation and will recommend modifications if necessary.

DUTIES

Question. Section 138 of title 10, U.S.C., provides that Assistant Secretaries of Defense shall perform such duties and exercise such powers as the Secretary of Defense my prescribe.

This is a new position. Assuming you are confirmed, what duties do you expect to be assigned to you?

Answer. Upon my appointment as Principal Deputy Assistant Secretary of Defense for Readiness and Force Management (PDASD(R&FM)) in March 2012, it has been my task to establish the Office of Readiness and Force Management and I have been performing the duties of the Assistant Secretary of Defense for Readiness and Force Management. In this position, I have been serving as the principal advisor to the Secretary of Defense and the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) on all matters relating to the areas of civilian and military personnel policies, readiness of the force, military community and family policy, Total Force planning and requirements, diversity management, equal opportunity, and transition policy.

Question. What background and experience do you have that you believe qualifies you to perform the duties of this position?

Answer. I have over 40 years of human resource management and executive leadership experience, including organizational development with an emphasis on strategic level efficiencies. I retired in the rank of lieutenant general after serving 35 years in the U.S. Army human resource management command and staff positions. I last served as the U.S. Army's Deputy Chief of Staff for Personnel (G–1), where I directed all aspects of human resources management and administration for the total Army. I have also served as the corporate Vice President of Human Resources (HR) for a large global Fortune 150 Company. I have the unique experience of both government and nongovernment HR experience.

Question. Do you believe that there are any additional steps that you need to take to enhance your expertise to perform these duties?

Answer. Upon starting in the position of PDASD(R&FM), I immediately conducted face-to-face meetings with my staff (collaborative and a open dialogue). I routinely meet with the deputy assistant secretaries, directors, and the Acting Under Secretary of Defense for Personnel and Readiness to stay informed of current issues and to adjust strategies as needed. I will continue to reach out to the Departments of Veterans Affairs and Labor and the Office of Personnel Management to better our efforts to collaborate in solutions to DOD HR issues.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the Assistant Secretary of Defense for Readiness and Force Management (ASD(R&FM))?

Answer. In my view, major challenges currently confronting the ASD(R&FM) include the reduced ability to accomplish all of our missions should sequestration and resulting furloughs of the civilian workforce come to pass; finding meaningful ways to combat the Department's rising level of suicides; sustaining the All-Volunteer Force during these fiscally challenging times, as well as ensuring that we have the right Force mix as we drawdown Service end strength while applying greater manpower to emerging areas of growth such as cyber; expanding the Transition Assistance Program (TAP) and implementing the new Civilian Personnel Performance Management System; ensuring the policy provisions are complete to adopt the

changes from the extension of Same-Sex Partner Benefits; and ensuring the Military Compensation and Retirement Modernization Commission has the appropriate DOD recommendations prior to the required deadline.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I will work closely with the subject matter experts and leadership in these areas to develop proactive responses and approaches to ensure that all courses of action are timely and appropriate.

RELATIONSHIPS

Question. In carrying out these duties, what would be your relationship with the following officials:

The Secretary of Defense.

Answer. If confirmed, I would report through the USD(P&R) to the Secretary of Defense as this position reports directly to the USD(P&R).

Question. The Deputy Secretary of Defense.

Answer. If confirmed, I would report through the USD(P&R) to the Deputy Secretary of Defense as this position reports directly to the USD(P&R).

Question. The Under Secretary of Defense for Personnel and Readiness

Answer. The ASD(R&FM) reports directly to the USD(P&R) and serves as the primary advisor on all matters relating to the areas of civilian and military personnel policies, readiness of the force, military community and family policy, Total Force planning and requirements, diversity management, equal opportunity, and transition policy. The ASD(R&FM) also provides regular updates to USD regarding matters in ASD portfolio.

Question. The Assistant Secretary of Defense for Health Affairs.

Answer. Collaborates with ASD for Health Affairs on matters of mutual interest or are cross-cutting in nature.

Question. The Assistant Secretary of Defense for Reserve Affairs.

Answer. Collaborate with the ASD for Reserve Affairs on matters of mutual interest or are cross-cutting in nature.

Question. The Assistant Secretary of Defense for Logistics and Materiel Readiness (ASD(L&MR)).

Answer. The ASD(R&FM) collaborates with ASD(L&MR) on matters of mutual interest or are cross-cutting in nature.

Question. The Department of Defense General Counsel.

Answer. Seek advice on all legal matters or services performed within the office of the Assistant Secretary of Defense for Readiness and Force Management.

Question. The Department of Defense Inspector General.

Answer. Forward or respond to any instances of waste, fraud and abuse within the office of the ASD(R&FM) and cooperate with the Inspector General on any investigative activities.

Question. The Service Secretaries.

Answer. Collaborate with Service Secretaries on matters of mutual interest or are cross-cutting in nature. Seek Service input on major policy initiatives.

Question. The Assistant Secretaries for Manpower and Reserve Affairs of the Army, Navy, and Air Force.

Answer. Meet regularly with M&RAs to discuss key personnel issues. Collaborate on matters of mutual interest or are cross-cutting in nature and seek input on major policy initiatives.

Question. The Deputy Chiefs of Staff of the Army and Air Force for Personnel, the Chief of Naval Personnel, and the Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs

Answer. Meet with Service Chiefs on key personnel issues. Collaborate on matters of mutual interest or are cross-cutting in nature.

Question. The combatant commanders

Answer. Formal communications to the commanders of the combatant commands normally is transmitted through the Chairman of the Joint Chiefs of Staff.

Question. The Joint Staff, particularly the Director for Manpower and Personnel (J–1)

Answer. Meet with J–1 on key personnel issues and collaborate on matters of mutual interest or are cross-cutting in nature.

DISABILITY SEVERANCE PAY

Question. Section 1646 of the Wounded Warrior Act, included in the National Defense Authorization Act for Fiscal Year 2008, enhanced severance pay and removed a requirement that severance pay be deducted from VA disability compensation for servicemembers discharged for disabilities rated less than 30 percent incurred in the

line-of-duty in a combat zone or incurred during the performance of duty in combat-related operation as designated by the Secretary of Defense. In adopting this provision, Congress relied on the existing definition of a combat-related disability contained in title 10 U.S.C. 1413a(e)). Rather than using the definition intended by Congress, the Department of Defense adopted a more limited definition of combat-related operations, requiring that the disability be incurred during participation in armed conflict.

What is your understanding of the number of servicemembers impacted by the DOD interpretation of "combat-related disability," and how did the DOD interpretation affect their compensation?

If confirmed, will you reconsider the Department's definition of combat-related operations for purposes of awarding enhanced severance pay and deduction of severance pay from VA disability compensation?

Answer. Since Enhanced Disability Severance Pay is outside the portfolio of OASD(R&FM), I do not have specific details on this program. I will ensure that the proper authorities, namely the Assistant Secretary of Defense for Health Affairs, understand the concern expressed here and encourage a review of policy to ensure equitable and fair treatment of our disabled servicemembers.

HOMOSEXUAL CONDUCT POLICY

Question. The law commonly referred to as "Don't Ask, Don't Tell" was repealed effective September 20, 2011. As part of the implementation of this repeal, the Secretary of Defense appointed a benefits review group to conduct a review of all potential benefits that could be made available to same-sex spouses. The report of this review group is long overdue and has been repeatedly delayed.

What is your view of the repeal of "Don't Ask, Don't Tell" (DADT)?

Answer. On July 22, 2011, the President, Secretary of Defense and Chairman of the Joint Chiefs of Staff certified that repeal was consistent with the standards of military readiness, military effectiveness, unit cohesion, and recruiting and retention of the Armed Forces. Repeal occurred September 20, 2011. I fully support the repeal of DADT.

Question. What is your assessment of the implementation of the repeal of this law?

Answer. Since September 20, 2011, the effective date of repeal, the Service Secretaries, the Service Chiefs and the combatant commanders have reported no significant issues related to implementation of the repeal of DADT. I believe this success can be attributed to the Department's comprehensive pre-repeal training programs, combined with the discipline of our servicemembers and continued close monitoring and enforcement of standards by our military leaders at all levels

Question. What is the status of the report of the benefits review group? When is this group expected to issue its report?

Answer. Following repeal, the Department focused its attention to benefits. The Department conducted a deliberative and comprehensive review of the possibility of extending eligibility for benefits, when legally permitted, to same-sex domestic partners of servicemembers. The benefits were examined from a policy, fiscal, legal and feasibility perspective. That review has been finalized and the Secretary of Defense approved the extension of an additional two member-designated benefits and 22 additional benefits that are to be made available by August, 31, 2013 but no later than October 1, 2013.

Question. What is your view on the issue of providing military and survivor benefits to same-sex partners?

Answer. When DADT was repealed, there remained some areas where our members and their families were not treated equally. In some of these areas, the Department can take administrative action that better cares for members and their families, consistent with the law. When servicemembers don't have to worry about their families back home, they can better focus on the mission.

Question. If confirmed, will you ensure that completion of the report of the Benefits Review Group is expedited and provided to Congress?

Answer. The Joint Benefits Review Working Group was chartered to provide recommendations to the Secretary of Defense on benefits that could be extended from a policy, fiscal, legal and feasibility perspective. The Secretary of Defense made his decision concerning the recommendation and released a memo on February 11, 2013 detailing which benefits would be extended.

RELIGIOUS GUIDELINES

Question. What is your understanding of current policies and programs of the Department of Defense regarding religious practices in the military?

Answer. Current policies and programs of the Department of Defense regarding religious practices in the military ensure servicemembers' rights to observe the tenets of their respective religions, as well as to hold no specific religious conviction or affiliation. The Chaplaincies of the Military Departments advise and assist commanders in the discharge of their responsibilities to provide for the free exercise of religion in the context of military service as guaranteed by the Constitution, assist commanders in managing Religious Affairs and serve as the principal advisors to commanders for all issues regarding the impact of religion on military operations.

Question. In your view, do these policies appropriately accommodate religious practices that require adherents to wear items of religious apparel or adhere to certain grooming practices related to their faith?

Answer. Current policies allow for consideration of accommodations of religious apparel that do not interfere with the performance of military duties. If confirmed, I will continue to work with the Military Services to ensure that we maintain the right balance between military uniform and appearance standards and servicemembers' personal religious practices.

Question. In your view, do these policies appropriately accommodate the free exercise of religion and other beliefs without impinging on those who have different beliefs, including no religious belief?

Answer. Yes, in my view, current policies appropriately accommodate the free exercise of religion for all servicemembers in the pluralistic environment that is the U.S. military. The Department of Defense does not endorse any one religion or religious organization, and provides free access of religion for all members of the military services. The Department respects (and supports by its policy) the rights of others to their own religious beliefs, including the right to hold no beliefs. If confirmed, I will continue to monitor and assess these policies.

Question. What is your assessment of measures taken at the Service Academies to ensure religious tolerance and respect?

Answer. My assessment is that these measures have been successful in fostering religious tolerance and respect. Systems are in place to provide the means for cadets to address and resolve any perceived unfair treatment on the basis of race, national origin, color, gender, and/or religious affiliation, or sexual harassment. Servicemembers can use the chain of command, Inspector General or Equal Opportunity channels to raise concerns.

Question. In your view, do existing policies and practices regarding public prayers offered by military chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious beliefs?

Answer. Existing policies provide military chaplains with sufficient guidance that allows them to balance, in both formal and informal settings, their own faith practices with the rights of others who may hold different or no religious beliefs. I acknowledge that this at times can be a difficult balance to achieve, and if confirmed, I will continue to work with the civilian and military leadership of the Department to ensure this balance is maintained.

Question. The Independent Review Related to Fort Hood observed that "DOD policy regarding religious accommodation lacks the clarity necessary to help commanders distinguish appropriate religious practices from those that might indicate a potential for violence or self-radicalization." Recommendation 2.7 of the Final Recommendations urged the Department to update policy to clarify guidelines for religious accommodation and Recommendation 2.8 urged the Department to task the Defense Science Board to "undertake a multi-disciplinary study to identify behavioral indicators of violence and self-radicalization . . . ".

What is your view of this recommendation?

Answer. Ensuring appropriate accommodations for the free exercise of religions and protecting servicemembers from violence and harm are both of vital importance. Pursuant to Recommendation 2.7, the Department updated its policy on religious accommodation to ensure religious freedoms and practices are accommodated to the fullest extent possible considering mission readiness, discipline and unit cohesion. This policy is currently under revision to incorporate language from The National Defense Authorization Act (NDAA) for Fiscal Year 2013, section 533 which protects the rights of conscience of members of the Armed Forces and chaplains. Regarding Recommendation 2.8, the Department did task the Defense Science Board (DSB) to undertake a study. The DSB recently completed their study and found that it could not determine a specific list of behaviors that would indicate risk of violent/extremist behavior. If I am confirmed, I will continue to provide oversight regarding the implementation of the recommendations of the Fort Hood Review.

Question. Will you work to ensure that a scientific factbased approach to understanding radicalization will drive the Department's relevant policies on this topic?

Answer. Yes, if confirmed I will review the Department's existing policies and its plans to address these challenges and determine what, if any, changes should be made. I agree that any changes to how the Department approaches this issue should be based on a solid factual foundation.

MUSLIMS IN THE U.S. MILITARY

Question. In your view, did the attack at Ft. Hood encourage harassment or even violence against Muslims in the military?

Answer. The incident at Fort Hood was a tragedy and an isolated event. We must not allow the circumstances surrounding that incident to compromise the military's core values regarding the free exercise of religion and to ensure that we treat every servicemember with dignity and respect. Each servicemember has the right to practice his or her religious faith without fear of persecution or retribution. This is a core value of our Country and our military.

Question. If confirmed, what strategies would you advocate to address the potential for harassment or violence against Muslims in the U.S. military?

Answer. This sort of behavior or any form of cruelty and maltreatment is inconsistent with the military's core values, detracts from combat capability, and has no place in the Armed Forces. Through ensuring clear and consistent policy, commanders and leaders at all levels will have the guidance necessary to maintain an environment that promotes dignity and respect, and will hold them accountable for preventing harassment or mistreatment.

HAZING

Question. Numerous incidents of hazing have been reported during the last year, several of which involved suicide by hazing victims. Although several of those who committed the hazing were prosecuted, they were acquitted of the most serious allegations.

Does the Department of Defense have a comprehensive policy addressing hazing? If so, what is the policy and where is it documented?

Answer. A 1997 Secretary of Defense policy memorandum prohibiting hazing is unambiguous; however, the guidance clearly states it is contrary to good order and discipline and is unacceptable behavior. This guidance also defines the prohibited conduct which constitutes hazing as well as guidance for dealing with violations.

Recent leadership statements have continued to emphasize that such behavior will not be tolerated, to include the Secretary of Defense message of December 2011, the Secretary of the Army's tri-signed message of January 2012, and the All Marine Corps Activities message and revised Marine Corps Order 1700.28A of February 2012.

Question. In your view, should the Uniform Code of Military Justice (UCMJ) be amended to specifically prohibit hazing? Are other changes to the UCMJ needed to adjudicate allegations of hazing?

Answer. It is my understanding that the Joint Service Committee on Military Justice has completed its review of hazing as a separate offense under the UCMJ and the associated report is currently under departmental review.

Question. If confirmed, what actions will you take to address the issue of hazing?

Answer. The DOD Hazing Review Team is actively examining responsive courses of action in three focus areas—policy, training and education, and reporting—all reinforce the Department's position that hazing is unacceptable behavior.

WOMEN IN THE MILITARY

Question. Secretary Panetta, at the recommendation of the Joint Chiefs of Staff, recently rescinded the policy restricting the assignment of women to certain units which have the primary mission of engaging in direct ground combat operations, and has given the military services until January 1, 2016, to open all positions currently closed to women, or to request an exception to policy to keep a position closed beyond that date, an exception that must be approved by the Chairman of the Joint Chiefs of Staff and the Secretary of Defense.

Do you support Secretary Panetta's decision?

Answer. Yes, I support the measures Secretary Panetta has taken to expand the positions available to women.

Question. What is your view of the appropriate role for women in the Armed Forces?

Answer. I believe success in our military is based upon ability, qualifications and performance of a person consistent with our values and military readiness. I don't

believe there is an appropriate role for men or for women, rather there is an appropriate position for anyone who can meet the requirements of that position.

Question. Do you believe it is in the national security interest to rescind the policy restricting assignment of women to certain units which have the primary mission of engaging in direct ground combat operations? Why or why not?

Answer. Yes, it is in the best interest of this nation to permit the most qualified individual, who meets the requirements of a position, to serve in that position regardless of gender.

Question. If confirmed, what action will you take to ensure that physical standards will be realistic and will preserve military readiness and mission capability?

Answer. The Department of Defense is aware of Public Law 103–160, section 543, which prohibits the Department from changing an occupational performance standard for the purpose of increasing or decreasing the number of women in that occupational career field. To ensure physical standards are being properly developed and accurately correlate with the requirements of the position or occupation, we have partnered with RAND to assess the Services' work against industry standards.

Question. Do you believe that decisions to open positions should be based on bona fide military requirements? If so, what steps will you take, if confirmed, to ensure that such decisions are made on this basis?

Answer. It is not a requirement to have women in these positions; rather it is in the best interest of the Department to allow both men and women who meet the standards for these positions to compete for them. This is not a program to put women into direct ground combat positions; it's a program to remove gender as a selection disqualifier and, if confirmed, I will ensure that such decisions are consistent with that approach.

Question. Some family members have expressed concerns about assigning women to what are currently male-only combat units.

To what extent do you believe that this will be a problem in the implementation of this policy?

Answer. It's normal for family members to have concerns about their loved ones, however I expect our commanders to select qualified personnel, male or female. Additionally, we have had a number of women in newly opened units since mid-2012, and have already experienced successful integration of women into formerly male-only units.

Question. If it is a problem, what steps would you take if confirmed to address it?

Answer. We've required the Services to provide us quarterly feedback on their elimination of gender-restrictive policy, which includes feedback on the status of women in these newly opened positions. If problems are encountered, I will, if confirmed, examine the issue and address it considering all dimensions and all recommendations consistent with sustaining readiness.

PERSONNEL AND ENTITLEMENT COSTS

Question. Personnel and related entitlement spending continues to grow and is becoming an ever increasing portion of the DOD budget.

What actions do you believe can and should be taken, if any, to control the rise in personnel costs and entitlement spending?

Answer. Congress, in the 2013 National Defense Authorization Act, established a Military Compensation and Retirement Modernization Commission. Currently, the Department is reviewing all aspects of military compensation and benefits in order to provided recommendations to the Commission later this fall.

As a Department, we must continually strive to balance our responsibilities to our servicemembers, to the Nation, and to the American taxpayers. If confirmed, I am committed to exploring options to find savings and more efficient alternatives to help control the rise in personnel and entitlement costs while still fully supporting our men and women in uniform and the All-Volunteer Force.

Question. In your view, can the Department and the Services efficiently manage the use of bonuses and special pays to place high quality recruits in the right jobs without paying more than the Department needs to pay, or can afford to pay, for other elements of the force?

Answer. Bonuses and special and incentive pays are some of the most cost effective tools available to the Services. These tools provide effective and easily targetable incentives without the long-term costs associated with entitlements and are generally much more cost-effective than across-the-board pay increases. Like any compensation program, however, these tools must be continually monitored to ensure they are used both efficiently and effectively and that the Department is receiving best value for its dollars. If confirmed, I will continue to work to ensure our

bonus and special and incentive pay programs are administered effectively and efficiently.

DEPENDENT CARE AND FLEXIBLE SPENDING ACCOUNTS

Question. The 10th QRMC recommended providing dependent care and flexible spending benefits to Active Duty servicemembers. Providing these benefits would seem consistent with the initiatives of First Lady Michelle Obama and Dr. Jill Biden on behalf of military families. It would appear that no new legislative authority is needed for the Department to provide these benefits to servicemembers and their families.

If confirmed, would you extend these benefits to the Active Duty servicemembers and their families?

Answer. In response to the 2006 National Defense Authorization Act, the Department examined and provided a report on the possibility of providing a flexible spending account to military members. The report identified a number of advantages and disadvantages to the Department offering an Flexible Spending Account (FSA) for military members. The central issue was a debate of whether the tax advantage to military members would warrant the cost the Department would incur implementing and managing such a program. Generally, military members pay very little out of pocket for their health care and are in a low tax bracket. Therefore, the majority of active duty military members would see little, if any, benefit to implementation of an FSA. Finally, most reservists, who typically receive medical care outside the military system, already have access to an FSA.

SUICIDE PREVENTION

Question. The numbers of suicides in each of the Services continues to concern the Committee. The Army released a report in July 2010 that analyzed the causes of its growing suicide rate and examined disturbing trends in drug use, disciplinary offenses, and high risk behaviors. In addition, studies conducted by the Army of soldiers and marines in theater showed declines in individual morale and increases in mental health strain, especially among those who have experienced multiple deployments.

In your view, what role should the Department of Defense play in shaping policies to help prevent suicides both in garrison and in theater and to increase the resiliency of all servicemembers and their families, including members of the Reserve components?

Answer. Suicide is a complex problem and each individual circumstance is unique. However, I strongly believe that suicide prevention is a leadership responsibility, and the Department encourages everyone to responsibly seek professional behavioral health and other services.

To address the factors that contribute to suicidal behavior, I believe the Department must support a culture that promotes total force fitness and resilience. This requires both military and civilian leaders to be knowledgeable on how to enhance protective factors and a positive working environment. It means involving families in solutions and care planning. Peers and non-medical case managers also need to foster resilience and build a supportive community.

If confirmed, I will partner with the Services to ensure suicide prevention and resiliency building are emphasized at all levels along with the promotion of help-seeking behaviors and improving access to behavioral health care. I will focus on finding best practices and using them to provide guidance from which the Services can most effectively operate their suicide prevention programs across the total force.

READINESS RESPONSIBILITIES

Question. Section 136 of title 10, U.S.C., gives the Under Secretary of Defense for Personnel and Readiness certain responsibilities for military readiness. Some important issues that affect military readiness, however, such as logistics and materiel readiness, have been placed under the jurisdiction of the Under Secretary for Acquisition, Technology, and Logistics.

What is your understanding of the responsibilities of the Under Secretary of Defense for Personnel and Readiness in exercising policy and program oversight of military readiness, including materiel readiness?

Answer. The responsibilities of the USD(P&R) are to develop policies, plans, and programs for the total force and its allocation among the DOD components, and between the Active and Reserve components, to ensure efficient and effective support of wartime and peacetime operations, contingency planning, and preparedness. As part of these responsibilities, the USD(P&R) coordinates closely with the USD(AT&L) by reviewing and evaluating the requirements of the Defense Acquisi-

tion Board's major defense acquisition programs and proposed weapons systems for personnel, training, and readiness implications.

Question. If confirmed, what would you propose as the most critical objectives to improve policy and program oversight over military readiness?

Answer. One of the most critical objectives facing the Department is to oversee the Service's transition, as rapidly as possible, from a counterinsurgency focused force to a Joint force capable of operating effectively across the full range of military operations. This is driven by the recognition that despite today's fiscal challenges, our forces will be expected to provide enhanced presence, deterrence, and must also be prepared to respond rapidly to emerging crises in a diverse and complicated global environment. Specifically, we must create a Joint force capable of maintaining our commitment to rebalancing our global posture and presence to the Asia-Pacific region. These requirements call for a leaner force that is more agile, ready, and technologically advanced. Achieving this force will take time and other resources to fully achieve.

This transition is not about returning to pre-September 11 force profile and readiness standards. The global dynamic, pace of activity, and our military's global responsibilities have changed since then. We must again be ready for a wide range of possible missions across the spectrum of conflict.

Question. If confirmed, how would you work with the Military Departments as well as other Office of the Secretary of Defense offices to achieve them?

Answer. Military readiness, by its very nature, has some relevance for nearly every one of the DOD components. For this reason, my office must work closely with other OSD offices, the Services, the Joint Staff, the combatant commands, and the Combat Support Agencies (CSAs) to ensure we are all moving toward the same goals.

One of the primary mechanisms for ensuring coordination and synchronization with the DOD components on readiness issues is our participation in the Deputies Management Activities Group (DMAG). The Readiness DMAG series focuses on the Department-level readiness issues that impact current and future military readiness. In support of these DMAGs, the Deputy Assistant Secretary of Defense for Readiness has created a readiness forum that is co-lead by the Joint Staff J–3 and comprised of Service readiness leads, SOCOM, nearly every OSD component, and several representatives from across the Joint Staff. This forum meets regularly and serves as an important venue to raise critical readiness concerns as well as share management best practices.

Question. What is your understanding and assessment of the Department's systems for readiness reporting and monitoring of military forces?

Answer. With the deployment of the Defense Readiness Reporting System (DRRS) and the pending integration of the traditional Status of Resources and Training System (SORTS), the Department's systems are fully capable of capturing accurate and timely readiness reporting indicators. The traditional SORTS metrics provide critical information to the Services that assist in force management and train, organize, and equip decisions. The DRRS provides capability assessments for what the Service's provide that enable better COCOM assessments on their ability to execute the Defense Strategy.

Question. In your view, does the current readiness reporting system accurately and reliably collect and display the information necessary to establish that our forces are not only "ready" but "ready for what"?

Answer. DRRS, has the capability for all organizations, Service, Joint, and the CSAs, to assess their readiness for any and all missions. The use of Mission Essential Tasks in these assessments provides the fidelity and flexibility for organizations and tactical units to express what capabilities they can provide and what missions they are ready to execute.

READINESS OF THE ARMED FORCES

Question. The Joint Chiefs recently stated that "the readiness of our Armed Forces is at a tipping point. We are on the brink of creating a hollow force due to an unprecedented convergence of budget conditions and legislation that could require the Department to retain more forces than requested while underfunding that force's readiness."

How do you currently assess the readiness of the Armed Forces?

Answer. In my assessment, our military forces are exceptionally prepared for the missions they have undertaken for the last 11 years. The investments the Nation has made in training technologies, force protection, command and control, and intelligence, surveillance and reconnaissance systems have helped maintain our military's standing as the most formidable force in the world. Today our forces are pos-

tured globally, conducting counterterrorism, stability, and deterrence operations, maintaining a stabilizing presence, conducting bilateral and multilateral training to enhance our security relationships, and providing the crisis response capabilities required to protect U.S. interests. In the event of an unexpected crisis, large-scale conflict, or a threat to the Homeland, ready forces are available to provide the surge capacity to meet wide-ranging operational challenges today.

Question. Do you agree with the Joint Chiefs that readiness is at a tipping point?

Answer. Maintaining ready forces is a priority and I share that concern with the Joint Chiefs. The current fiscal environment makes maintaining readiness very difficult. Managing readiness after a decade of war was bound to be challenging irrespective of fiscal considerations because the Services are beginning the difficult process of resetting and restoring our force's ability to conduct the full range of military operations as required by the current defense strategy.

I believe there is a very real possibility that the readiness effects of sequestration or indefinite operation under a Continuing Resolution could be devastating. These effects are likely to reduce readiness both directly, through reductions in operations and training, and indirectly through effects on personnel and equipment. Some of those indirect effects, especially those that effect personnel or spares pipelines, could take years to realize and even longer to mitigate.

Question. If confirmed, how would you assess the impact of budget conditions on the issue expressed by the Joint Chiefs of a hollow force?

Answer. I think that we can all agree that sequestration is not an effective method to both reduce the Department's budget and minimize the impact to the readiness of the force. I agree with Secretary Panetta's description of the current circumstances as a "perfect storm". Adding the devastating effects of sequestration on top of continuing to operate under a Continuing Resolution will likely cause circumstances that are guaranteed to reduce readiness both directly, through reductions in operations and training, and indirectly through circuitous effects on personnel and equipment.

Question. How would you define a hollow force?

Answer. A hollow force is a force that has been rendered incapable of performing the mission that we expect it to conduct. While the units may exist, they would not have the personnel, equipment, and/or training necessary to make them capable of executing the defense strategy or responding to the most likely contingencies.

Question. As the United States draws down the number of forces deployed to Afghanistan, Commanders have voiced concerns about leadership challenges for forces in garrison after 12 years of sustained combat operations.

If confirmed, what could be done at your level to assist commanders with force management and readiness?

Answer. I think many of the programs the Office of the Assistant Secretary of Defense for Readiness and Force Management provides oversight on are essential to commanders both in garrison and while deployed. These programs such as suicide prevention, safety, drug demand reduction, and a multitude of family programs will continue to be essential to commanders to help maintain the health of the force. Additionally, our role to provide oversight of the readiness of the Services to provide manned, trained and equipped forces puts us in a good position to engage with commanders at all levels as they adapt what being ready means as we transition from a counterinsurgency operation focused environment to a more full spectrum capable force. In the past year, our R&FM team has established a rich dialogue with the Services over these challenges.

Question. What will be your roles and responsibilities in monitoring Service goals for reset and reconstitution of combat forces and equipment?

Answer. If confirmed, I will work closely with the Services and Joint Staff to monitor the Service's progress in meeting their goals for reset, reconstitution and a return to the full range of military operations as required by the current defense strategy with clear emphasis on proper training.

READINESS MONITORING

Question. Section 117 of title 10, U.S.C., directed the DOD to "establish a comprehensive readiness reporting system for the Department of Defense" which led to the creation of the Defense Readiness Reporting System (DRRS).

What is your understanding of the responsibility you will have, if confirmed, for the implementation and operation of DRRS?

Answer. If confirmed, I will have direct oversight of the DRRS Implementation Office and ensure the program reaches its Full Operational Capability (FOC) as efficiently and effectively as possible. Additionally, moving forward from FOC, through

the DRRS Executive Committee, in conjunction with the Joint Staff, I will ensure the Department's future reporting needs continue to be addressed.

Question. What is your understanding of the relationship between the Assistant Secretary of Defense for Personnel and Readiness and the Assistant Secretary of Defense for Logistics and Material Readiness with regard to the implementation and operation of DRRS?

Answer. Materiel readiness is a key component of the Department's ability to accomplish its assigned missions. Under the auspices of ASD(R&FM), DRRS provides ASD(L&MR) the forum to understand materiel readiness effect on the Department's current operations and contingency plans.

Question. What is your understanding and assessment of the current implementation and operating capabilities of the DRRS?

Answer. DRRS is in use across the Department today providing up-to-date readiness information. Presently, an updated version of the system, which fully incorporates the Department's net-centric architecture to consume and serve up data, is undergoing formal third-party testing to validate its accuracy, suitability, and effectiveness. All testing results to date have been positive and the newly tested version of DRRS should be ready for release later this summer.

Question. How satisfied are you of the current ability of the DRRS to inform and contribute to the development of the National Security Strategy?

Answer. DRRS is a critical Global Force Management capability that supports the National Military Strategy (NMS) which contributes to the National Security Strategy. Specifically, DRRS provides near real-time capability-based readiness of the combatant commands, Services, and Joint Organizations. DRRS also provides the ability to view mission capability and readiness metrics for all DOD organizations which drives plans and actions to ensure mission accomplishment. Finally, DRRS uses Joint and Service provided authoritative data sources in a web-based architecture providing greater fidelity for refined analysis and force management. DRRS provides the holistic picture of the DOD from the highest levels to the tactical to inform the NMS.

Question. How satisfied are you of the current ability of the DRRS to inform and help shape the development of the defense planning guidance provided by the Secretary of Defense pursuant to section 113(g) of title 10?

Answer. DRRS permits the Secretary to effectively comply with items section 113(g) of title 10, as the means by which the Secretary is able to evaluate the Department's readiness to execute its missions and contingency plans. Additionally, the nature of DRRS and its incorporation of the Civil Support Task List allows the Department to evaluate plans for providing support to civil authorities.

Question. How satisfied are you of the current ability of the DRRS to inform and assist the Chairman of the Joint Chiefs of Staff in prescribing the National Military Strategy?

Answer. DRRS provides the Chairman of the Joint Chiefs with relevant readiness data to help determine whether combatant commanders can perform their assigned missions and associated Mission Essential Tasks (METs) in a joint, interagency, and multinational operational environment. Involved in this determination are Service assessments of their ability to conduct missions as part of a Joint organization. These assessments are analyzed quarterly in the Joint Forces Readiness Review providing the Chairman a comprehensive view of readiness across the force.

Question. Do you have any concerns about whether the Quarterly Readiness Report to Congress (QRRC) is providing the best mix of information to clearly inform Congress of the readiness of the Joint Force, including near-term risks and areas where congressional action may be needed?

Answer. The QRRC provides a large amount of information and data as they relate to the overall readiness of our Armed Forces. However, we feel this report can be improved, particularly in view of an austere budget climate and the impact that might have on the readiness of our Total Force. We would like to work with the congressional staffs in these matters and, if confirmed, I stand ready to brief and discuss the QRRC at any time.

Question. Are you aware of any readiness information in use within DOD that is not currently shared with Congress that would be useful for the exercise of congressional oversight?

Answer. No, I am not aware of any current readiness information that is not shared with Congress.

FOREIGN LANGUAGE PROFICIENCY

Question. In previous reporting, the GAO has identified challenges that DOD and the Services face in identifying pre-deployment training requirements for language

proficiency and limitations with some of the Services information management systems to record language proficiency information.

What are the current predeployment language training requirements for individuals or units deploying to Afghanistan and other geographic combatant commands areas of responsibility and what steps has DOD taken to ensure that forces have the required levels of language proficiency?

Answer. In 2012, the Commander, U.S. Forces Afghanistan, specified the predeployment language and culture training required for all U.S. personnel deploying to Afghanistan. This policy acknowledged that various missions would place differing demands on U.S. personnel based on the anticipated degree of interaction with the Afghan population. The Department supports this policy with on-line training modules for basic cultural and communications skills for personnel expecting minimal contact with the local population. For the personnel expected to interact with Afghan personnel for the majority of their missions, DOD offers Language Training Detachments and command-sponsored classroom programs to supplement its HEADSTART 2 language and culture training modules offered by the Defense Language Institute Foreign Language Center (DLIFLC). Mobile Training Teams from DLIFLC are available to commanders on request. This approach allows commanders to tailor their training and maximize training resources.

Question. The Army and Marine Corps have provided substantial language training to select general purpose soldiers and marines deploying to Afghanistan, yet the Services' training and personnel systems have not fully captured information on language training that has been completed and any proficiency gained from the training.

What steps have DOD and the Services taken to provide decisionmakers with greater visibility within training and personnel systems on the language proficiency of general purpose forces that could better inform force management processes?

Answer. The Army and Marine Corps are modifying their training data bases to track language and culture training provided to individuals. Additionally, the Department is successfully tracking the language proficiency of the force using the Language Readiness Index (LRI) in the Defense Readiness Reporting System. This tool allows decisionmakers and planners to quickly identify DOD military and civilian personnel with tested and self-professed language proficiency, the languages they command, and their proficiency in those languages. This information is provided by the Services' personnel systems and the Defense Civilian Personnel Data System and portrays DOD language capability inventory.

Question. At a congressional hearing last year, Under Secretary of Defense for Intelligence Michael Vickers testified that the United States could benefit by having more DOD personnel proficient in foreign languages and that, "it's an area, frankly, we still need to improve".

What is your assessment of the current level of foreign language proficiency across the Services?

Answer. Our foreign language capability is growing. Our investments have resulted in over 265,000 DOD personnel with foreign language skills an increase of 6,497 from previous years. Our challenge is to generate the language skills to meet the needs of general purpose and Special Operations Forces while at the same time training to the professional language level for strategic capabilities like Foreign Area Officers and Cryptologic Language Analysts. This is our strategy to provide the Department with the assets it needs for regional deployments at the operational and tactical levels. This is especially important as we regionally align combat forces towards specific regions.

Question. What incentives would you offer, if any, in the form of either financial stipends or professional advancement opportunities?

Answer. The Department has significantly improved the availability of Foreign Language Proficiency Bonuses for our total force over the past 5 years. The bonus was extended to the Reserve component and payment rates increased. We are assessing its impact and are considering non-monetary incentives to encourage personnel to pursue competency in a foreign language. This involves a close look at linguist career paths, proper utilization, and promotion opportunities

Question. Are you concerned with the current level of reliance upon contractors to provide translators to deployed combat units?

Answer. Interpreters and translators provide the Department the ability to provide a high level of foreign language capability, on short notice, to deploying units. The use of contractors to provide interpretation to deployed combat units is closely monitored on a regular basis.

It is not possible within current resources to train sufficient numbers of military or DOD personnel to meet the ever increasing need for personnel with high levels of foreign language and cultural skills. Therefore contract interpreters have and will

continue to provide a much needed surge capability to our deploying forces. However, the Department recognizes the value of having foreign language skills organic to a unit and has in the past employed the skills of personnel in the Army 09L Translator Aide program as well as Military Accessions Vital to National Interest (MAVNI) program to provide high levels of language skills to deploying units. The Department is currently exploring other avenues to provide short-term surge capability for translation. One of the more exciting initiatives is the National Language Service Corps, which offers more than 4,000 American Citizens with advanced language skills who are willing to serve as temporary Federal employees to meet urgent and surge demands in limited capacities.

SAFETY AND RISK MITIGATION

Question. Since the onset of combat operations over a decade ago, the overall readiness of the force has steadily declined in terms of personnel, training, and equipment readiness. As force readiness is consumed as soon as it is created by the demand of a high operations tempo, our readiness now faces additional challenges in an economically austere environment. If the current sequestration cuts were to occur, our understanding is that approximately $18 billion would be cut from DOD's operation and maintenance (O&M) budget. If DOD were then forced to operate under a 1-year Continuing Resolution, the O&M budget would be cut by an additional $11 billion. Furthermore, to ensure that Overseas Contingency Operations are funded, another $11 billion would then have to be cut out of the base O&M budget.

If this scenario were to unfold, how would you provide oversight, prioritize resources, and ensure the readiness of the force is sustained?

Answer. The magnitude of sequestration cuts make it impossible for the Services to avoid cuts to vital training capabilities, training infrastructure, and training deliverables. Ensuring the readiness of the force is sustained, other than those units that are next to deploy, will be virtually impossible. The Army has stated that cuts to training and maintenance will put two-thirds of their active brigade combat teams outside of Afghanistan at reduced readiness levels. Navy operations in the western Pacific, including training, will be reduced by as much as one-third. With less training and steaming days, the Navy will inevitably reduce unit readiness levels. The Air Force has stated that sequestration cuts to their flying hour program will put flying units below acceptable readiness standards by the end of the fiscal year. The furlough of DOD civilians will include civilians at training centers across the country, reducing the quality and quantity of training immediately, with long-lasting impacts on readiness.

It is clear that sequestration and a continuing budget resolution will devastate our readiness. When we are not allowed by legislation to manage individual pieces of the budget, readiness accounts inevitably pay the price, thus prioritizing resources is problematic. I will work closely with the Services and Joint Staff, through our various readiness assessment processes, to identify those readiness shortfalls that require the attention of the Department's most senior leadership.

Question. Are these potential sequestration cuts to the O&M budget accurate?

Answer. As I understand it, as part of the overall cut of the $46 billion cut, the Department's O&M accounts will be reduced by $13 billion from the annualized CR level. We must protect the O&M dollars for our men and women in combat, which under sequestration rules we can only do by cutting base-budget O&M disproportionately—this results in an additional shortfall of $5 billion in active base-budget dollars, for a total of an $18 billion cut.

If the Continuing Resolution is extended in its current form throughout the year, it exacerbates problems because it does not provide enough dollars in O&M—adding an additional shortfall of $11 billion.

Question. In your view, what are the indicators of a hollow force?

Answer. It would be a force that has been rendered incapable of performing the mission that we expect it to conduct. While the units may exist, they would not have the personnel, equipment, and/or training necessary to make them capable of executing the defense strategy or responding to the most likely contingencies. Additionally, part of avoiding a hollow force is ensuring we have a clear understanding of the size of the force we can afford to keep ready and then adhering to that plan.

Question. How has the DRRS contributed to managing risk within DOD?

Answer. DRRS provides the Department with a capabilities centric look at readiness which has allowed commanders and staffs to understand readiness issues that directly impact their mission and equate to operational risk. This knowledge provides situational awareness that allows them to initiate operational problem solving, identify capability gaps, conduct trend, threshold and predictive analysis, create ca-

pability Force Package designs and strategies to solve or mitigate readiness issues and mitigate risks.

Question. How would the DRRS inform your decisionmaking process in order to reduce risk?

Answer. DRRS contains detailed information on not only what units are capable of; it also contains data on the resources and training status on which those capabilities are based. In this sense, it provides an empirical understanding of why readiness is degraded and what the associated consequences are. This understanding is essential to identifying systematic problems and identifying potential mitigation options.

Question. Why are commanders allowed to subjectively upgrade their unit's readiness, if the intent of the DRRS is to accurately portray unit readiness up the chain of command?

Answer. DRRS, like Status of Resources and Training Systems (SORTS), allows for commanders' upgrades because an assessment of whether a unit can accomplish their assigned mission is far too complex to rely on simplistic rules on interpreting data. Intangibles, nuances, and positive and negative synergies among causal factors can be extremely important in determining an accurate assessment and we trust commanders with the responsibility to make those calls. One mechanism that we use to make sure we understand the final assessments is to monitor the empirical/non-subjective data on which they are built. This includes not only unit-level data, but also maintaining some visibility on the man/train/equip pipeline processes that generate unit readiness.

Question. If either sequestration or a full-year Continuing Resolution is to be implemented, how should they be modified to reduce the impact on readiness? Would additional reprogramming authority be required?

Answer. Both should be modified to allow the Department the flexibility to allocate our resources to our highest priorities. When we are not allowed by legislation to manage individual pieces of the budget, readiness accounts inevitably pay the price. Everything needs to be on the table. This should include military and civilian force reductions, basing, and balancing Active and Reserve components. Adequate flexibility will also require support for follow-on reprogramming authority.

JOINT TRAINING SYSTEM

Question. In June of last year, the Chairman of the Joint Chiefs of Staff published CJCS Guide 3501: The Joint Training System, which provides an overview of the Joint Training System (JTS) and highlights the role of senior leadership in the planning, execution, and assessment of joint training.

What is your assessment of the effectiveness of the current JTS?

Answer. Today's force is more joint than at any time in our history. Through a decade of conflict our military members have evolved from a Service-centric force to a more capable force which includes both Service-unique attributes as well intentional Service interdependencies.

The Joint Training System described in CJCS Guide 3501 is focused on the warfighting organizations—namely the combatant commands and their Service components. As such, the JTS focuses at the strategic and operational levels, where combatant commanders can assess their readiness to "integrate and synchronize assigned forces to meet mission objectives".

One additional aspect of joint readiness bears mentioning here. While the JTS focuses at the strategic and operational levels of operations, joint readiness (and by extension, joint training) extends down to the tactical level as well. Services—including Service components of combatant commands—must be resourced to "train the way they operate". This includes joint tactical interoperability training. While tactical training is not the primary focus of the JTS, such training is also at risk in the current fiscal environment. As Services retrench into title 10 focus on core competencies, adequate resources specifically allocated for joint training must be preserved. JTS would be a more complete system if it provided a conceptual framework for combatant commanders and Services to plan, resource, and conduct joint tactical training in addition to operational training for combatant command staffs.

TRAINING RANGES

Question. DOD is fielding Unmanned Aircraft Systems (UAS) in greater numbers which has created a strong demand for access to national airspace to conduct training and for other purposes. The demand has quickly exceeded the current airspace available for military operations.

What is your understanding and assessment of DOD's efforts to develop a comprehensive training strategy for the Department's UAS, to include identifying any

shortfalls associated with current policies, education, stationing plans, and simulator technologies?

Answer. The DOD UAS Training Strategy is currently being developed and the Department will be providing a report to Congress in July on its progress in this area. The training strategy will address critical elements of UAS training—unit collective training and home station training of pilots, sensor operators, and ground controllers. We anticipate that the report will identify and address shortfalls associated with current policies, training, basing, national airspace, and training technologies.

DEFENSE STRATEGIC GUIDANCE

Question. The 2012 Defense Strategic Guidance stressed that the Department will need to examine the mix of Active and Reserve component elements and stated that the expected pace of operations over the next decade will be a significant driver in determining an appropriate mix of AC/RC forces and level of readiness.

What is your assessment of the implications of a reduction in the pace of operations on the AC/RC mix and Reserve readiness?

Answer. The National Guard and Reserve have clearly proven the ability to accomplish any assigned mission whether overseas or at home. As the pace of operations declines, it is my opinion the National Guard and Reserve will continue to play a vital role in our national defense. Recent changes in laws permitting greater access to the Reserve component (RC), coupled with the proven abilities and current high state of readiness of the Reserve Forces affords the Department greater flexibility when determining appropriate force levels and AC/RC mix. In a constrained resource environment, the RC gives the department a unique opportunity to preserve overall operational capability and mitigate risk at reduced costs.

Question. In your view, how can the missions of the Reserve Forces expect to change to meet new priorities?

Answer. Over the last decade, the Department has learned a significant amount about using Reserve Forces in many different mission sets. The upcoming Quadrennial Defense Review will lay the ground work for assigning mission sets to all forces. If confirmed, I will work closely with the Services, the Reserve Chiefs, and the Chief of the National Guard Bureau to determine the most effective mix and makeup of Active, Reserve, and Guard personnel to support the National Military Strategy.

RESERVE COMPONENT AS A TRAINED AND READY OPERATIONAL RESERVE

Question. One outcome of 10 years of continuous operations in Iraq and Afghanistan, that has included the mobilization of thousands of Guard and Reserve Forces, has been the realization that our Reserve components have evolved from a rarely used strategic reserve to a more frequently used operational reserve.

In your view, what are the essential elements of readiness, if any, that distinguish the Reserve component as an operational reserve as opposed to a strategic reserve?

Answer. The decade plus of war has transformed the Reserve component from a strategic force rarely used to an integral partner of our national defense. In my opinion the most essential element of readiness is people. Today our Reserve component has experienced and skilled people. The combination of their combat experience and civilian skills make them vitally important to our Nation's defense. I think the continued use of the RC as a full partner in the Total Force is the difference between the strategic reserve of the Cold War and the required efficient use of all elements of the Total Force going forward—Active, Guard and Reserve, civilian, and contractor.

ACTIVE DUTY AND RESERVE COMPONENT END STRENGTH

Question. The Department last year announced its 5-year plan to reduce Active Duty end strengths by over 100,000 servicemembers by 2017, and the Reserve components by another 21,000 over the same period. These cuts do not include any additional personnel reductions that could result from sequestration or any agreement to avoid sequestration.

Do you agree with this plan to reduce Active Duty and Reserve component end strengths?

Answer. If confirmed, I will continue to review the plan, but I believe the end strength drawdown allows us to achieve the right size force and keep it modern. The plan is designed to maintain capable and ready military forces while managing reductions in a way that "keeps faith" with forces that have been at war for the past 10 years. As future national security conditions could change, our planned drawdown could change accordingly.

Question. What is your view of how these planned end strength reductions will affect dwell time ratios?

Answer. I understand that all of the Services, on average, are meeting or exceeding the Department's dwell time goal of 2 years at home for every year deployed, or 1:2, for the Active component. If confirmed, I will continue to monitor this issue closely.

The Reserve component dwell time is improving, but has not reached the Department's dwell time goal of 5 years at home for every 1 year of Active Duty, or 1:5. If confirmed, I will continue to work toward the goal of a 1:5 dwell time ratio for the Reserve component.

Question. What effect would inability to meet dwell time objectives have on the decision to implement the planned end strength reductions?

Answer. The Services are continually monitoring dwell time, if there are any early indicators that the end strength reductions are affecting the ratio, I will work with the Services to address the issues. Re-examination of end strength reductions would certainly be one of the considerations to remedy potential dwell problems.

Question. What additional military personnel reductions do you envision if the sequester is triggered in accordance with the Budget Control Act?

Answer. If the Department were required to sequester funding, I believe that it would first require a revision of the current National Security Strategy announced by the President last January. The current strategy could not be met with the significantly diminished resources that sequester would impose. The revised strategy could very well impact all components of the total force—Active Duty military, Reserve component military, Government civilians, and contractors.

Question. In your view, what tools do the Department and Services need to get down to authorized strengths in the future, and which of these require congressional authorization?

Answer. The Department already has or has been granted the total force shaping tools necessary to meet the drawdown in its current plan.

MILITARY QUALITY OF LIFE

Question. In your view, what is the relationship between military recruitment and retention and quality-of-life improvements and your own top priorities for the Armed Forces?

Answer. The Military Services must attract and retain people with the necessary talent, character, and commitment to become leaders and warriors in the Nation's Armed Forces. The military has consistently used a coordinated recruiting and retention strategy which maximizes the efficient use of our greatest asset—our people. This strategy consists of monetary and non-monetary compensation packages that include the use of special pays, enlistment bonuses, educational benefits and quality of life programs. It has long been said that you recruit an individual and retain a family. As such, it is critical that quality of life (family, education, child-care, housing), quality of service (work environment, infrastructure capacity, and support, time to train), and compensation (pay and benefits) are constantly evaluated and adjusted to respond to needs of an evolving force and to varying economic conditions. Recruiting and retention strategies must be able to generate success in both good and bad economic times. The Services cannot afford to wait for recruiting and retention misses to signal a need for adjustments—adjustment tools and authorities to achieve skill and strength requirements must be set as a priority and readily available.

Question. If confirmed, what further enhancements to military qualify of life would you consider a priority, and how do you envision working with the Services, combatant commanders, family advocacy groups, and Congress to achieve them?

Answer. I recognize that the well-being of the force, as well as recruiting and retention efforts, are significantly impacted by quality of life programs. If confirmed, I look forward to coordinating the efforts of the Services and combatant commanders in order to ensure we have a comprehensive, accessible, and affordable suite of programs. We will continue our work with Congress and family advocacy groups to supplement and enhance our programs and services as needed.

FAMILY READINESS AND SUPPORT

Question. Senior military leaders have warned of growing concerns among military families as a result of the stress of frequent deployments and the long separations that go with them.

What do you consider to be the most important family readiness issues for servicemembers and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced?

Answer. Quality of Life programs and services consistently rank high among the considerations of servicemembers and their families when deciding whether to stay in the military. Families will need assistance to reintegrate, and communicate with each other after a decade of deployments and long separations. Programs and services need to be readily accessible in order to provide servicemembers and their families established support programs using a variety of delivery systems, including in-person, web-based, or online support. The DOD Family Advocacy Program (FAP) provides funding and resources to the Military Departments to strengthen families. FAP is one of the many family readiness programs within the Department, and DOD remains steadfast in its commitment to ensure adequate personnel and resources are available to assist, assess, and treat servicemembers and their families when and where needed. Moreover, we work closely with the civilian community and our Federal partners to support military families.

Question. How would you address these family readiness needs in light of global rebasing, deployments, and anticipated reductions in end strength?

Answer. Key areas of focus will be on downsizing, and providing support for transition planning throughout the military life cycle. This will include the active engagement of family members in the process. It will be important to continue to develop family readiness so that military families can continue to face the anticipated challenges associated with global rebasing, deployments and anticipated reductions in end strength.

Question. If confirmed, how would you ensure support is provided to Reserve component families related to mobilization, deployment and family readiness, as well as to active duty families who do not reside near a military installation?

Answer. DOD is not resourced to meet all the needs of military families. Actively engaging military families in community-based programs and services by encouraging participation in the design, development, and delivery of such programs and services will ensure that they meet the needs of military families. A variety of programs and services are already available to assist with the networking, coordination, and collaboration that is necessary to build community capacity to support military families.

Question. If confirmed, what additional steps will you take to enhance family support?

Answer. We must continue to work with civilian communities where most military families live to promote quality of life enhancements that address military and family readiness challenges. Beyond looking to the local community, DOD will continue to assist in workforce development efforts already underway to create a cadre of service providers who can provide that support within DOD. This will occur through our partnership with professional educational institutions and with local, State, Federal, public, and private agencies and organizations. If confirmed, I will continue to build upon these relationships with community partners to provide the necessary services.

MILITARY CHILD DEVELOPMENT CENTERS

Question. Late last year, the Army announced that it was conducting a 100 percent audit of employee background check processes at all 283 of its child care facilities at installations in the United States and overseas because "derogatory" information was found in the security background checks of employees at the Joint Base Myer-Henderson Hall Child Development Center. As a result, the Secretary of Defense ordered a 100 percent background check audit of all providers who have regular contact with children in DOD Child Development Centers, School Age Care Programs, and Youth Programs, and a 100 percent review and evaluation of the actual background check documentation on file for each individual, employee and volunteer, for compliance with applicable DOD and Military Service policies. Subsequently, DOD reviewed over 44,000 records and reported validation of background checks had been initiated across the Department as required. Additionally, at the time of the review, approximately 1,200 background checks were pending adjudication.

What is the status of the remaining background checks pending adjudication?

Answer. Because of the length of time required for the adjudication process, there will always be background checks in adjudication. Adjudication is the process through which an employee is evaluated for suitability of employment. Currently, the adjudication process is specific to each Military Service. It is important to note the FBI background checks, which include fingerprints, often require months for completion and it is typical for all programs to have some background checks in process/pending. For employees whose background checks are pending, those indi-

viduals are either working within line-of-sight supervision in accordance with Public Law 102–190, section 1094, or are not yet working in the program.

Question. Are you convinced that the Services performed these reviews adequately and thoroughly?

Answer. Yes. Additionally, this audit revealed some areas for improvement and, as a result, all applicable directives and other regulatory guidelines will be updated to ensure these improvements are incorporated. DOD leadership and child development program staff are committed to high quality and consistent delivery of these services and to ensure the safety and well-being of children in our care.

Question. Are policies and programs in place now to ensure the safety and welfare of children in Child Development Centers, School Age Care Programs, and Youth Programs in the future?

Answer. DOD has a longstanding standardized and comprehensive process for screening applicants for positions involving child care services on DOD installations and in DOD activities. By law, employment applications must include a question as to whether the applicant has ever been arrested for or charged with a crime involving a child. The application states that it is being signed under penalty of perjury. Additionally, we are required by law to conduct at least two types of background checks on every employee who works with children in child and youth programs. DOD conducts additional background checks, and the Military Departments and Defense Agencies have the discretion to conduct more restrictive screenings. These background checks are part of a system of measures currently in place to ensure children's safety in DOD programs.

Question. Are OSD policies and programs in place to provide continued oversight of these programs in the future?

Answer. Based on the findings of the review, we are strengthening our policies, specifically highlighting prompt and consistent adjudication. In addition, the Military Departments and Defense Agencies will increase oversight during unannounced annual inspections of these facilities and programs.

DEPARTMENT OF DEFENSE SCHOOLS IN CONUS

Question. Some have questioned the continuing need for DOD-operated schools for military dependent children within the Continental United States (CONUS).

In your view, should DOD reassess or update its criteria for the continued operation of DOD schools within CONUS?

Answer. The Department intends to conduct a comprehensive study to determine the feasibility of transferring the CONUS based DOD schools. The Department's planned study that will examine such factors as the quality of education, adequacy of Impact Aid funding, State laws and prohibitions on using tax revenues for a public education on Federal property (e.g., Delaware), capacity of LEAs to assume the educational responsibility, adequacy of educational and support services for military dependents, and impact on the morale of military families. The study will also examine any viable educational alternatives to DOD ownership.

Question. If so, and if confirmed, how would you approach this task?

Answer. If confirmed, I will closely examine the issue and the results of the study considering all dimensions and all recommendations.

CONDITIONS OF K–12 SCHOOLS

Question. In 2011, The Department of Defense committed to a $4 billion plan to renovate or construct new K–12 DOD Education Activity (DODEA) schools over 5 years in order to address inadequate and deteriorated facility conditions throughout the DODEA facility inventory. In response, Congress called upon the Department to develop a minimum standard of design to ensure that DODEA would provide world-class education facilities for the children of military members.

What is your assessment of this construction program?

Answer. It is critical that we continue with the school construction program. Nearly 70 percent of our schools are in poor condition. The Department recognized this growing problem, and approved a multi-billion dollar construction program through 2018. These schools are being designed to meet the high-technology teaching and learning requirements of the 21st century and leverage "green" technologies to improve the environmental impact and long-term operating costs.

Question. If confirmed, will you continue the investments to achieve the goal to provide world-class schools?

Answer. A world-class education is a top quality of life and readiness factor for our military families. Dependent education consistently has been a top priority for the Department. I will continue to ensure that we invest in the education of our children, and maintain a top-quality education for our military dependents.

Question. What is your position on the use of defense funds to pay for facility improvements for schools that are owned and operated by local education activities?

Answer. The Department continues to work closely with local school districts to address the capacity shortfalls and physical condition deficiencies in many of the 160 public schools located on military installations. It remains important for the Department to continue the administration of the public schools on military installation grant program, which, as of February 21, 2013, has distributed more than $208 million to projects for 10 of the 12 highest priority schools. If confirmed, I would support the President's fiscal year 2013 budget request to continue the program.

Question. If confirmed, how would you work with local education activities to ensure an adequate level of investment is provided to schools with a predominant student population of Military Dependents?

Answer. If confirmed, I will continue to work with the Department of Education and support the full funding of Impact Aid. Annually, the Department offers about $35 million in grants which have provided school districts funding to expand learning opportunities in such areas as foreign languages; STEM, and Advanced Placement Math, Science, and English and will continue to leverage available resources to provide the educational opportunities for all 1.2 million school-aged children of our military families and remain committed to providing a quality education for all military dependents

Question. What is your view on the adequacy of the Department of Defense's involvement with the Impact Aid Program?

Answer. The DOD Supplement to Impact Aid program is an important additional source of funding for local school districts that have lost property tax revenue due to the enrollment of a large number of military-connected children. The Department faces challenging budgetary uncertainties at this time. Many programs are underfunded. Impact Aid is no exception.

Question. If confirmed, would you recommend any changes to the Impact Aid program?

Answer. The Department of Education has made significant enhancements to this program since its inception. The Department's study of the DOD Domestic Schools will also examine Impact Aid issues.

OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS

Question. In the National Defense Authorization Act for Fiscal Year 2010, Congress required the establishment of an Office of Community Support for Military Families with Special Needs within the Office of the Under Secretary of Defense for Personnel and Readiness. The purpose of this office is to enhance and improve Department of Defense support for military families with special needs, whether educational or medical in nature.

In your view, what should be the priorities of this Office of Community Support for Military Families with Special Needs?

Answer. A key priority for the Office of Community Support for Military Families with Special Needs is to strengthen personal readiness for military families with special needs through a comprehensive policy, oversight of programs that support military families with special needs, identification of gaps in services to such families, and the accessibility to appropriate resources.

Presently, over 126,000 military family members are enrolled in the Exceptional Family Member Program (EFMP). The EFMP supports military families with special medical and/or educational needs in three components areas: identification/enrollment, assignment coordination to determine the availability of services at a projected location, and family support to help families identify and access programs and services.

Question. If confirmed, how would you ensure outreach to those military families with special needs dependents so they are able to get the support they need?

Answer. Communication with military families with special needs and the provision of information about the EFMP is a major focus of DOD. If confirmed, I will ensure the Department continues to develop and implement a comprehensive communication and marketing plan designed to deliver consistent information about the EFMP to families, service providers, and leadership. We will also continue to solicit input from families with special needs through the Special Needs Advisory Panel, as mandated by Congress.

GI BILL BENEFITS

Question. Congress passed the Post-9/11 Veterans Educational Assistance Act in 2008 (Post-9/11 GI Bill) that created enhanced educational benefits for servicemembers who have served at least 90 days on Active Duty since September 11. The

maximum benefit would roughly cover the cost of a college education at any public university in the country.

What unresolved issues related to implementation of the Post-9/11 GI Bill (e.g., coverage of additional military personnel) do you consider most important to be addressed?

Answer. With the recent change in Public Law 111–277 that corrected technical issues related to National Guard (title 32) service, I believe all Armed Service Veterans are fully covered.

Question. What is your assessment of the impact of the Post-9/11 GI Bill on recruiting and retention, including the provision of transferability for continued service?

Answer. Post Service education benefits have been a cornerstone of our military recruiting efforts since 1985, and a major contributor to the success of the All-Volunteer Force. Money for education has been, and remains at the forefront of reasons young Americans cite for joining the military. There is no doubt that the Post-9/11 GI Bill will continue to have this same impact. The Department of Defense is an "education" employer. We hire educated young people, invest in them while in Service, and we encourage them to invest further in themselves when they leave. The VA-administered education benefits, and in particular the Post-9/11 GI Bill, facilitates that investment.

MILITARY AND VETERAN EDUCATION PROGRAM OVERSIGHT

Question. Congress remains interested in strengthening oversight of Department of Defense and Department of Veterans Affairs education programs, including the VA's Post-9/11 GI Bill, and DOD's tuition assistance and Military Spouse Career Advancement Accounts (MyCAA) programs.

What is your view of proposals that would require that all schools participating in these programs be compliant with title IV of the Higher Education Act, so long as the administering Secretaries had the authority to exempt such requirements on a case-by-case basis?

Answer. DOD supports the proposal and is clarifying policies to ensure tuition assistance funding will only be paid to educational institutions accredited by an accrediting organization, recognized by the Department of Education, approved for Department of Veterans Affairs funding, and participating in Federal student aid programs through the Department of Education under title IV of the Higher Education Act of 1965.

Question. What is your view of proposals to change the so-called 90/10 rule to exempt these programs from the calculation altogether, as has been proposed by officials of the Bureau for Consumer Financial Protection and others?

Answer. DOD has no objection with the proposal to exempt title X tuition assistance funds from the 90/10 calculation. Technical assistance and oversight of any statutory changes to the proposed 90/10 rule should reside with the Department of Education.

MORALE, WELFARE, AND RECREATION

Question. What challenges do you foresee in sustaining Morale, Welfare, and Recreation (MWR) programs, particularly in view of the budget challenges the Department faces?

Answer. Quality of life programs for our military members and their families are essential to the resiliency of the force, as well as to recruiting and retention efforts. Changes in our basing, deployment patterns and force structure have had a significant impact on our ability to deliver quality of life programs to our military families. With more than 75 percent of military families now living off installation, there is an increasing need for partnerships and support from local governments, school systems, and businesses to ensure we continue to provide comprehensive, accessible, and affordable quality of life programs. Additionally, we are conducting a major assessment of Morale, Welfare, and Recreation programs to ensure they are being operated in as efficient and cost-effective manner as possible.

Question. How would you seek to deal with these challenges?

Answer. Sustaining family programs in the current fiscally constrained environment will be challenging but of vital importance as we seek to reach servicemembers on and off the installations. If confirmed, I will make every effort to protect funding for family quality of life programs to the greatest extent possible and ensure they are operating efficiently. Good stewardship demands that available resources are utilized in the most effective manner.

Question. If confirmed, what improvements would you seek to achieve?

Answer. We have a responsibility to ensure access to quality programs, information and resources regardless of where our servicemembers and their families are located. I've mentioned the need to develop and maintain a strong network of community-based providers. We'll need to enhance our information and referral resources by maximizing electronic opportunities provided through internet social networking avenues and electronic applications. We also have opportunities to improve the effectiveness of outreach programs, to better meet military families where they live. If confirmed, I will evaluate these opportunities, and how we can better coordinate efforts among the various entities providing support to our military members and their families.

COMMISSARY AND MILITARY EXCHANGE SYSTEMS

Question. What is your view of the need for modernization of business policies and practices in the commissary and exchange systems, and what do you view as the most promising avenues for change to achieve modernization goals?

Answer. Both the Defense Commissary Agency (DeCA) and the military exchanges are progressive organizations seeking to reduce costs within their respective businesses. DeCA, for example, has a proven history of reducing the costs of the commissary system without decreasing the value of the benefit provided. Since its beginning in 1991, efficiencies have allowed DeCA to reduce its workforce by almost 7,000 full time equivalent positions and operating costs by approximately $700 million in constant fiscal year 1992 dollars. In fact, when measured in constant dollars, DeCA's operating costs are only slightly more than one-half of what they were when the Agency was created.

Exchanges are evolutionary models driven by best business practices and the need to remain relevant to servicemembers in a highly competitive and ever-changing retail environment. Today's exchanges have gone beyond the traditional brick and mortar environment, embracing e-commerce and mobile retail channels to satisfy customer demands. They are using digital marketing and social media that are now common in the marketplace for customer outreach. In the traditional brick and mortar environment, robust infrastructure re-investments, new branding strategies, enhanced customer service postures, supply chain enhancements, and targeted merchandise assortment driven by unique installation customer demographics are all delivering a customer shopping experience on par or better than the most successful retailers in the commercial market place. The exchanges continue to exceed the DOD Social Compact on savings for servicemembers.

For the Exchanges, there are already mechanisms for modernization through the Cooperative Efforts Board. Promising areas for change include non-resale procurement, logistics and distribution, exchange select/private label, legislative and policy, and seasonal and one time buys.

Question. What is your view of the proposals by some to consolidate or eliminate commissaries and exchanges?

Answer. Eliminating the commissary and exchanges would be a direct hit on military compensation. In fiscal year 2012, commissaries saved military shoppers approximately $2.76 billion, a return of more than double the $1.31 billion annual commissary appropriation. At a personal level, a family of four shopping at the commissary regularly can save $4,500 a year. Exchanges, which receive very little appropriated fund support, save our customers 22 percent, on average, over commercial retail stores.

Commissary and exchange benefits form a major part of the military community support structure that contributes to mission readiness. The commissary continues to be one of the most popular non-pay compensation benefits of our military members. Exchanges provide valuable savings at home and essential health, comfort and convenience items to military personnel in forward deployed and combat areas. Military families would rightfully view the elimination of these systems as a significant reduction of their compensation.

CIVILIAN PERSONNEL SYSTEMS

Question. Section 1113 of the National Defense Authorization Act for Fiscal Year 2010 provides DOD with extensive personnel flexibilities for its civilian employees that are not available to other agencies. In particular, section 9902(a) of title 5, U.S.C., as added by section 1113, directs the Department to establish a new performance management system for all of its employees. Section 9902(b) directs the Department to develop a streamlined new hiring system that is designed to better fulfill DOD's mission needs, produce high-quality applicants, and support timely personnel decisions.

What is your understanding of the current status of the Department's efforts to implement the authority provided by section 1113?

Answer. I understand the Department and organizations that represent DOD employees, including unions and the Federal Manager's Association, worked collaboratively over a span of 18 months to design a performance management system and improved hiring processes. The Department launched its pre-decisional collaborative process that came to be known as "New Beginnings" in the spring of 2010. The effort culminated in a comprehensive report from three joint labor-management design teams. All recommendations have been reviewed through the Departmental process. If confirmed, I will continue to support the work that is underway to comply with the National Defense Authorization Act.

Question. Do you agree that DOD's civilian employee workforce plays a vital role in the functioning of the Department?

Answer. Yes, DOD's civilian employee workforce plays an instrumental role in the functioning of the Department as part of the total force across a range of missions.

Question. If confirmed, will you make it a priority to implement these flexibilities in a manner that best meets the needs of the Department and promotes the quality of the Department's civilian workforce?

Answer. Yes, if confirmed, I would make it my priority to implement those flexibilities that would facilitate accomplishing the Department's missions.

Question. Section 1112 of the National Defense Authorization Act for Fiscal Year 2010 directs the Department to develop a Defense Civilian Leadership Program (DCLP) to recruit, train, and advance a new generation of civilian leaders for the Department. Section 1112 provides the Department with the full range of authorities available for demonstration programs under section 4703 of title 5, U.S.C., including the authority to compensate participants on the basis of qualifications, performance, and market conditions. These flexibilities are not otherwise available to the Department of Defense.

What is your understanding of the current status of the Department's efforts to implement the authority provided by section 1112?

Answer. I understand that the Department has designed a new leadership program and has graduated the first cohort. Still in the pilot phase, a second cohort is underway. If confirmed, I will fully engage to ensure the new program meets the intent of the NDAA authority.

Question. Do you agree that the Department needs to recruit highly qualified civilian personnel to meet the growing needs of its acquisition, technical, business, and financial communities?

Answer. Yes. I completely agree that recruiting highly qualified civilian personnel both in mission critical occupations, such as acquisition and finance, and in leadership positions across the Department is essential to mission success.

Question. In your view, has the existing civilian hiring process been successful in recruiting such personnel and meeting these needs?

Answer. Although I believe the Department currently has a highly talented workforce, I wholeheartedly support the initiatives to streamline and reform the civilian hiring process. While I understand the Department is making progress, there is still work to be done in this area, and if confirmed, I would ensure the Department continues to actively engage in civilian hiring reform initiatives and aggressively pursues continued improvements.

Question. If confirmed, will you make it a priority to implement the authority provided by section 1112 in a manner that best meets the needs of the Department and promotes the quality of the Department's civilian workforce?

Answer. Yes, if confirmed I will make it a priority to implement the authority provided by section 1112. The Department recognizes the need for an improved leader-development model to attract, retain, and develop civilian leaders to support pipeline readiness and enhance bench strength. If confirmed, I will assess the section 1112 pilot outcomes to ensure a successful framework for developing the next generation of innovative leaders with the technical competence to meet the future leadership needs of the Department.

HUMAN CAPITAL PLANNING

Question. The Department of Defense faces a critical shortfall in key areas of its civilian workforce, including the management of acquisition programs, information technology systems and financial management, and senior DOD officials have expressed alarm at the extent of the Department's reliance on contractors in these areas. Section 115b of title 10, U.S. Code, requires the Department to develop a strategic workforce plan to shape and improve its civilian employee workforce.

Would you agree that the Department's human capital, including its civilian workforce, is critical to the accomplishment of its national security mission?

Answer. Yes. I believe such planning would well position the Department to acquire, develop, and maintain the workforce it needs to meet current and future mission challenges.

Question. Do you share the concern expressed by others about the extent of the Department's reliance on contractors in critical areas such as the management of acquisition programs, information technology and financial management?

Answer. We must ensure that we have a properly sized, and highly capable, civilian workforce that guards against an erosion of critical, organic skills and an overreliance on contracted services, particularly in such areas as acquisition program management, information technology, and financial management. If confirmed, I will continue to support the administration's and Department's focus on reducing inappropriate or excessive reliance on contracted support, particularly for critical, and closely associated with inherently governmental, work. I will continue to support the ongoing efforts to further utilize the Strategic Workforce Plan to mitigate against civilian workforce competency gaps and skill shortfalls in these areas.

Question. If confirmed, will you ensure that the Department undertakes necessary human capital planning to ensure that its civilian workforce is prepared to meet the challenges of the coming decades?

Answer. If confirmed, I would ensure Department decisions on workforce shaping align with the Department's long-term strategic workforce plan, with the understanding that short-term exceptions may be needed due to emerging dynamics in the budget environment. Forecasts for the Department's workforce must be based on validated mission requirements and workload, both current and projected, and any reductions in the civilian workforce must be directly linked to workload so as to not adversely impact overall mission capabilities.

Question. Section 955 of the National Defense Authorization Act for Fiscal Year 2013 requires a 5 percent reduction in anticipated funding levels for the civilian personnel workforce and the service contractor workforce of the Department of Defense, subject to certain exclusions.

What impact do you expect the implementation of section 955 to have on the programs and operations of the Department of Defense?

Answer. Section 955 requires a reduction in available funding for the civilian workforce and contracted support, and as such, is being led by the Office of the Under Secretary, Comptroller. The impact of how section 955 will be implemented is still being determined and I do not have enough information at this time to speak to specific impacts to programs and/or operations. If confirmed, I will work with my counterparts in Comptroller to ensure that the Department's implementation of section 955 is done in a manner that reduces mission impact and mitigates risk to programs and operations, while maintaining core capabilities and support to our warfighters and their families.

Question. What steps will you take, if confirmed, to ensure that section 955 is implemented in a manner that is consistent with the requirements of section 129a of title 10, U.S.C., for determining the most appropriate and cost-efficient mix of military, civilian and service contractor personnel to perform DOD missions?

Answer. If confirmed, I will work with my counterparts in Comptroller to ensure implementation of section 955 recognizes that the sourcing of work among military (Active/Reserve), civilian, and contracted services must be consistent with requirements, funding availability, readiness and management needs, as well as applicable laws (such as section 129a of title 10, U.S.C.) and other total force management and workload sourcing mandates. The Department must avoid any inappropriate transfer of work from civilians to contract support or military personnel. We must also ensure the most cost effective performance possible while being mindful that risk mitigation must take precedence over cost considerations to ensure mission success and prevent an overreliance on contractors.

Question. What processes will you put in place, if confirmed, to ensure that the Department implements a sound planning process for carrying out the requirements of section 955, including the implementation of the exclusion authority in section 955(c)?

Answer. If confirmed, I will work with my counterparts in Comptroller to ensure the requirements of section 955 are implemented in manner which complements the Department's current processes for workforce determinations, which strive to achieve effective and efficient total force manpower solutions consistent with law and available resources. While I cannot speak to specific exclusions, I will work to ensure that the workforces of the Department are sized to perform the functions and activities necessary to achieve the missions and enable the capabilities of the Department.

ACQUISITION WORKFORCE

Question. Section 852 of the National Defense Authorization Act for Fiscal Year 2008 established an Acquisition Workforce Development Fund to help the Department of Defense address shortcomings in its acquisition workforce. This provision was amended by the National Defense Authorization Act for Fiscal Year 2013 to ensure a continuing source of funds for this purpose.

Do you believe that the DOD acquisition workforce development fund is still needed to ensure that DOD has the right number of employees with the right skills to run its acquisition programs in the most cost effective manner for the taxpayers?

Answer. The acquisition workforce development fund has been instrumental in the Department's efforts to recapitalize its acquisition workforce and improve oversight, management, and accountability in the procurements of goods and services. I believe that the fund is still necessary to further enhance and sustain the training and expertise of our dedicated acquisition workforce.

Question. If confirmed, what steps if any will you take to ensure that the money made available through the workforce development fund is spent in a manner that best meets the needs of the Department of Defense and its acquisition workforce?

Answer. It is my understanding that management and execution of the acquisition workforce development fund is a joint responsibility of the Offices of the Under Secretaries of Defense for Acquisition, Technology, and Logistics and Comptroller. If confirmed, I will work with my counterparts in those offices to ensure that application of resources is done in a manner that is consistent with the training, development, and sustainment needs of the acquisition workforce.

Question. One of the central tenets of the Department's Better Buying Power 2.0 is to improve the "the Professionalism of the Total Acquisition Workforce." The Department has subdivided this tenet into four separate initiatives. These initiatives are:

1. Establish higher standards for key leadership positions.
2. Establish stronger professional qualification requirements for all acquisitions specialties.
3. Increase the recognition of excellence in acquisition management
4. Continue to increase the cost consciousness of the acquisition workforce—change the culture.

If confirmed, how will you use funds from the Acquisition Workforce Development Fund to accomplish the objectives of these initiatives?

Answer. These specific initiatives are under the purview of the Under Secretary of Defense for Acquisition, Technology, and Logistics and I cannot speak to their specifics. However, to improve overall stewardship of the Department's resources, the continuation of the workforce development fund to recruit, retain, train, and sustain a professional and highly skilled acquisition workforce is critical.

Question. Section 872 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 codifies the authority for the Department of Defense to conduct an acquisition workforce demonstration project and extends the authority to 2017.

Do you believe it would be in the best interest of the Department to extend and expand the acquisition workforce demonstration project?

Answer. The Department is authorized by law up to 120,000 employee participants covered under acquisition demonstration projects. It is my understanding that today the Department has 15,800 employee participants, the majority of which returned to the demonstration project following the repeal of the National Security Personnel System (NSPS) as directed by the NDAA for Fiscal Year 2010. With that complete, several acquisition organizations across all components have expressed interest in participating in the project. Project participation is voluntary and based on meeting acquisition related workforce demographic eligibility criteria.

Question. What steps would you take, if confirmed, to implement section 872?

Answer. If confirmed, I will work closely with the Under Secretary of Defense for Acquisition, Technology and Logistics and the Department components to ensure the Department is effectively positioned to appropriately expand the Acquisition Demonstration project.

LABORATORY PERSONNEL DEMONSTRATION PROGRAM

Question. The laboratory demonstration program founded in section 342 of the National Defense Authorization Act for Fiscal Year 1995 as amended by section 1114 of the National Defense Authorization Act for Fiscal Year 2001, section 1107 of the National Defense Authorization Act for Fiscal Year 2008, section 1108 of the National Defense Authorization Act for Fiscal Year 2009, and section 1105 of the National Defense Authorization Act for Fiscal Year 2010, paved the way for per-

sonnel management initiatives and new flexibilities at the defense laboratories. These innovations have been adopted in various forms throughout other DOD personnel systems.

If confirmed, will you fully implement the laboratory demonstration program and the authorities under these provisions?

Answer. If confirmed, I will work closely with the Under Secretary of Defense for Acquisition, Technology, and Logistics to fully implement laboratory demonstration programs under these authorities.

Question. If confirmed, will you ensure that the directors of the defense laboratories are provided the full range of personnel flexibilities and authorities provided by Congress?

Answer. If confirmed, I will work closely with the Under Secretary of Defense for Acquisition, Technology and Logistics and the Department components to ensure the directors of defense laboratories are provided the full range of personnel flexibilities and authorities provided by Congress.

DOD SCIENTIFIC AND TECHNICAL PERSONNEL

Question. Recently, the Department issued guidance, as part of its efficiencies initiatives, to centralize certain hiring authorities, including for highly-qualified experts and Inter-Governmental Personnel Assignment (IPA) positions. Both are heavily used by the Department's scientific and technical (S&T) enterprise, including the DOD's laboratories and the Defense Advanced Research Projects Agency (DARPA). The benefit of these authorities is to use them to make rapid hiring decisions for individuals in a highly competitive national S&T jobs market. However, there is concern that the centralization of the process will actually slow down the Services' and defense agencies' ability to hire rapidly.

What will you do to ensure that these special hiring authorities are not negatively impacted in terms of allowing DOD to rapidly hire these types of highly specialized individuals?

Answer. If confirmed, I would ensure that the Department actively engages in initiatives to streamline and reform the civilian hiring system, to include efforts to ensure that the Department's processes for using special hiring authorities are efficient in fulfilling DOD's mission needs.

Question. Under the Military Accessions Vital to National Interest (MAVNI) program, the Department is able to expedite U.S. citizenship for foreign nationals that enlist in the military and have either specialized medical or linguistic skills.

How could this program be extended to include, subject to appropriate security reviews, highly skilled scientific and technical foreign nationals—e.g., graduates of U.S. universities with doctorates in fields the DOD has a demand for and where less than half of these graduates are U.S. citizens?

Answer. Although new enlistees under the MAVNI program are eligible for expedited naturalization under the provisions of section 1440, title 8, U.S.C., the MAVNI Pilot Program was designed to meet critical military readiness needs in the Armed Forces by using the provisions of section 504(b)(2), title 10, U.S.C. to enlist certain legal non-immigrants.

Currently, the Services have identified and scoped the program for fully-qualified health professional in critical medical skills and individuals with heritage-level language abilities and cultural backgrounds in a specific set of languages critical to current and emerging readiness needs.

Although the need for scientific and technical skills has been identified as a shortage in civilian requirements, expanding MAVNI to fill civilian needs would not meet the intent or the language of the statutory provisions under which MAVNI operates.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Assistant Secretary of Defense for Personnel and Readiness?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR BILL NELSON

SIMULATION TRAINING

1. Senator NELSON. Mr. Vollrath, as the defense budget shrinks, simulation technology is a way troops can remain war ready. Simulation training—available for a wide variety of weapons systems and crew positions—is not only cost effective, but reduces the wear and tear on military hardware. As fiscal constraints reduce live exercises and training opportunities, can mobility and simulation be relied upon to a greater extent?

Mr. VOLLRATH. Modeling and simulation (M&S) supported training certainly presents an opportunity to mitigate live training costs and is presently being used by all Services to supplement/support live training. The Department of Defense has conducted a study of relevant factors to determine what types of military training are best suited for M&S supported training. In making this decision, some factors that must be considered include: individual or collective task; learning complexity; interaction/fidelity; maturity of technology; and task domain (procedural, affective, psychomotor, or cognitive). Finally, the total life cycle costs of live training as compared to M&S supported training must also be evaluated and compared for each training task. In general, the study concluded that given current technologies, training tasks that are procedural, rote, and individual or of low to medium complexity can be performed very cost effectively with M&S supported capabilities. As always, the Department will leverage and further explore any and all ways to cost effectively prepare our Nation's force for military operations.

MILITARY READINESS

2. Senator NELSON. Mr. Vollrath, readiness is already impacted by sequestration. The Florida Air National Guard has reduced their flying hours by 57 percent, impacting the ability for pilots to remain current and qualified. The 125th Fighter Wing in Jacksonville provides air dominance for the southeastern United States. Can you speak to the downsides of establishing tiered readiness levels for our combat units, such as the 125th Fighter Wing?

Mr. VOLLRATH. The Services must be resourced to provide enough ready units when the Nation needs them. Each Service has force generation functions to produce ready units/capabilities. They recognize the realities of how long it takes to generate ready units/capabilities (and keep them ready) as well as the particulars of the demand signal from our combatant commanders. Many units/capabilities aren't required in large numbers or on an immediate timeline, and in those cases, building rotational force generation models (i.e. "tiering") makes perfect sense. What is harmful is when it isn't the demand signal that shapes the "tiering", but a shortage of resources. My concern is this will result in an inadequate supply of ready forces when the need arises, and/or the inability to restore the readiness of forces to meet required timelines.

QUESTIONS SUBMITTED BY SENATOR CLAIRE MCCASKILL

MENTAL HEALTH

3. Senator MCCASKILL. Mr. Vollrath, the Armed Forces Health Surveillance Center recently conducted a study that found pilots of drone aircraft experience mental health problems like depression, anxiety, and post-traumatic stress at the same rate as pilots of manned aircraft who are deployed to Iraq or Afghanistan. Air Force officials and independent experts have suggested several potential causes, among them witnessing combat violence on live video feeds, working in isolation or under inflexi-

ble shift hours, juggling the simultaneous demands of home life with combat operations, and dealing with intense stress because of crew shortages.

The Air Force also conducted research into the health issues of drone crew members. In a 2011 survey of nearly 840 drone operators, it found that 46 percent of Reaper and Predator pilots, and 48 percent of Global Hawk sensor operators, reported "high operational stress". Those crews cited long hours and frequent shift changes as major causes. That study found the stress among drone operators to be much higher than that reported by Air Force members in logistics or support jobs. But it did not compare the stress levels of the drone operators with those of traditional pilots.

The new study looked at the electronic health records of 709 drone pilots and 5,256 manned aircraft pilots between October 2003 and December 2011. Those records included information about clinical diagnoses by medical professionals and not just self-reported symptoms. The study found that pilots of both manned and unmanned aircraft had lower rates of mental health problems than other Air Force personnel. Clearly this is a readiness issue, with the contradiction in the findings of those two studies, do you think we have a clear picture of the mental health needs of our pilots?

Mr. VOLLRATH. After consulting with the Office of the Assistant Secretary of Defense for Health Affairs, it is clear that the Department's understanding of this issue is constantly improving. It is important to note that rates of formally diagnosed PTSD in Air Force pilots have remained low. Despite many years at war and an increasing reliance on remotely piloted aircraft, PTSD rates in all pilots as a group remain lower (at about two per thousand) than many other career groups, such as airmen in "outside the wire" combat missions (e.g., security forces or explosive ordnance disposal staff) or others with direct exposure to the dead or dying, such as medical personnel.

Even though rates of formal diagnosis of PTSD have remained low, we are aware that pilots experience stress. Pilots with traditional combat exposure or those who visualize battle remotely can be at risk for combat stress or PTSD. Since 2009, line leaders and the USAF School of Aerospace Medicine (USAFSAM) have monitored closely our RPA and intelligence career fields. Through a series of surveys and interviews USAFSAM continues to gather information, expand research, and provide recommendations to leaders and providers, and to inform aeromedical policy. Future studies will seek to compare RPA teams with other high tempo teams such as aeromedical and C–17 missions. Finally, stepping forward to help meet the needs of the growing remotely piloted mission, the Air Force dedicated several additional mental health providers to RPA and intelligence units. In concert with flight medicine physicians, chaplains, and commanders, they will assist Air Force leaders and supervisors in comprehensive support of these valued teams.

4. Senator MCCASKILL. Mr. Vollrath, do you believe there is any pressure among both manned and unmanned aircraft pilots not to report mental health symptoms to doctors out of fears that they will be grounded?

Mr. VOLLRATH. I consulted with the Office of the Assistant Secretary of Defense for Health Affairs in order to properly respond to this question. That aircrew (whether from manned or unmanned airframes) may not fully disclose mental health problems to physicians due to fears of being grounded is a phenomenon that is not unique to aircrew, nor to non-rated servicemembers with mental health problems. Military members are reluctant to report any condition that they think may adversely impact their duty or retention status. This is particularly true of aviators who must meet more restrictive standards, whose special pay is attached to their operational readiness, and whose competition for promotion may be affected by an untimely and prolonged "Duties Not Involving Flying" period. It is a finding that military leadership has often encountered across the Services and myriad of career fields.

DOD health care utilization rates are not the most reliable form of identifying mental health issues within military populations, including RPA operators. Relying on self-disclosure to estimate true prevalence rates has known methodological limitations. Research has shown higher rates of self-disclosure of symptoms in the pilot community using anonymous surveys rather than annual web-based health assessments. Additionally, placement of operational psychologists embedded within flight medicine and operational units facilitates interaction and disclosure of problems among RPA pilots. The Air Force implemented this initiative in 2011 and continues to increase the placements of operational psychologists across the Air Force.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

CHILD DEVELOPMENT CENTERS

5. Senator INHOFE. Mr. Vollrath, allegations of child abuse at the Fort Myer Child Development Center (CDC) in December prompted the Secretary of Defense to order the Services to fully investigate all CDC activities and to provide reports to him by January 21, 2013. The audit revealed areas for improvement. Last week, we learned that the Fort Myer CDC has lost its accreditation. When will Congress be provided the findings of DOD's audit of CDCs?

Mr. VOLLRATH. At this time, the Office of the Secretary of Defense has not indicated that the report is available for release. It will be made available to Congress as soon as it is approved for release by the Secretary of Defense. The Services and OSD are addressing identified areas of improvement at the DOD and Military Service level. The Fort Myer Child Development Center National Association for the Education of Young Children (NAEYC) accreditation was revoked. NAEYC procedures require revocation if a required standard is not met.

6. Senator INHOFE. Mr. Vollrath, what improvements will DOD make to ensure that young children are protected from abuse when receiving care in CDCs?

Mr. VOLLRATH. DOD and the Military Services are committed to providing a safe environment for the 200,000 children that we provide care for on a daily basis. We are revising the current Department of Defense Instruction (DODI) which covers background checks for any individuals who have contact with children on a regular basis (including child care workers, volunteer coaches, youth recreation employees, et cetera). While the existing DODI met the requirements of current legislation, the audit ordered by the Secretary of Defense identified areas that could be improved upon and we are focusing on making these changes.

SPOUSE EDUCATION AND CAREER OPPORTUNITIES

7. Senator INHOFE. Mr. Vollrath, how many spouses have been helped, and how many still need help from Spouse Education and Career Opportunities (SECO) programs?

Mr. VOLLRATH. In fiscal year 2012, the SECO program provided career and education counseling for more than 132,000 spouses through the SECO Career Center; provided more than 36,000 military spouses with scholarships for job training, licensing and certificates through the My Career Advancement Account (MyCAA) scholarship program, and worked with 160 private sector companies and organizations to hire more than 36,000 military spouses. However, more than 1 in 4 (26 percent) military spouses in the labor force are unemployed, which accounts for approximately 90,000 spouses. Furthermore, when they are employed, the income levels of military spouses often lag behind their civilian counterparts. A recent study showed that military wives with full-time jobs earned 25 percent less than their civilian counterparts. In light of these statistics, we must continue to work to ensure that our military spouses are provided the tools, resources, and opportunities to contribute to their family's financial stability, resilience, and well-being.

8. Senator INHOFE. Mr. Vollrath, do you believe these programs, as currently resourced and executed, are actually helping military spouses gain employment opportunities that meet their financial and professional stability needs?

Mr. VOLLRATH. Yes. The SECO program has been successful because we address the comprehensive needs of military spouses throughout their career lifecycle. SECO assists them in deciding on a career path, provides them information to train and learn in order to access the career they have chosen, gives them tools and assistance to embark on an effective career search and makes the connection to the employer who will value the skills that they bring to the 21st century workforce.

HEALTHCARE COSTS

9. Senator INHOFE. Mr. Vollrath, DOD's personnel and entitlement spending represent an ever increasing portion of the DOD budget. Healthcare spending is a big driver of increased costs. DOD's health care budget has increased from about $19 billion in fiscal year 2001 to about $52 billion in fiscal year 2013. Healthcare represents about 10.2 percent of DOD's topline. In the NDAA for Fiscal Year 2013, Congress established the Military Compensation and Retirement Modernization Commission to study and make recommendations on compensation and retirement

reform. Should this Commission consider the impact of healthcare costs as it develops its recommendations on compensation and retirement reform?

Mr. VOLLRATH. Yes, the Department believes the Commission should consider the impact of healthcare costs as it develops recommendations on modernizing the military compensation and retirement systems. For its part, health and dental care are among the areas currently under review by the Department as it develops modernization recommendations for the Secretary to transmit to the Commission.

10. Senator INHOFE. Mr. Vollrath, how can DOD better control the cost of healthcare of servicemembers as they move through the accession-to-retirement continuum and beyond?

Mr. VOLLRATH. Although health care is not within the purview of the Assistant Secretary of Defense for Readiness and Force Management, I have consulted with the Office of the Assistant Secretary of Defense for Health Affairs in order to properly respond to this question. Controlling health care costs is a complex problem that will require a complementary approach to solving. The Military Health System advocates four simultaneous actions to reduce costs: (1) internal efficiencies to better organize our decisionmaking and execution arm; (2) a continuation of efforts to appropriately pay private sector providers; (3) initiatives that promote health, reduce illness, injury and hospitalization; and (4) proposed changes to beneficiary cost-sharing under TRICARE.

DOD REVIEW OF SAME SEX SPOUSE BENEFITS AND IMPACT OF DEFENSE OF MARRIAGE ACT

11. Senator INHOFE. Mr. Vollrath, recently, the Secretary of Defense announced the intent to provide additional benefits to same-sex domestic partners who declare a committed relationship, but not to unmarried heterosexual domestic partners. What is the legal and policy rationale for DOD to favor same-sex partners over heterosexual partners in offering these benefits?

Mr. VOLLRATH. Heterosexual couples, if they so choose, have the opportunity in every State to get married, and their marriage is recognized in Federal law. Currently, same-sex couples do not have this opportunity (per the Defense of Marriage Act (DOMA), we can only recognize marriage between a man and a woman). Thus, same-sex couples and opposite-sex couples are not similarly protected under the law. The benefits extended are a significant effort to close the gap in equity for benefits, consistent with current law.

12. Senator INHOFE. Mr. Vollrath, has DOD considered the potential for litigation by heterosexuals, who are not married but who are also in a committed relationship, who believe they are being denied equal treatment?

Mr. VOLLRATH. Same-sex and opposite-sex couples are not similarly situated. Opposite-sex couples can get married in any State, the District of Columbia, or U.S. territory, and their marriage is recognized under Federal law. Currently, same-sex couples do not have this same opportunity (per DOMA, we can only recognize marriage between one man and one woman). Thus, the two categories of couples are not similarly situated under the law.

13. Senator INHOFE. Mr. Vollrath, what will be the increased costs associated with extending benefits to the same sex spouses of military members during a time when this administration has imposed drastic budget cuts to DOD?

Mr. VOLLRATH. The cost of extending benefits to same-sex domestic partners of military members is negligible. Many of the benefits selected for extension are self-sustaining programs designed to accommodate fluctuations in need and population, such as commissary and exchange privileges and MWR programs. Other benefits, such as dual military spouse assignments and emergency leave, are provided to the servicemember regardless of relationship status therefore there is no additional cost anticipated.

WOMEN IN COMBAT

14. Senator INHOFE. Mr. Vollrath, I am concerned about the potential adverse impacts to readiness resulting from Secretary of Defense Panetta's announcement to rescind the 1994 rule that prohibits women from being assigned to smaller ground combat units, and his plan to potentially open more than 230,000 combat positions to women. DOD is pursuing this major policy change during a time when every branch of the Armed Forces has consistently met recruitment goals, is attracting

and retaining high quality and skilled personnel at record rates and, recently, requested Congress to authorize the Army and Marine Corps to reduce end strength by 100,000 ground troops over the next 4 years. What compelling national security interest is advanced by opening up more positions to women at this time?

Mr. VOLLRATH. It is the in best interest of national security to have the best and brightest person serving in any position based upon their abilities, qualifications, and guiding principles developed by the Joint Chiefs of Staff. This is consistent with our values and enhances military readiness.

15. Senator INHOFE. Mr. Vollrath, what assurance can you provide that decisions to open positions and units to women will be based on bona fide military requirements, and will not result in needlessly exposing any American servicemember, men or women, to more risk of death or serious injury, than is absolutely required by military necessity?

Mr. VOLLRATH. The decision to open positions to all qualified personnel enhances military readiness. The Department can ill afford to arbitrarily reduce the pool of qualified personnel based on gender. As a result, it is in the best interest of the Department to allow both men and women who meet the standards for these positions to compete for them.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

END STRENGTH IN THE SERVICES

16. Senator AYOTTE. Mr. Vollrath, in your responses to the advance policy questions you discuss end strength reductions that are being implemented between now and 2017. You correctly highlight the importance that we keep faith with our troops. In the NDAA for Fiscal Year 2013, I was able to include a provision (section 525) that requires the secretary of each Military Department to report to Congress regarding troops that were involuntarily separated from the military. I am especially concerned about the Army. The Army has testified in the past that it may have to issue thousands of involuntary separations to achieve its end strength reductions. I believe it would be breaking faith with our troops if we welcome home well-performing troops by handing them a pink slip. Do you agree?

Mr. VOLLRATH. It is the Department policy that voluntary separation authorities be used to the maximum extent possible prior to using involuntary measures to reduce the force. Indeed, that is the best way to keep faith with our troops. However, we also realize there are circumstances that may preclude Services from using voluntary measures.

1. Voluntary separation incentives can drive up costs; the Secretaries of the Military Departments have to balance these costs with the need to maintain mission readiness. Voluntary separation incentives may not be sufficient to properly shape the force.
2. Involuntary separations may be necessary for the Services to properly shape their forces and to allow selectivity when drawing down the size of our forces. As we draw down it is imperative that we retain those that the Department will need in the future.
3. The military is the most respected profession in the United States. Strong retention numbers demonstrate that many of our members love what they do and want to continue serving as long as possible.

17. Senator AYOTTE. Mr. Vollrath, do you commit to ensuring the Services honor the reporting requirements in section 525?

Mr. VOLLRATH. Yes. If confirmed, I will ensure we fully comply with the reporting requirements of section 525.

18. Senator AYOTTE. Mr. Vollrath, will you make every effort to avoid the use of involuntary separations as we reduce the size of our force?

Mr. VOLLRATH. If confirmed, I will make every effort to minimize the use of involuntary separations. However, we should all be cognizant of the fact that involuntary separations will be necessary to ensure the military is postured correctly for mission readiness and to meet all national security objectives.

19. Senator AYOTTE. Mr. Vollrath, what assistance or additional authorities do you need to achieve this goal?

Mr. VOLLRATH. The Department is requesting additional authority for the Secretary of Defense to have the flexibility to reduce the mandatory retirement point

(for years of service) for lieutenant colonels and Navy commanders from 28 years of Active commissioned service to 25 years; and for colonels and Navy captains from 30 years of Active commissioned service to 27 years.

UTILIZING THE RESERVES

20. Senator AYOTTE. Mr. Vollrath, in your responses to the advance policy questions, you write: "In a constrained resource environment, the Reserve component gives the Department a unique opportunity to preserve overall operational capability and mitigate risk at reduced cost." Do you agree that the Reserve component can provide comparable operational capability at a reduced cost?

Mr. VOLLRATH. I believe the last 10 years have proven the Reserve component can provide comparable operational capability. The current budget environment provides an opportunity to examine ways in which the Reserve component may offer the Services an effective way to preserve capability and capacity, within manageable risk. Each Service should review their roles and missions and determine the appropriate AC/RC mix within their respective organization. This review should include factors such as the capabilities required by the combatant commanders and the associated timelines, pay, operating costs, time to train, and levels of proficiency.

21. Senator AYOTTE. Mr. Vollrath, based on declining defense resources, do you agree that we should be increasing, not decreasing, our reliance on the Reserve component?

Mr. VOLLRATH. Over the last 10 years, we've seen that the Reserve component can be a very capable resource. However, getting the right balance of capabilities across the components is important and should be a direct function of the demand signal from our combatant commanders as well as the comparative advantage of each component to produce and retain those capabilities. We know from past experience that if the Reserve component is not properly funded, it will atrophy resulting in recovery timelines that are long and expensive. Getting the right balance between our AC/RC components is important, particularly as we adjust to reduced resources.

22. Senator AYOTTE. Mr. Vollrath, are there any roles and missions that we should increasingly shift from the Active component to the Reserve component?

Mr. VOLLRATH. Our current fiscal environment, recent legislation passed by Congress in the 2012 National Defense Authorization Act (NDAA), plus our new defense strategy offers us a unique opportunity to shape our future forces. Getting the right balance of capabilities across the components is important and should reflect the demand signal from our combatant commanders as well as the comparative advantage of each component to produce and retain those capabilities. There may be current roles and missions that reside in the active component that could shift to the Reserve and vice versa. As we work the Quadrennial Defense Review, the Services will take this opportunity to shape their force mix to maintain the most capability and capacity while mitigating risk.

QUESTIONS SUBMITTED BY SENATOR MIKE S. LEE

BIOFUELS

23. Senator LEE. Mr. Vollrath, in 2012, the Navy undertook the expensive "Great Green Fleet" demonstration, purchasing 450,000 gallons of biofuel at $26 a gallon for a total of $12 million spent on fuel for just one demonstration. The Air Force similarly spent $639,000 on 11,000 gallons of biofuels for a demonstration in 2012, costing the taxpayer $59 per gallon. With the prospect of sequestration and a much tighter defense budget in coming years, do you believe that the military should continue such large-scale demonstrations using biofuels? Please provide a yes or no answer, and if answering yes, please provide a justification as to why programs involving biofuels should be prioritized over other research and development programs.

Mr. VOLLRATH. As this issue is outside of the purview of the Assistant Secretary of Defense for Readiness and Force Management, I defer to my colleagues Mr. Estevez and Mr. Fanning to respond to this question.

FUTURE ACQUISITION PROCESS

24. Senator LEE. Mr. Vollrath, with the prospect of sequester cuts to DOD this year and continuing cuts through the next 9 fiscal years, we must change the way that acquisitions are conducted in order to be more efficient and cost effective. Nec-

essary acquisitions, such as our next generation fighter jet, have been plagued by delays and budget overruns. What lessons have been learned so far from the F–35 program that you will implement in future acquisitions?

Mr. VOLLRATH. As this issue is outside of the purview of the Assistant Secretary of Defense for Readiness and Force Management, I defer to my colleagues Mr. Estevez and Mr. Fanning to respond to this question.

[The nomination reference of Mr. Frederick E. Vollrath follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 22, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Frederick Vollrath, of Virginia, to be an Assistant Secretary of Defense. (New Position).

[The biographical sketch of Mr. Frederick E. Vollrath, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF FREDERICK E. VOLLRATH

Education:

University of Miami

- 1958–1962 - Bachelor of Business Administration in Management awarded 1962

Central Michigan University

- 1975–1976 - Master of Arts in Personnel Management awarded 1976

Employment record:

Principal Deputy Assistant Secretary of Defense for Readiness and Force Management - 2012–present

Computer Sciences Corporation - 1999–2006

- Corporate Vice President of Human Resources

U.S. Army - 1963–1998

- Human Resources Management Command
- Deputy Chief of Staff for Personnel (G–1)
- Retired as Lieutenant General in 1998

Honors and awards:

Distinguished Service Medal
Legion of Merit
Bronze Star
Meritorious Service Medal
Army Commendation Medal
Adjutant General Corps Regimental Hall of Fame

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Mr. Frederick E. Vollrath in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Frederick Emil Vollrath.

2. **Position to which nominated:**
Assistant Secretary of Defense for Readiness and Force Management.

3. **Date of nomination:**
January 22, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
July 16, 1940; Miami Beach, FL.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Joy Pollock Vollrath.

7. **Names and ages of children:**
Forrest Vollrath, 48 years.
Hans Vollrath, 46 years.
Mark Vollrath, 39 years.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Coral Gables High School, HS Diploma, 1954–1958.
University of Miami, Coral Gables, FL, Bachelor Business Administration, 1958–1962.
Central Michigan University, Mount Pleasant, MI, Master of Arts, Personnel Management, 1976.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
Principal Deputy Assistant Secretary of Defense (Readiness and Force Management)
Retired, Lorton, VA, January 2006–March 2012.
Corporate Vice President Human Resources, Computer Sciences Corporation, El Segundo, CA, February 1999–December 2005.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
U.S. Army, May 1963–October 1998

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.
None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

Society of Human Resource Management, Member, Alexandria, VA.

Kappa Sigma Fraternity, Member, Charlottesville, VA.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

Hillary Clinton for President, $2,200.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Distinguished Service Medal
Legion of Merit
Bronze Star
Meritorious Service Medal
Army Commendation Medal
Adjutant General Corps Regimental Hall of Fame

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

17.**Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

FREDERICK E. VOLLRATH.

This 21st day of February, 2013.

[The nomination of Mr. Frederick E. Vollrath was reported to the Senate by Chairman Levin on March 20, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on April 18, 2013.]

[Prepared questions submitted to Mr. Eric K. Fanning by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater Nichols Act provisions?

Answer. Not currently. I agree with the goals of those defense reforms; they remain essential to the effective employment of our Nation's Armed Forces. Most importantly, they have yielded a demonstrated improvement in the joint warfighting capabilities of the U.S. military.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. I have no suggestions for modifications to the Goldwater-Nichols legislation. Should I identify areas that merit reform, I will propose those changes through the appropriate established process.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. If confirmed, I will bring more than 2 decades of broad experience in national security policy and programs as well as management to this position. From research assistant on the House Armed Services Committee, to Senior Vice President for Strategic Development at Business Executives for National Security, to my current position as the Deputy Under Secretary of the Navy, I have examined national security challenges from many perspectives. I have worked closely with the other Military Services, the national security interagency community, and Members of Congress to help make the right decisions for our Nation's defense. I have also grappled with tough trade-offs among programs in a fiscally-constrained environment and have considered the implications of changes in defense law and policy. If confirmed, I believe these skills and my experience can benefit the Air Force and the broader Department of Defense (DOD).

DUTIES

Question. Section 8015 of title 10, U.S.C., states the Under Secretary of the Air Force shall perform such duties and exercise such powers as the Secretary of the Air Force may prescribe.

What is your understanding of the duties and functions of the Under Secretary of the Air Force?

Answer. The position of the Under Secretary of the Air Force is established by law within the Office of the Secretary of the Air Force. Subject to the Secretary of the Air Force's direction and control, the Under Secretary exercises the full authority of the Secretary to conduct the affairs of the Department of the Air Force (except as limited by law, regulation or limitations imposed by DOD or the Secretary of the

Air Force). The Under Secretary also serves as the Chief Management Officer of the Air Force, the senior energy official, and the focal point for space at the Air Force headquarters.

Question. What recommendations, if any, do you have for changes in the duties and functions of the Under Secretary of the Air Force, as set forth in section 8015 of title 10, U.S.C., or in DOD regulations pertaining to functions of the Under Secretary of the Air Force?

Answer. At this time, I am unaware of any reason to change the duties and functions of the Under Secretary as set out in title 10 and pertinent DOD regulations. If I am confirmed and I identify areas that I believe merit changes, I will propose those changes through the appropriate established processes.

Question. Assuming you are confirmed, what additional duties, if any, do you expect will be prescribed for you?

Answer. If confirmed, I look forward to working with the Secretary of the Air Force to further his vision and goals for the Air Force. I expect the Secretary to prescribe duties for me relating to the Under Secretary of the Air Force's responsibilities, particularly in the role of Chief Management Officer.

Question. Section 904(b) of the National Defense Authorization Act for Fiscal Year 2008, directs the Secretary of a Military Department to designate the Under Secretary of such Military Department to assume the primary management responsibility for business operations.

What is your understanding of the business operations responsibilities of the Under Secretary of the Air Force?

Answer. It is my understanding that the business operations responsibilities of the Chief Management Officer, consistent with section 904 of the National Defense Authorization Act for Fiscal Year 2008, include the following: ensuring the Air Force's capability to carry out DOD's strategic plan in support of national security objectives; ensuring the core business missions of the Department of the Air Force are optimally aligned to support the Department's warfighting mission; establishing performance goals and measures for improving and evaluating overall economy, efficiency, and effectiveness and monitoring and measuring this progress; and working with DOD's Chief Management Officer to develop and maintain a strategic plan for business reform.

RELATIONSHIPS

Question. If confirmed, what would be your working relationship with:

The Secretary of Defense.

Answer. The Secretary of Defense serves as the principal assistant to the President on all DOD matters. The Secretary of the Air Force is subject to the authority, direction and control of the Secretary of Defense and the Under Secretary of the Air Force works for the Secretary of the Air Force. The Under Secretary also serves as the Chief Management Officer of the Air Force, the senior energy official, and the focal point for space at the Air Force headquarters. As the focal point of space for the Air Force, the Under Secretary coordinates all of the space functions and activities across the Air Force, and is the primary interface to the Office of the Secretary of Defense for space matters. If confirmed, I would look forward to working closely with the Secretary of Defense and his office on space-related matters, energy issues, and other matters as directed by the Secretary of the Air Force.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense assists the Secretary of Defense in carrying out his duties and responsibilities and performs those duties assigned by the Secretary of Defense or by law. If confirmed, I will work closely with the Deputy Secretary of Defense on a range of matters. In particular, I would look forward to working with and supporting the Deputy Secretary of Defense in his role as Chief Management Officer of DOD.

Question. The Deputy Chief Management Officer of the Department of Defense.

Answer. The Deputy Chief Management Officer (DCMO) is the principal staff assistant and advisor to the Secretary of Defense and Deputy Secretary of Defense for matters relating to the management and improvement of integrated DOD business operations. In this role the DCMO is charged with leading the synchronization, integration, and coordination of the disparate business activities of the Department to ensure optimal alignment in support of the warfighting mission. If confirmed, I look forward to building on my close working relationship with the DCMO in my new capacity as the Air Force Chief Management Officer.

Question. The Director of the Business Transformation Agency.

Answer. This office no longer exists.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman of the Joint Chiefs of Staff is the principal military advisor to the President, the National Security Council, and the Secretary of Defense. If confirmed, I will work closely with the Chairman through the Chief of Staff of the Air Force on appropriate matters affecting the Air Force.

Question. The Vice Chairman of the Joint Chiefs of Staff.

Answer. The Vice Chairman has the same statutory authorities and obligations of other members of the Joint Chiefs of Staff. When performing duties as the acting Chairman, the Vice Chairman's relationship with the combatant commanders is exactly the same as that of the Chairman. If confirmed, I will work closely with the Vice Chairman through the Chief of Staff of the Air Force on appropriate matters affecting the Air Force.

Question. The Secretary of the Air Force.

Answer. Subject to the authority, direction, and control of the Secretary of Defense, the Secretary of the Air Force is responsible for and has the authority necessary to conduct all affairs of the Department of the Air Force. The Under Secretary of the Air Force is subject to the authority, direction, and control of the Secretary of the Air Force. If confirmed, I expect the Secretary to assign me a wide range of duties and responsibilities involving, but not limited to, organizing, supplying, equipping, training, maintaining, and administering the Air Force. I look forward to working closely with the Secretary as his deputy and principal assistant.

Question. The Chief of Staff of the Air Force.

Answer. The Chief of Staff of the Air Force is directly responsible to the Secretary of the Air Force and performs duties subject to his authority, direction, and control. For the Secretary of the Air Force, the Chief of Staff is responsible for providing properly organized, trained, and equipped forces to support the combatant commanders in their mission accomplishment. The Chief of Staff oversees members and organizations across the Air Force, advising the Secretary on plans and recommendations, and, acting as an agent of the Secretary, implementing plans upon approval. If confirmed, I would foster a close working relationship with the Chief of Staff to ensure that policies and resources are appropriate to meet the needs of the Air Force and respect his additional responsibilities as a member of the Joint Chiefs of Staff.

Question. The Assistant Secretaries of the Air Force.

Answer. The Assistant Secretaries of the Air Force carry out the goals and priorities of the Air Force. If confirmed, I will assist the Secretary in building a strong team through close relationships and information sharing, and I look forward to working with the Assistant Secretaries to further the Secretary's vision.

Question. The General Counsel of the Air Force.

Answer. The General Counsel (GC) is the senior civilian legal advisor to Air Force senior leaders and all officers and agencies of the Department of the Air Force. The GC serves as the chief ethics official. If confirmed, I look forward to developing a strong working relationship with the GC and his staff.

Question. The Inspector General of the Air Force.

Answer. The Inspector General (IG) of the Air Force is a general officer who is detailed to the position by the Secretary of the Air Force. When directed, the IG inquires into and reports on matters affecting the discipline, efficiency, and economy of the Air Force. He also proposes programs of inspections and investigations as appropriate. If confirmed, I would look forward to developing a good working relationship with the IG.

Question. The Surgeon General of the Air Force.

Answer. The Surgeon General (SG) of the Air Force is the functional manager of the Air Force Medical Service and provides direction, guidance, and technical management of Air Force medical personnel at facilities worldwide. The SG advises the Secretary of the Air Force and Air Force Chief of Staff, as well as the Assistant Secretary of Defense for Health Affairs, on matters pertaining to the medical aspects of the air expeditionary force and the health of Air Force personnel. If confirmed, I would look forward to developing a good working relationship with the SG.

Question. The Air Force Business Transformation Office.

Answer. The Air Force Business Transformation Office is responsible for assisting the Under Secretary of the Air Force in performing the duties of Air Force Chief Management Officer as they relate to improving the effectiveness and efficiency of Air Force business operations. The Air Force Deputy Chief Management Officer has been designated as the Director of the Air Force Business Transformation Office. The office advises Air Force senior leadership on establishment of strategic performance goals, management of Air Force-wide cross functional activities to meet those goals, and implementation of continuous process improvement initiatives. If confirmed, I anticipate a very active and involved role with the Air Force Business Transformation Office on matters affecting the Air Force-wide business operations.

Question. The Judge Advocate General of the Air Force.

Answer. The Judge Advocate General (TJAG) is the senior uniformed legal advisor to Air Force senior leaders and all officers and agencies of the Department of the Air Force and provides professional supervision to TJAG's Corps in the performance of their duties. If confirmed, I will look forward to developing a good working relationship with TJAG and the TJAG staff.

Question. The Chief of the National Guard Bureau.

Answer. The Chief of the National Guard Bureau is the senior uniformed National Guard officer responsible for formulating, developing, and coordinating all policies, programs, and plans affecting Army and Air National Guard personnel, and is also a member of the Joint Chiefs of Staff. Appointed by the President, he serves as principal adviser to the Secretary of Defense through the Chairman of the Joint Chiefs of Staff on National Guard matters. He is also the principal adviser to the Secretary and Chief of Staff of the Air Force on all National Guard issues and serves as the Department's official channel of communication with the governors and adjutants general. If confirmed, I will look forward to developing a good working relationship with the chief of the National Guard Bureau on appropriate matters affecting the Air Force.

Question. The Under Secretaries of the Military Services.

Answer. If I am confirmed, I will work diligently to foster a close working relationship with the Under Secretaries of the Army and Navy. I look forward to sharing information and expertise that will assist in the management of the Department of the Air Force and our coordination with the other Services on matters of mutual interest, particularly in our capacities as Chief Management Officers for our respective Services.

MAJOR CHALLENGES AND PRIORITIES

Question. In your view, what are the major challenges, if any, that you would confront if confirmed as Under Secretary of the Air Force?

Answer. This is a time of great challenge for the Air Force, DOD, and the Nation. The security environment is one where the pace of change is rapid. We live in a world where individual acts are powerful and the effects of these acts can be global. This requires a resilient, flexible, and responsive force ready to answer the Nation's call.

Force structure choices are difficult, especially under current fiscal conditions. But the Air Force, like all of the Services, must continue to maximize each taxpayer dollar to support the joint warfighter in today's conflict while ensuring we can prevail in the next fight, whatever and wherever it may be. The Air Force must balance the need to modernize platforms with the requirement to invest in new technologies and capabilities. As we all know, the men and women who serve are truly our most valuable asset. So, the Air Force must also ensure that it can continue to recruit, train, deploy, and retain highly-skilled airmen, and support those airmen and their families. At a time of great fiscal uncertainty for our Nation, these challenges will continue to pose hard choices for the Service in the years ahead.

If confirmed, I will work to meet these challenges, especially in my role as the Chief Management Officer of the Air Force, by continuing to identify efficiencies, ensuring that the Air Force is getting the most from its investment of taxpayers' resources. I will also work toward more efficient and cost-effective acquisition processes and program execution, particularly in the areas of energy and space. I look forward to working closely with DOD and Air Force leadership, along with this committee, to develop strategies for addressing these major challenges facing the Air Force and the Nation.

Question. If confirmed, how would you prioritize and what plans would you have, if any, for addressing these challenges?

Answer. The Secretary and Chief of Staff of the Air Force have laid out clear priorities—continue to strengthen the nuclear enterprise; partner with the joint and coalition team to win today's fight; develop and care for airmen and their families; modernize air and space inventories, organizations, and training; and recapture acquisition excellence.

If confirmed, I look forward to working with senior DOD and Air Force leadership, as well as this committee, to ensure that we make the right choices for the Air Force and the Nation. All of these priorities will require sustained leadership and effort with an eye toward ensuring the best support for the warfighter and the wise use of taxpayer resources.

AIR FORCE GLOBAL POSTURE

Question. The Department of Defense Strategic Guidance issued in January 2012 emphasized the Asia-Pacific and Middle East regions while still ensuring the U.S. ability to maintain mutual defense commitments in Europe. The Strategic Guidance calls for a rebalancing of the U.S. military investment in Europe, which will be achieved in part through rotational presence at overseas bases in Europe.

In your view, should we consider making more substantial reductions in Air Force force structure in Europe, particularly in view of the shift in strategy toward the Asia/Pacific arena?

Answer. The United States' defense commitments to Europe and our role in NATO remain paramount to regional stability and our international security interests. Considerations to substantially reduce force structure or employ it in new ways within Europe will require clear planning with our partners. The Air Force brings unique capabilities to Europe as part of a balanced forward presence that assures our allies of our commitment and dissuades potential adversaries from dangerous action. Additionally, I understand the Air Force meets the capability and force-sizing requirements directed by the new Defense Strategic Guidance, providing global and adaptable forces in the highest priority areas and missions in the Asia-Pacific region and the Middle East, while still ensuring our ability to maintain our defense commitments to Europe and other allies and partners. If confirmed, I will work to ensure we continue to invest in collaborative defense programs, which are in the strategic best interests of both the United States and our allies. Additionally, if we identify redundant capabilities that our partners can provide, we should carefully analyze the marginal costs of overseas presence and adjust appropriately.

MANAGEMENT OF SPACE ACTIVITIES

Question. As the Under Secretary of the Air Force, you would have an important role in helping the Secretary of the Air Force discharge his responsibilities as the Department of Defense Executive Agent for Space, in particular, for developing, coordinating, and integrating policy, plans and programs for major defense space acquisitions.

If confirmed, will you be designated as the DOD Executive Agent for Space?

Answer. I do not expect to be designated as the DOD Executive Agent for Space. While this role has been delegated in the past, the new DOD Directive does not extend the Executive Agent for Space authority.

Question. If you are designated as the DOD Executive Agent for Space, or are otherwise assisting the Secretary of the Air Force in his role as Executive Agent, how would you ensure that each of the Military Services remains fully engaged in and knowledgeable about space programs and the advantages that such programs can bring to the warfighter?

Answer. If confirmed, I do not expect to be designated as the DOD Executive Agent for Space. While this role has been delegated in the past, the new DOD Directive does not extend the Executive Agent for Space authority. However, assisting the Secretary of the Air Force in his role as EA for Space, I will foster a close working relationship with the Under Secretaries of the Army and Navy, as well as the appropriate Under and Assistant Secretaries of Defense and the Defense Advanced Research Projects Agency (DARPA), to ensure space acquisition planning, programming and budgeting are synchronized to continue to deliver the best space capability to the warfighter.

The responsibilities of the Air Force as the DOD's Executive Agent for Space can most successfully be accomplished through close coordination with these organizations for the development of space policy and the integration of space systems into broader departmental efforts.

Question. What is your view of the relationship of the Under Secretary of the Air Force to the Under Secretary of Defense for Policy and the Assistant Secretary of Defense for Networks and Information Integration with regard to space policy and systems?

Answer. If confirmed, I will be assigned a wide range of duties and responsibilities subject to the authority, direction and control of the Secretary of the Air Force. I anticipate being an active participant in a number of deliberative bodies which focus on developing, coordinating and integrating DOD policy, plans and programs for major defense acquisitions. For example, I will co-chair the Air Force Space Board and participate in the Defense Space Council as the Air Force representative. The perspective gained in these roles will inform my vision of the best ways to facilitate unity of effort across the space enterprise with the Under Secretary of Defense for Policy and the DOD Chief Information Officer, as well as other stakeholders.

Question. In your view, what are the authorities of the Executive Agent for Space regarding: (1) the budgets, programs, and plans of the various Service and Defense Agency space programs; and (2) milestone decisions for space acquisition programs of the various Services and Defense agencies?

Answer. With respect to planning, budgeting, and programming, I view the authorities of the DOD Executive Agent for Space as an integration function across the entire Department and space communities. If confirmed, I view the synchronization of space budgets between the Services and the coordination of space and nonspace acquisitions as paramount to delivering fully integrated weapon systems to the battlefield.

Currently, the Under Secretary of Defense for Acquisition, Technology, and Logistics has milestone decision authority for space acquisition programs. If confirmed, I look forward to assisting the Under Secretary in managing and delivering space capabilities to the warfighter.

Question. The Government Accountability Office (GAO) has consistently pointed to fragmented leadership as a key contributor to disconnects in space programs and to acquisition problems. GPS-user equipment, for example, lags a decade behind new satellites because of disparate acquisition authority. Architectures for critical areas such as space situation awareness were slow to develop because of a lack of an authority that could pull together and adjudicate the needs of the many organizations in the space arena. Large programs have been canceled partly because agencies could not agree on requirements or work effectively together to provide oversight.

What do you think your role would be, if confirmed, in bringing together the space community versus protecting only the institutional interests of the Air Force?

Answer. If confirmed, I look forward to working closely with counterparts in the Office of the Secretary of Defense (OSD), the Service Departments and other Defense agencies on space-related issues. While the vast majority of space capabilities reside within the Air Force, I understand these capabilities exist to support national security objectives and the joint warfighter. The office of the Deputy Under Secretary (Space) shares a staff with the DOD Executive Agent for Space. This office is staffed by all four Services, which ensures a multi-Service perspective is brought forth on issues. Additionally, I will encourage a strong partnership with OSD and the Service Departments utilizing the Defense Space Council and other mechanisms for further collaboration, synchronization, and integration across DOD space activities.

If confirmed, I would use the current governance mechanisms to actively work with the other members of the Space community; I would informally develop relationships with peers outside of the Air Force (e.g. NASA, NRO, ODNI): and I would act in a highly collaborative and reliable manner with the other members of the Space community

Question. How would you foster better cooperation and coordination with agencies inside and outside the Defense community?

Answer. If confirmed, I look forward to working with the Secretary of the Air Force, the Executive Agent for Space, to further cooperate on space activities across the U.S. Government. The National Reconnaissance Office is a member of the DSC while the Office of the Director of National Intelligence is regularly represented as well. The Intelligence Community Space Board also includes several members from DOD agencies, including the Defense Intelligence Agency and Office of the Under Secretary of Defense for Intelligence, and observers from the Office of the Under Secretary of Defense for Policy and the Director of the Executive Agent for Space Staff.

If confirmed, I will also participate in routinely scheduled, Executive-level meetings such as those between the Air Force, NASA, and the National Reconnaissance Office. The perspective gained in these roles will inform my vision of the best ways to facilitate unity of effort across the DOD Space enterprise and support the Secretary of the Air Force.

Question. Do you see a need to strengthen the authority of the Under Secretary of the Air Force or to establish any new authority to ensure better Government-wide coordination for space?

Answer. At this time, I am unaware of any reason to change the authorities assigned to the Under Secretary of the Air Force. Formed approximately 2 years ago, the Defense Space Council has had a positive impact on Government-wide coordination of space activities. If confirmed, I look forward to working closely with the Secretary of the Air Force in any capacity to build upon the success of the Defense Space Council.

SPACE LAUNCH

Question. On May 2, 2005, Boeing and Lockheed Martin announced plans to merge the production, engineering, test, and launch operations associated with providing Evolved Expendable Launch Vehicle (EELV) services to the U.S. Government. The companies believed the merger could save $100–150 million per year for the U.S. Government while continuing to provide assured access to space. An October 2011 GAO report indicated that these cost savings have not materialized and have in fact increased due to lack of insight into the costs by the merged EELV contractor.

If confirmed, how would you ensure that the costs of launch are contained and transparent to the U.S. Government?

Answer. The new EELV acquisition strategy with quantity, rate, and time commitments, better executive oversight, the emergence of competition and better incentive contract types should ensure launch costs are contained. If confirmed, I plan to become more familiar with these efforts, to evaluate the actual cost savings and other benefits of the Air Force strategy.

Question. Maintaining assured access to launch has been the national security goal of the Department of the Air Force.

In your view is that goal achieved with the EELV vehicles or is there a need for alternative launch options by attracting new entrants to compete with the current EELV contractor?

Answer. Assured access to space has been achieved to date by the current ULA launch systems in the EELV program. However, both public law and policy require the U.S. Government to provide equal opportunity for all qualified providers. Commercial space transportation providers that have demonstrated their ability to safely and reliably launch payloads will be provided the opportunity to compete.

Question. There has been considerable discussion in the past year about the Air Force's plans for a block buy strategy for space launch. The high cost of launch, our knowledge about the industrial base, uneven agency coordination, and inadequate transparency into cost and efficiencies have been significant elements of the debate over this upcoming procurement.

If confirmed, how would you ensure that the Air Force works closely with the Administrator of the National Aeronautics and Space Administration (NASA) to ensure that DOD has sufficient knowledge of the heavy-lift program decisions of the administration to facilitate the ability of DOD's ability to negotiate EELV launch contract prices in a manner that maximizes investment?

Answer. If confirmed, I look forward to working with NASA and others across the U.S. Government to maximize the Department's investment. DOD and NASA collaborate on studies and conduct joint meetings to provide insight into each organization's acquisition strategy. If confirmed, I will continue to work with NASA to ensure full understanding of the bearing NASA program decisions may have on sustaining the launch industrial base.

Question. Do you think that the Air Force's current approach to coordination with NASA is sufficient or are changes needed?

Answer. If confirmed, I look forward to supporting the Secretary's efforts to build strong relationships with NASA. The Air Force works jointly with both NASA and the NRO on several key areas including the acquisition of space launch services and new launch service provider entrant criteria.

I plan to continue engaging with our space launch partners on matters regarding the stability of the industrial base, EELV launch requirements and competition for DOD launch services. I will continue to look for opportunities for improved cooperation and coordination while the organizations pursue their respective programs.

Question. In light of budgetary constraints, can more be done to leverage the expertise and resources of both agencies as well as other agencies that rely on our national security launch capability, such as the National Reconnaissance Office (NRO)?

Answer. If confirmed, I will evaluate opportunities to leverage expertise across agencies with space launch responsibilities while bearing in mind that there are many existing collaboration activities underway. As an example, the Air Force, NRO, and NASA jointly lead the Government Expendable Launch Vehicle Executive Board as a forum for interagency communication of acquisition, certification, and programmatic launch issues.

Question. The discussion over the last year highlighted a need for a longer term, national strategy for launch—one that optimizes the industrial base, enables competition, advances technology, and can respond to a need to change the current acquisition paradigm for space.

What role do you believe the Air Force should play in developing a national launch strategy?

Answer. If confirmed, I will work with the Secretary of the Air Force and across the Department to evaluate the need to develop a comprehensive national launch strategy. As the DOD's Executive Agent for Space, the Air Force has the ability to reach across the Department to address DOD space equities and collaborate with external stakeholders. If confirmed and requested by the Secretary, I will work with our partners to understand the challenges and assess where key strategic choices are required.

Question. How can this strategy leverage the government's buying power to assure mission success while minimizing costs?

Answer. My understanding is that the objective of such a national strategy is to establish an environment to ensure a stable, flexible, responsive, and appropriately sized U.S. domestic propulsion industrial base capable of fulfilling national requirements and commercial market demands. I look forward to helping develop and decide on a common strategy. A key element to the strategy should be better leveraging the government's buying to gain our desired outcomes.

Question. How can we incentivize contractors to implement efficiencies without adversely affecting mission success?

Answer. If confirmed, I will work with the Secretary of the Air Force to ensure mission assurance is maintained as an important contributing factor to launch mission success. I have learned that the Air Force has taken steps to effectively incentivize ULA to gain efficiencies in launch capability without impacting mission assurance through its two-pronged approach—a mission success performance incentive to ensure focus on mission requirements, and the cost control incentive to find efficiencies. Careful consideration will be taken to ensure these incentive features of the contract structure are appropriately balanced to influence behavior without adversely affecting mission success.

Question. In the near term, what are your plans, if any, to foster competition in the launch vehicle industry to ensure DOD pays competitive prices?

Answer. If confirmed, I will work with the Department on the implementation of its new acquisition strategy, approved in November 2012, which authorizes competition for up to 14 missions for New Entrants.

Question. What insight do you plan to have into the progress of new commercial launch providers in obtaining a government certification?

Answer. If confirmed, I plan on seeing the rapid application of the Air Force's New Entrant Certification Guide (NECG), to guide the evaluation and certification processes for prospective New Entrants. Per the NECG, the Air Force formally reviews and approves all certification approaches proposed by New Entrants, thereby providing me direct insight into any government certifications.

MILITARY SPACE ACQUISITION POLICY

Question. A major issue in space acquisition is the decoupling of acquisition schedules between ground terminals and equipment and the actual satellite. The result is billions of dollars being spent to launch next generation communications, early warning, and GPS systems without the capability on the ground to utilize the full suite of capabilities on the satellites.

If confirmed, what will you do to ensure that ground and satellite capabilities are synchronized as contemplated in section 911 of the National Defense Authorization Act for Fiscal Year 2013?

Answer. It is my understanding that the deployment of ground and satellite capabilities is not always optimally synchronized.

If confirmed, I plan to address programs from an enterprise perspective and improve synchronization of space, control, and user segments. I also plan to ensure appropriate resources are allocated and to balance the need for early development with the appropriate timeline for fielding.

Question. For several years, the Air Force has proposed a multi-year procurement approach for its largest satellite programs. This would have an advantage of stabilizing cost and enabling efficiencies, but there is also a risk of locking in a strategy that may not be suited for the decades ahead and of disabling innovation. At the same time, DOD is weighing the pros and cons of relying more on the commercial sector to carry military space payloads on board commercial satellites as well as alternate architectures that emphasize the use of smaller, simpler satellites that rely on both space and ground networks to carry out the same missions that large, complex, and expensive satellites do today.

What are your views on multi-year procurement, incremental funding, and block-buy approaches, and to what extent do you envision the Air Force using these approaches for acquiring space systems?

Answer. The Block buys enable "process efficiencies" otherwise lost as a result of production breaks. Lowering production costs by building and testing two or more satellites in succession by using nontraditional space procurement funding approaches uses production facilities more efficiently and helps the Department avoid untenable funding spikes, which inject instability into programs and hurt the Space Industrial Base suppliers.

These approaches may not be appropriate for every space system procurement activity. If confirmed, I will support using innovative space system procurement approaches, including multi-year procurement, to ensure we are able to fund and produce these vital systems while still maintaining our ability to fund other core Air Force capabilities.

Question. If confirmed, what would be your plan to maintain superiority in space, to push the state of technology, and to sustain innovation in light of an approach that locks the incumbent contractor into a long-term deal with just incremental advances in capability?

Answer. Maintaining superiority in space requires continued investment in science and technology and innovative acquisition approaches that allow for incremental improvements to operational satellite programs. If confirmed, innovation will continue to be an Air Force priority, and I will continue supporting a strong government-contractor environment that balances affordability with the opportunity for incremental system improvement.

Question. Do you foresee opportunities to develop national security space satellites that are smaller, operationally responsive, and cost less to launch?

Answer. The most important factors in any architecture development are how they accomplish the mission and how they meet requirements. Any opportunities for national security satellites that meet mission needs, cost less to operate, are more responsive, and potentially smaller should be considered seriously.

Question. If so, what role would you play, if confirmed, in changing the acquisition culture from one that coalesces around large, complex, exquisite programs to one that coalesces around smaller, simpler programs that emphasize resilience over reliability?

Answer. If confirmed, I will work closely with our Air Force acquisition leadership and with stakeholders in the Defense Department to foster an acquisition culture that supports delivering capabilities the warfighter needs. If the needs are best met by smaller, simpler programs, we will provide the guidance and resources to deliver space capabilities in that manner.

Question. To what extent would you eliminate barriers and restrictions to enable DOD to more fully use hosted payloads and ride-share arrangements?

Answer. If confirmed, I will ensure we look at the totality of mission needs. Hosted payloads and ride-share arrangements may provide responsive and cost-effective space capabilities, but rigorous analysis and cost estimating are required. If hosted payloads and/or ride share agreements are selected as part of architecture to meet mission requirements, I will deal with barriers and restrictions to the best of my ability to enable these nontraditional approaches.

Question. For fiscal year 2013, Congress rejected the termination of the Operationally Responsive Space Program and instead moved the office and function under the Space and Missile Systems Center (SMC), as found in section 914 of the National Defense Authorization Act for Fiscal Year 2013.

If confirmed, will you support the implementation of section 914 and support the timely and successful integration of the Operationally Responsive Space Program into SMC?

Answer. Yes, the Air Force transitioned the ORS Office to AFSPC/SMC. A more detailed, long-term plan is pending a fiscal year 2013 Appropriations Bill.

Question. If confirmed, will you fully, and in a timely manner, answer congressional inquiries on the status of the Operationally Responsive Space Office?

Answer. Yes, I will make it a priority to respond to all congressional inquiries.

LONG-RANGE BOMBERS

Question. The B–52s will begin to be retired in the 2030 timeframe but are in urgent need of recapitalization of their data backbone for advanced targeting and communications.

Do you support the B–52 Combat Network Communications Technology (CONECT) program and will you work with Global Strike Command to ensure the full suite of capabilities of the CONECT system are implemented in the aircraft?

Answer. I support the capabilities that the CONECT program brings in order to enable more effective B–52 employment in the complex, network-centric battle space of the future. Although the Air Force restructured the CONECT program in the fiscal year 2013 PB, the capability remains a top Air Force Global Strike Command priority. If confirmed, I will work with Global Strike Command to balance warfighter needs and resources as we address our future budgets.

DUTIES AND RESPONSIBILITIES AS CHIEF MANAGEMENT OFFICER

Question. Section 904 of the National Defense Authorization Act for Fiscal Year 2008 designates the Under Secretary of the Air Force as the Air Force's Chief Management Officer (CMO). Section 908 of the National Defense Authorization Act for Fiscal Year 2009 requires the CMO of each Military Department to carry out a comprehensive business transformation initiative, with the support of a new Business Transformation Office.

What is your understanding of the duties and responsibilities of the Under Secretary as the CMO of the Department of the Air Force?

Answer. It is my understanding that the responsibilities of the Chief Management Officer, consistent with section 904 of the National Defense Authorization Act for Fiscal Year 2008, include the following: ensuring the Air Force's capability to carry out DOD's strategic plan in support of national security objectives; ensuring the core business missions of the Department of the Air Force are optimally aligned to support the Department's warfighting mission; establishing performance goals and measures for improving and evaluating overall economy, efficiency, and effectiveness and monitoring and measuring this progress; and working with DOD's Chief Management Officer to develop and maintain a strategic plan for business reform. Under section 908 of the National Defense Authorization Act for Fiscal Year 2009, the Chief Management Officer is also responsible for carrying out an initiative for business transformation for the Air Force. Under section 2222 of the National Defense Authorization Act for Fiscal Year 2010, I would be responsible for pre-certification for Air Force business systems programs prior to submission for Department of Defense Deputy Chief Management Officer review and certification. If confirmed, I will ensure the core function and missions of the Air Force are optimally aligned to support the joint warfighting mission. I intend to fulfill the requirements of the law by establishing performance goals and measures for improving and evaluating the overall affordability, efficiency, and effectiveness of Air Force programs.

Question. What background and expertise do you possess that you believe qualify you to perform these duties and responsibilities?

Answer. I have held equivalent duties and responsibilities as the Deputy Under Secretary of the Navy and Deputy Chief Management Officer, Office of the Under Secretary of the Navy. While in this capacity, I have been engaged in the implementation of the CMO duties directed by section 904 of NDAA 2008, section 905 of NDAA 2009, and section 2222 of NDAA 2010 and intimately familiar with the related DOD guidance issued by the DOD Deputy Chief Management Officer. My experience in Navy Enterprise Resource Planning implementation and assuring compliance with financial improvement and audit readiness requirements will be of particular benefit in my new duties.

Question. Do you believe that the CMO and the Business Transformation Office have the resources and authority needed to carry out the business transformation of the Department of the Air Force?

Answer. Yes I do, putting aside the uncertainty of sequestration and further fiscal challenges imposed on the Department and Air Force. I have favorable first impressions. If, upon further analysis, I become convinced more resources are required to affect transformation, I would work closely with the Secretary to ensure the Air Force is applying sufficient effort to this important issue.

Question. What role do you believe the CMO and the Business Transformation Office should play in the planning, development, and implementation of specific business systems by the Military Departments?

Answer. Consistent with the laws that established them, the CMO and the Business Transformation Office should work with the Secretary and Chief to set transformation priorities aligned to DOD and Air Force needs. They should work to ensure business systems solutions make economic sense and are feasible; build on or replace existing systems; and enforce sound execution through application of the DOD certification process, pursuant to the NDAA for Fiscal Year 2005 and amplified in the NDAA for Fiscal Year 2012, that requires all business systems over $1 million in cost across the future years program be certified as meeting a mission need and supported by a business case.

Question. What changes, if any, would you recommend to the statutory provisions establishing the position of CMO and creating the Business Transformation Office?

Answer. I have no recommendations to make at this time. If confirmed, I will continue to assess the requirement for additional or modified authorities and look forward to working with this committee to ensure that the objectives of the CMO, as intended by Congress, are met.

Question. Section 2222 of title 10, U.S.C., requires that the Secretary of Defense develop a comprehensive business enterprise architecture and transition plan to guide the development of its business systems and processes. The Department has chosen to implement the requirement for an enterprise architecture and transition plan through a "federated" approach in which the Business Transformation Agency has developed the top level architecture while leaving it to the military departments to fill in most of the detail. The Air Force's business systems, like those of the other military departments, remain incapable of providing timely, reliable financial data to support management decisions. In particular, the Government Accountability Office has reported that the Air Force has not yet followed DOD's lead in establishing new governance structures to address business transformation; has not yet developed comprehensive enterprise architecture and transition plan that plug into DOD's federated architecture in a manner that meets statutory requirements; and instead continues to rely upon old, stove-piped structures to implement piecemeal reforms.

If confirmed, what steps, if any, would you take to ensure that the Air Force develops the business systems and processes it needs to appropriately manage funds in the best interest of the taxpayer and the national defense?

Answer. If confirmed, I will work with the Air Force comptroller to ensure that Air Force funding execution is more visible in real time to senior leaders. While I have not yet been briefed in detail on the status and challenges for Air Force systems, I would work to ensure that our systems and processes achieve the outcome of enhancing our ability to manage funds; ensure a detailed schedule is put in place and managed to achieve that outcome; and ensure audits are conducted to validate performance.

Question. Do you believe that a comprehensive, integrated, enterprise-wide architecture and transition plan is essential to the successful transformation of the Air Force's business systems?

Answer. Yes, I do.

Question. What steps would you take, if confirmed, to ensure that the Air Force's enterprise architecture and transition plan meet the requirements of section 2222?

Answer. If confirmed, I will engage the business transformation staff in a detailed review of how the Air Force is developing and using its business enterprise architecture to manage transformation and stay aligned with the DOD Business Enterprise Architecture and related strategic transformation priorities. I would make it a priority to meet very early on with the Deputy CMO and Business Transformation staff to validate the current state of the Air Force business enterprise architecture and its alignment to the DOD architecture. I would focus our review on how the architecture is being applied within the Air Force governance process, and would direct and implement any needed improvements

Question. What are your views on the importance and role of timely and accurate financial and business information in managing operations and holding managers accountable?

Answer. I think timely financial information is critical in managing the operations of large organizations. I understand the frustration of many at the difficulty in achieving audits of DOD financial statements and appreciate congressional efforts, through section 1003 of the National Defense Authorization Act for Fiscal Year 2012, reinforcing the Secretary of Defense's goal of accelerating audit readiness. If confirmed, I will be active in supporting DOD and Secretary of the Air Force's continued focus on financial issues, achieving the end of calendar year 2014 deadline for Statement of Budgetary Resources, and realizing full audit readiness by 2017.

Question. How would you address a situation in which you found that reliable, useful, and timely financial and business information was not routinely available for these purposes?

Answer. If confirmed, I would use that situation as an opportunity to improve the process of providing such financial and business information. I would make this area a priority, especially if it aligns to the major strategic mission priorities of the organization, and assign actions with accountability for corrections. Finally, I would provide active follow-up to ensure the needed results were achieved.

Question. What role do you envision playing, if confirmed, in managing or providing oversight over the improvement of the financial and business information available to Air Force managers?

Answer. If confirmed, I will focus on establishing the priorities for business performance improvements on behalf of the Secretary of the Air Force and report on progress toward achieving these goals. As the CMO, I would expect to be an active and key member of the Air Force governance process, enforcing Department priorities in decisions regarding programs, organizations and processes across the functional staff and Air Force Major Commands.

AUDITABLE FINANCIAL STATEMENTS

Question. Section 1003 of the National Defense Authorization Act for Fiscal Year 2010 requires the Chief Management Officer of the Department of Defense to establish a plan to ensure that DOD's financial statements are validated as ready for audit by not later than September 30, 2017. The Secretary of Defense has established the additional goal of ensuring that the statement of DOD's budgetary resources is validated as ready for audit by not later than September 30, 2014.

In your opinion, is the Department of the Air Force on track to achieve these objectives, particularly with regard to data quality, internal controls and business process re-engineering?

Answer. The Air Force plan has been reviewed and integrated with the OSD FIAR plan that integrates the entire DOD business environment but, admittedly, it is still not without risk. However, they are seeing successes to date that affirm they are on the right path. The Air Force continues to be cautiously optimistic. It has received seven favorable opinions with two more assertions currently under examination. The Statement of Budgetary Resources has received clean opinions on the Budget Authority covering $161 billion while the Existence and Completeness of Mission Critical Assets has received favorable opinions on a total of $97.4 billion. The Air Force is the first Service given a clean opinion on its Fund Balance with Treasury reconciliation process. This gives the Air Force the ability to validate its transactions between the general accounting system and Treasury. The Air Force will continue to assert assessable units until the entire SBR is audit ready. If confirmed, I will make it a priority in my capacity as Chief Management Officer to more closely review and monitor the Air Force strategy.

Question. If not, what impediments may hinder the Air Force's ability to achieve this goal and how would you address them?

Answer. Currently, a key impediment to the Air Force's ability to achieve this goal is the lack of contract support to collect, document, test, and audit the existing business processes. At this time, the fiscal year 2012 through fiscal year 2017 Financial Improvement Audit Readiness (FIAR) support contract is under protest. The Air Force is carefully working to resolve the issue, but without contract support, the progress level is greatly reduced. This risk has the potential to increase due to the current fiscal environment

A second impediment is the lack of an integrated transaction-based accounting system. The Air Force's reliance on legacy systems requires additional compensating process controls. The Air Force will analyze legacy systems and implement appropriate cost-effective changes while they continue to pursue the Defense Enterprise Accounting and Management System and the Air Force Integrated Personnel and Pay System. Further, the Air Force continues to collaborate within the Department to share lessons learned, establish performance measures and consolidate efforts where applicable.

Question. In your view, are the steps that the Air Force needs to take to meet the 2014 goal consistent with the steps that DOD needs to take to achieve full auditability by 2017?

Answer. Yes, the Air Force approach to audit readiness is consistent with DOD. As an active member of the FIAR Governance, the Air Force has the opportunity to collaborate on establishing the goals, objectives and guidance to produce auditable financial statements for the Department. The Air Force adheres to the same guidance published by OUSD(C) which controls the standards for sampling, threshold, and scope to be used during audit readiness efforts. The DOD Comptroller reviews all assertion packages prior to submission for audit by an Independent Public Accounting Firm or the DOD Inspector General. Upon favorable examination, the Air Force will sustain those auditable processes to support the overall DOD assertion for the principal financial statements.

Question. What steps will you take, if confirmed, to ensure that the Air Force moves to achieve these objectives without an unaffordable or unsustainable level of one-time fixes and manual work-arounds?

Answer. The Air Force has established a governance process to oversee its audit readiness objectives, which is aligned to its Investment Review process, to ensure Senior Leadership oversight across the Air Force enterprise. This governance is

aligned to OSD governance to ensure Department-wide integration of efforts to achieve audit objectives and avoid those stove-piped, unaffordable, and unsustainable fixes. A key element of this governance will be to document and standardize the business processes across the Air Force to ensure they are traceable and auditable. In order to do this, the Air Force is implementing a standard set of tools to validate, document, re-use, and sustain the results from its audit readiness efforts, while also ensuring auditability of its Information Technology systems.

Utilizing these standards and tools will allow Senior Leader oversight on the corrective action plans being implemented across the Air Force in collaboration with the Army, Navy, and Service providers throughout the Federal Government. This holistic, enterprise-wide approach will allow the Air Force to determine impacts of business process changes, ensure alignment with the DOD Business Enterprise Architecture, and inform its IT investment decisions. Finally, the Air Force strategy will provide a mechanism to encourage culture change, which is necessary for future continuous process improvement, the results of which will also be documented and auditable.

If confirmed, I will continue to press forward on auditability goals, but with an eye towards sustainability so as not to waste valuable resources in this tight fiscal environment.

ACQUISITION ISSUES

Question. What are your views regarding the need to reform the process by which the Department of the Air Force acquires major weapons systems?

Answer. Continuing to improve the acquisition process for major weapons systems is a critical issue for the Air Force, as well as for DOD. My initial impression is that the Air Force has taken focused actions to reform its acquisition processes and is continuing to work to make further improvements in response to the Weapons System Acquisition Reform Act of 2009. In addition, I understand that the Air Force is working on Mr. Kendall's "Better Buying Power 2.0" initiatives in the pursuit of greater efficiency and productivity. If confirmed, I would expect to learn more about the challenges facing Air Force acquisition and to help the leadership team take further steps to deliver better value to the taxpayer and warfighter by improving the way the Air Force does business.

Question. What steps would you recommend to improve that process?

Answer. If confirmed, I would continue the acquisition improvements begun by the Secretary of the Air Force and the Chief of Staff and work with OSD on their acquisition improvement initiatives. Specifically, I would recommend the Air Force work with OSD on program affordability, cost control throughout the program lifecycle, and improving the acquisition workforce across the Air Force.

Question. If confirmed, what role do you expect to play in the major defense acquisition programs of the Department of the Air Force?

Answer. If confirmed, I will assist the Secretary of the Air Force in his goal of recapturing acquisition excellence. I understand his initiatives include providing full spectrum acquisition capabilities to the Air Force and the Department of Defense, and ingraining a culture of process improvement within acquisition. I would look forward to helping the Secretary to achieve his acquisition goals in whatever capacity he believes I am best suited to serve.

Question. Roughly half of the Department of Defense's largest acquisition programs have exceeded the so-called "Nunn-McCurdy" cost growth standards established in section 2433 of title 10, U.S.C. One such program is the Air Force's Joint Strike Fighter program, for which total life-cycle cost has now been estimated to exceed $1 trillion.

If confirmed, what steps, if any, would you take to address the out-of-control cost growth on the Department of the Air Force's major defense acquisition programs?

Answer. I am in support of the principles that motivated the Weapons Acquisition Reform Act of 2009. I think that law lays out both the drivers of program challenges and the need to take very seriously any critical breaches of Nunn-McCurdy thresholds. As such and if confirmed, my analysis of the Air Force's acquisition programs would focus on the assumptions used in establishing program baselines. Such baselines must be based on realistic schedule and technical assumptions and accurate cost estimates. If confirmed, I will place an emphasis on realistic budgeting based on improved program cost estimates.

Question. What principles will guide your thinking on whether to recommend terminating a program that has experienced "critical" cost growth under Nunn-McCurdy?

Answer. The direction provided by Nunn-McCurdy and by the Weapon Systems Acquisition Reform Act of 2009 is essential in determining whether to terminate or

continue a program that has experienced a critical cost growth. I agree with the new law that, when such breaches occur, we must understand what the root cause of that breach is. I further agree with the presumption for termination that must guide one's analysis and also the requirement that, if a program is restructured, it should be required to receive new milestone approval before proceeding. While there are programs that will be essential to national security, I believe the Department must undertake hard analysis in looking at the alternatives in such a case.

Question. Many experts have acknowledged that the Department of Defense may have gone too far in reducing its acquisition workforce, resulting in undermining its ability to provide needed oversight in the acquisition process.

Do you agree with this assessment?

Answer. The answer in the past would have been yes, but my understanding is that the Air Force has alleviated a lot of these issues through its acquisition improvement initiatives since fiscal year 2008.

Question. If so, what steps do you believe the Department of the Air Force should take to address this problem?

Answer. If confirmed, I will look for ways to continue strengthening the Air Force's acquisition workforce.

Question. The Weapon Systems Acquisition Reform Act of 2009 (WSARA) was intended to ensure that future weapon systems move forward on a sound footing by addressing unrealistic program cost and schedule estimates, the absence of clearly defined and stable requirements, the inclusion of immature technologies that unnecessarily raise program costs and delay development and production, and the failure to solidify design and manufacturing processes at appropriate junctures in the development process.

Do you support the approach taken by WSARA?

Answer. I fully support the approach taken by WSARA and all efforts to improve acquisition in the Air Force.

Question. What additional steps, if any, do you believe the Department of the Air Force should take to address these problems?

Answer. I believe the Air Force should continue the effort to improve and maintain the acquisition workforce expertise. Specifically, I recommend enhanced acquisition training and increasing the availability of highly qualified course instructors in such functional areas as cost estimating that would strengthen the Air Force's program management business negotiation and oversight role.

Question. By some estimates, the Department of Defense now spends more money every year for the acquisition of services than it does for the acquisition of products, including major weapon systems. Yet, the Department places far less emphasis on staffing, training, and managing the acquisition of services than it does on the acquisition of products.

What steps, if any, do you believe the Air Force should take to improve the staffing, training, and management of its acquisition of services?

Answer. The Air Force must continue its focus on improving services acquisition. Leaders throughout the Air Force must be aware of their role in properly assigning personnel to the acquisition teams, resourcing the programs, ensuring personnel receive the necessary service acquisition training, and growing experts in acquiring services. Specifically, the Air Force Senior Manager for Services has partnered with Air Force Major Commands to identify senior level Services advocates to ensure consistency with approved processes and that DOD and Air Force policy is being followed.

Question. Do you think the Air Force should develop processes and systems to provide managers with access to information needed to conduct comprehensive spending analyses of services contracts on an ongoing basis?

Answer. Yes. It is critical that decisionmakers have access to key metrics throughout the life of contracted services. The Air Force is currently developing a senior leader dashboard to provide near real time visibility on program execution and ensure transparency of contracted services.

AIR FORCE POLICIES REGARDING DRUG AND ALCOHOL ABUSE

Question. What is your understanding of the Air Force's policy with respect to disciplinary action and administrative separation of Air Force personnel who have been determined to have used illegal drugs? Do you agree with this policy?

Answer. The Air Force does not have any policy per se on disciplinary actions with respect to particular criminal offenses. However, I know each drug case is investigated by law enforcement personnel and the report of investigation is provided to the airman's commander to review the evidence for appropriate disposition. Each case is evaluated on its merits, including the type of illegal drug used, the facts and

circumstances of the use or uses, the military record of the airman, and the strength of the evidence.

The Air Force has a policy on administrative separation for illegal drug use found in its administrative separation instruction. It states that drug abuse is incompatible with military service and airmen who abuse drugs one or more times are subject to administrative separation for misconduct. In fact, administrative separation processing is mandatory for drug abuse unless a waiver is granted. This seems to be an appropriately fair policy to me.

Question. What is your understanding of the Air Force's policy with respect to rehabilitation and retention on Active Duty of members of the Air Force who have been determined to have used illegal drugs or abused alcohol or prescription drugs? Do you agree with this policy?

Answer. Only in very limited circumstances does the Air Force retain airmen determined to have used illegal drugs, including illegal use of prescription drugs. In order to be retained, airmen have the burden of proving that retention is warranted by meeting a number of criteria, to include if such drug use was a departure from the airman's usual behavior and is not likely to recur, does not involve recurring incidents, and does not involve distribution. The Air Force does provide some limited protection for airmen who self-identify their drug use for the purpose of seeking treatment in that they may avoid criminal prosecution, but will still face administrative separation. This seems to be an appropriately fair policy to me.

Question. Do you believe that the Air Force has devoted sufficient resources for implementation of its rehabilitation policies and objectives since 2001? If not, in what ways have resources been insufficient?

Answer. Yes. The Air Force maintains a comprehensive and dynamic drug detection and response program that includes rehabilitation as a key element. There are trained alcohol and drug counselors and medical providers at each installation to provide evaluation and outpatient treatment services. For airmen needing more intensive inpatient treatment, medical teams arrange for these services through TRICARE with local community medical centers.

RELIGIOUS GUIDELINES

Question. The DOD Independent Review Related to Fort Hood observed that "DOD policy regarding religious accommodation lacks the clarity necessary to help commanders distinguish appropriate religious practices from those that might indicate a potential for violence or self-radicalization" and recommended that the policy be updated.

What is your understanding of current policies and programs of the Air Force regarding religious practices in the military?

Answer. The Air Force Chaplain Corps provides spiritual care and the opportunity for airmen, their families, and other authorized personnel to exercise their constitutional right to the free exercise of religion. Every effort is made to ensure this right is protected. Consistent with the Air Force Fort Hood Follow-On Review recommendations, the Air Force is reviewing and updating policies and guidance consolidation into a single series of instructions. This should ensure that leaders consult chaplains and legal counsel before making decisions, to better address prevention, identification, and response to religious-based disrespect, harassment, and discrimination in relevant training of airmen (e.g., equal opportunity training, free exercise of religion training, wingman training, and commander courses).

Question. What is your view of the need to clarify the policy regarding religious accommodation in the Air Force?

Answer. The Air Force continues to ensure clarity to commanders by providing clear policy on religious accommodation, which maintains consistency with DOD policy. Air Force policy directs that requests to commanders for religious accommodation are welcomed and dealt with fairly and consistently throughout the Air Force. While requests vary in need and accommodation, all requests should be approved unless approval would have a real (not hypothetical) adverse impact on military readiness, unit cohesion, standards or discipline and, therefore, disapproval of the accommodation request is in furtherance of a compelling military or government interest. Commanders are to consult with their installation chaplain and staff judge advocate on requests for religious accommodation. However, consistent with the Air Force Fort Hood Follow On Review recommendations, the Air Force is presently reviewing and updating policy and guidance to address prevention, identification and response to religious-based disrespect, harassment and discrimination.

Question. Do Air Force policies regarding religious practices in the military accommodate, where appropriate, religious practices that require adherents to wear items of religious apparel or adhere to certain grooming practices related to their faith?

Answer. The Air Force has a clear process to ensure every request for religious accommodation is welcomed and dealt with as fairly and consistently. Requests for accommodation should be approved, unless approval would have a real (not hypothetical) adverse impact on military readiness, unit cohesion, standards or discipline, and therefore, disapproval of the accommodation request is in furtherance of a compelling military and/or government interest. Concerning the wearing of religious garments or other articles, requests for accommodation involving items such as the outdoor wear of religious head coverings that are not concealed under military headgear and those impacting grooming and personal appearance (e.g., hair length and style, tattoos, and "body art") must be approved by the Deputy Chief of Staff for Manpower, Personnel, and Services.

Question. In your view, do these policies accommodate the free exercise of religion and other beliefs without impinging on those who have different beliefs, including no religious belief?

Answer. Yes, the policies are intended to protect both the free exercise of religion for all airmen and avoid the appearance of an official endorsement of any particular religion. Air Force policy presently communicates that all airmen have the freedom to choose to practice their particular religion or subscribe to no religious belief at all. If confirmed, I will closely monitor the implementation of this policy.

Question. In your view, do existing policies and practices regarding public prayers offered by military chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious beliefs?

Answer. From what I have been told so far, I believe that Air Force Chaplains are well trained to provide prayers offered in pluralistic settings. This requires sensitivity to their audience which includes individuals from various religious traditions as well as those who profess no religious belief at all. The guidance provided by Air Force leaders also makes clear that supervisors respect each chaplains' right to adhere to the tenets of his or her faith and thus not require chaplains to participate in religious activities, including public prayer, which are inconsistent with their faith tradition. If confirmed, I will look into this in greater detail.

Question. What is your assessment of measures taken at the Air Force Academy to ensure religious tolerance and respect?

Answer. Air Force leadership clearly takes very seriously the idea of religious tolerance and respect. The team effort to improve the religious atmosphere at the Academy continues to reduce cases of intolerance and inappropriate behavior. Since beginning their Cadet Religious Respect Training Program, 7,782 cadets have been trained to respect the beliefs or non-beliefs of others. In addition, the Dean of Faculty trained 910 staff members to ensure the academic environment is free of negative religious expressions. Further, the Athletic Department's Religious Respect Program trained 300 coaches and staff to ensure the athletic department adheres to the guidance. Finally, the Cadet Interfaith Council continues to positively impact relationships between various faith groups and cooperates in various service projects to improve the community. If confirmed, I will monitor this closely to ensure that the training put in place is yielding the desired outcomes.

AIR FORCE SCIENCE AND TECHNOLOGY

Question. If confirmed, what direction would you provide regarding the importance of innovative defense science and technology in meeting Air Force missions?

Answer. The innovative technology produced by the Air Force Science and Technology (S&T) Program balances high-risk with high-return science and knowledge. If confirmed, the direction I provide would focus on supporting the Air Force capabilities fundamental to deterring and defeating aggression, projecting power in anti-access and area denial environments, operation in space and cyberspace domains, and maintaining a safe, secure and effective strategic deterrent.

Question. Do you believe the current balance between short- and long-term research is appropriate to meet current and future Air Force needs?

Answer. From what I can tell at this point, yes. The success of the Air Force will depend on continued innovation and technical excellence. The Air Force S&T Program invests across a broad portfolio to attain a balance between near-term, quick-reaction capability support; mid-term technology development to modernize the force; and revolutionary technologies that address far-term warfighting needs.

Question. If confirmed, what role would you play in ensuring research priorities that will meet the needs of the Air Force over the next 10 years?

Answer. As outlined in the Defense Strategic guidance, the future strategic environment will require an agile and flexible military. Therefore, it is important that

the Air Force S&T Program continue to invest in a broad portfolio of research to anticipate future needs. If confirmed, in my role as the senior energy and sustainability official, I will also take special interest in the Air Force's continued investment in the development and demonstration of advanced technologies that address affordability and lifecycle costs of future systems.

Question. In the face of rising acquisition costs for programs such as the Joint Strike Fighter, and programs to support space operations, if confirmed, how would you plan to ensure the protection of funding for long-term science and technology investments?

Answer. I take the issue of rising acquisition costs very seriously. Protecting the funding for the Air Force S&T Program is very important as it is a key element in making mature technologies available for transition into development programs. The S&T Program allows the Air Force to sustain its heritage of technological superiority.

AIR FORCE LABORATORIES

Question. What role should Air Force laboratories play in supporting current operations and in developing new capabilities to support Air Force missions?

Answer. It is my view that the Air Force S&T program—including the labs—should continue to develop and transition innovative and relevant technologies; build and nurture a technically skilled, highly educated and adaptive workforce able to provide effective solutions for today's issues; and conduct innovative research to maintain our technological edge over potential adversaries.

Question. If confirmed, how will you ensure that Air Force laboratories have the highest quality workforce, laboratory infrastructure, resources, and management, so that they can continue to support deployed warfighters and develop next generation capabilities?

Answer. If confirmed, I will spend time educating myself on the details of the Air Force's current initiatives in this area. Ensuring the Air Force continues to have war-winning technology requires the proactive management of its current Science, Technology, Engineering, and Mathematics (STEM) workforce and a deliberate effort to grow the laboratory scientists and engineers of the future. Those researchers need state-of-the-art laboratory facilities to best support deployed warfighters with ready-to-use technologies and develop next generation capabilities. I will rely on and support the senior leadership of the acquisition community to assess and invest in infrastructure, including workforce, research facilities and funds necessary to support the future technology needs of the Air Force.

Question. Do you support the full utilization of authorities established by Congress under the Laboratory Personnel Demonstration program?

Answer. Retaining the current world-class, highly-skilled workforce is an important part of the Air Force's Bright Horizons STEM workforce strategic roadmap. I understand that the Lab Demo program has done much to ensure the Air Force Research Laboratory's ability to attract and retain personnel since its inception in 1997. This flexible system has helped to achieve the best workforce for the mission, adjust the workforce for change and improve overall quality. If confirmed, I will work with the laboratory leadership to monitor the Lab Demo program to ensure it remains effective for its primary purpose and propose changes to the program as they become required.

Question. Do you believe that the Air Force's laboratories and engineering centers should have a separate, dynamic personnel system, uniquely tailored to support laboratory directors' requirements to attract and retain the highest quality scientific and engineering talent?

Answer. If confirmed, I look forward to carefully examining the Air Force's experience with the Lab Demo program and working with laboratory director's to determine future needs and authorities for the program.

Question. How will you assess the quality of Air Force laboratory infrastructure and the adequacy of investments being made in new military construction and sustainment of that infrastructure?

Answer. I am aware that the 2005 Base Realignment and Closure (BRAC) effort successfully completed in September 2011 provided several new, state-of-the-art facilities within the Air Force Research Laboratory. The Laboratory's BRAC realignments successfully realized the Secretary of the Air Force's priorities for BRAC 2005, including the goals of realigning Air Force infrastructure with the future defense strategy, maximizing operational capability by eliminating excess physical capacity, and capitalizing on opportunities for joint activity. If confirmed, I will work closely with the leadership of the acquisition community to ensure that we remain

vigilant and upgrade our S&T infrastructure in a timely manner so that major research and programs are not put at risk due to aging facilities.

Question. Are you concerned about the current or future supply of experts in defense critical disciplines, particularly personnel with appropriate security clearances, to hold positions in defense laboratories?

Answer. Yes, I am always concerned about maintaining a solid representation of Science, Technology, Engineering and Math (STEM) professionals in the critical defense disciplines our laboratories and acquisition enterprise require. As I understand it, in the last 5 years, the Air Force has been able to meet its needs by accessing more than 3,100 engineers, physical and analytical scientists. Congressionally-authorized personnel and hiring authorities have helped improve the Air Force's compensation and hiring abilities.

AIR FORCE TEST AND EVALUATION CAPABILITIES

Question. Over the past few years, the Air Force has proposed taking measures to significantly reduce its test and evaluation capabilities—both infrastructure and workforce. These efforts have, in general, been overturned by the Department of Defense and Congress.

Do you believe that the Air Force has test and evaluation capabilities that are excess to Department of Defense needs?

Answer. The Air Force strives to ensure it uses and organizes its test and evaluation (T&E) capabilities as efficiently as possible to meet Air Force and DOD needs within a fiscally constrained budget. If confirmed, I will work to continue balancing Air Force T&E capabilities, Air Force and DOD needs, the available budget, and our National interest to propose feasible and prudent adjustments.

Question. What steps will you take to ensure that the Air Force has the appropriate testing infrastructure and qualified test workforce?

Answer. If confirmed, I will work cooperatively with the SecAF, DOD, and industry to help shape the future of our Nation's infrastructure and workforce. I will look at the T&E infrastructure and workforce requirements to identify potential efficiencies; support workforce shaping, training, and retention programs; and focus the test infrastructure to support the current and future needs of the DOD acquisition community and broader national interests.

AIR FORCE INFORMATION TECHNOLOGY PROGRAMS

Question. What major improvements would you like to see made in the Air Force's development and deployment of major information technology systems?

Answer. If confirmed, I will further explore how information technology systems are delivered to our airmen. Specifically, I will review the Air Force's current information technology and acquisition governance structures and processes and look for opportunities to further strengthen oversight and instill rigor and discipline in the planning, development, and deployment of major information technology systems. This is particularly important when the business case supports pursuing an enterprise solution.

Question. How will you encourage process and cultural change in organizations so that they maximize the benefits that new enterprise information technology systems can offer in terms of cost savings and efficiency?

Answer. If confirmed, I will delve deeper into this area in order to fully understand and appreciate previous and ongoing Air Force efficiency efforts and how technology was used to drive down costs. I will also ensure that there is a solid and rigorous governance structure in place to ensure the necessary business process reengineering takes place to realize the benefit of enterprise systems, when the business case makes clear the value. Savings are not realized when individual components are able to bend the technology to fit their processes, rather than change processes to meet the enterprise solution.

Question. What is the relationship between Air Force efforts to implement enterprise information technology programs and supporting computing services and infrastructure to support Air Force missions, to the efforts being undertaken by the Defense Information Systems Agency and the Assistant Secretary of Defense for Networks and Information Integration?

Answer. All of the Military Departments, led by the Joint Staff and the DOD Chief Information Office, and in close partnership with the Defense Information Systems Agency, are in close collaboration and planning for the implementation of the Joint Information Environment. This partnership allows the Air Force to synchronize ongoing consolidation and enterprise service efforts and transition to the Department's enterprise solutions. If confirmed, I will continue to forge this relationship and find opportunities to leverage Air Force investments to better posture

the Department to employ the full range of operational capability and capacity to the Joint warfighter. I will also look for opportunities from Department investments that the Air Force can leverage to meet its mission needs.

INVESTMENT IN INFRASTRUCTURE

Question. In recent years, various witnesses appearing before the Committee have testified that the Military Services under-invest in their facilities compared to private industry standards. Decades of under-investment in our installations have led to increasing backlogs of facility maintenance needs, created substandard living and working conditions, and made it harder to take advantage of new technologies that could increase productivity.

What is your assessment of Air Force infrastructure investment?

Answer. The Air Force, like all Services, is having to make difficult investment trade-offs as budgets decrease. If confirmed, I will review the current and future requirements for infrastructure, to ensure that the Air Force can support its mission requirements and the Secretary of the Air Force's priorities.

Question. If confirmed, what actions, if any, would you propose to increase resources to reduce the backlog and to improve Air Force facilities?

Answer. If a thorough review of infrastructure investment indicates the Air Force is taking too much risk, then, if confirmed, I will work closely with Air Force leadership to make appropriate fiscal adjustments to reduce the backlog and improve facilities.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. The Air Force is investigating numerous allegations of sexual misconduct by Military Training Instructors at Basic Military Training at Joint Base San Antonio-Lackland. Several instructors have already been convicted of various offenses and others are pending trial by court-martial. The Air Force addressed similar allegations of sexual misconduct at the Air Force Academy nearly a decade ago. Allegations of sexual misconduct are not unique to the Air Force and numerous cases of sexual misconduct involving servicemembers in theater have been reported over the last several years. Many victims and their advocates contend that they were victimized twice: first by attackers in their own ranks and then by unresponsive or inadequate military treatment. Secretary Panetta has recently implemented several new initiatives aimed at curbing sexual assaults in the military and improving victim support.

What is your assessment of the Air Force's implementation of the Secretary's new policies, including his decision to withhold initial disposition authority over certain offenses to the general court-martial convening authority?

Answer. I support the Secretary of Defense's leadership and his decision. Withholding the initial disposition authority at the Special Court Martial Convening authority level reassures airmen that we are taking the issue of sexual assault very seriously.

Question. What is your understanding of the resources and programs the Air Force has in place to provide victims of sexual assaults the medical, psychological, and legal help that they need?

Answer. From initial briefings, it appears to me that the Air Force Military Treatment Facilities (MTFs) have the appropriate resources to offer support to sexual assault victims. Additionally, Air Force forward deployed mental health assets are available to provide necessary consultation, assessment, intervention, and referral for mental health issues, to include support in cases of sexual assault.

The Air Force has also forward deployed judge advocates to provide complete legal support to the Air Force and Joint missions. Legal services available to victims at their home station are equally fully available to victims in deployed locations, to include legal assistance, defense services, victim witness assistance, or other legal needs.

This is an issue I take very seriously, and if confirmed I would make it priority to ensure that adequate resources and programs are available to victims of sexual assault.

Question. What is your view of the steps the Air Force has taken to prevent additional sexual assaults? In your view, are these steps adequate?

Answer. I believe Air Force leadership has made a clear priority of the prevention of sexual assaults and are taking the necessary steps to do so. The Secretary, Chief of Staff and the Chief Master Sergeant of the Air Force recently issued a tri-signature memorandum addressed to every airman that highlighted zero tolerance of sexual assault, the importance of bystander intervention and responsibility for victim care. The Chief of Staff also recently convened a wing commander's call to discuss

this topic and directed commanders to conduct a health and welfare inspection of workplaces to ensure a culture of dignity, trust and respect is fostered. If confirmed, it would be a priority of mine to support these steps.

Question. What is your view of the adequacy of the training and resources the Air Force has in place to investigate and respond to allegations of sexual assault?

Answer. I believe the Air Force has taken significant and effective steps to increase training and provide resources for investigating and responding to allegations of sexual assault. Air Force installation level Sexual Assault Response and Prevention Coordinators (SARCs) and Victim Advocates (VAs) receive extensive initial training before assuming their positions. Additionally, both SARCs and VAs receive annual refresher training.

All Air Force Office of Special Investigations (AFOSI) special agents receive extensive training in the handling of violent crime investigations, including specific handling of sexual assault investigations. In 2009, the Air Force funded 24 additional civilian special agents to focus on sexual offenses at locations with the highest incidence of sexual assault. AFOSI also recently developed a 2-week advanced training course, dedicated exclusively to sexual assault investigations.

The Judge Advocate General is fully committed to aggressively addressing allegations of sexual assault and ensuring that commanders, victims, and accused airmen are appropriately advised on the legal issues. The Air Force is committed to training prosecutors and defense counsel to the highest standards. Base staff judge advocates work closely with the AFOSI special agents to ensure comprehensive investigations. Through the Senior Trial Counsel (STC) program, 16 highly trained and experienced trial counsel assist base legal offices in all aspects of evaluating and preparing sexual assault cases and are detailed to represent the United States as the prosecutor in these cases. Seven of these STCs are dedicated to specializing in prosecution of sexual assault cases. Senior Defense Counsels provide assistance to local defense counsel and representation of accused airmen at trial. The Judge Advocate General believes that fully training and equipping both the prosecution and defense in these cases offers the best hope of optimal fact finding and professionalism in adjudicating sexual assault cases.

Question. Do you consider the Air Force's current sexual assault policies and procedures, particularly those on confidential reporting, to be effective?

Answer. Current Air Force policies and procedures, particularly those on restricted reporting, are effective, available both at home and in deployed locations, and do more than allow victims confidential access to medical care. When coupled with the new victim to victim advocate privilege, the policies address many of the concerns victims have about coming forward and help protect the victims' confidentiality. The policies preserve the possibility of future prosecution by allowing victims to anonymously receive Sexual Assault Forensic Examinations (SAFEs), which are held for 5 years. Victims may convert their confidential restricted report at any time and participate in the military justice process. Restricted reporting allows for the preservation of evidence that would otherwise be unavailable and the Air Force is able to offer victims care and treatment that victims may have not accessed without this confidential option.

Question. What is your view of the adequacy of resources in the Air Force to investigate allegations of sexual misconduct and to hold perpetrators accountable for their actions?

Answer. I believe we are well positioned to execute this responsibility. The JAG Corps and AFOSI have developed a robust special victims capability that focuses specifically on teaming to jointly investigate and prosecute sexual assault offenses. For the 24 civilian AFOSI agents and 7 senior trial counsels working these cases, this is their primary mission. The Air Force developed training that JAGs will be attending jointly with AFOSI in fiscal year 2013. These are the Sex Crimes Investigation Training Program at the Federal Law Enforcement Training Center and the Advanced Sexual Assault Litigation Course at the Air Force JAG School. AFOSI and JAGs will attend both courses, focusing respectively on the investigation and prosecution stages.

Question. What problems, if any, are you aware of in the manner in which the confidential reporting procedures have been put into effect?

Answer. Sexual assault victims who seek medical care or SAFEs in some States (i.e., California) cannot make a restricted report because State laws mandate reporting to law enforcement by healthcare providers. This limitation creates a "have and have not" reporting situation amongst military victims. However, the Air Force provides the same support and care for the victim whether they filed a restricted or unrestricted report.

Question. What is your view of the appropriate role for senior military and civilian leaders in the Secretariat and the Air staff in overseeing the effectiveness of implementation of new policies relating to sexual assault?

Answer. Senior military and civilian leaders at all levels, beginning at the Secretariat and the Air Staff, must focus on promoting an environment that prevents sexual assault. Eliminating this horrible crime is absolutely critical. The Secretary of the Air Force directed a Sexual Assault Prevention and Response Executive Steering Group (ESG) comprised of all the senior functional stakeholders to continually assess the program and provide advice for improvements in policy and procedures. If confirmed, I will work with the Secretary and these leaders to maintain a very clear focus on this issue.

Question. Do you believe that sexual assault continues to be an underreported crime within the Department for the Air Force?

Answer. Sexual assault is the most underreported violent crime in both the military and in American society and so I believe that it continues to be an underreported crime within the Air Force. The Air Force survey commissioned by Gallup on sexual assault also confirmed this view. The Air Force is focused on ways to increase reporting, from enhanced training throughout an airman's career, to unrestricted and restricted reporting options, to a wide range of medical, legal, and functional military services available to airmen who report being a victim of sexual assault.

Question. If so, what are the barriers that discourage or prevent victims from coming forward?

Answer. Shame, fear, stigma, and concern for potential re-victimization continue to be the primary reasons victims do not come forward. To remove these barriers, victims must have confidence in the system and in their leadership to do the right thing. Air Force senior leaders, commanders and senior enlisted are personally involved and their leadership is instrumental to removing these barriers and ensuring victims receive the care and support they deserve. This effort includes the opportunity to request expedited transfers for those filing unrestricted reports, legal assistance for victims, the support of a victim advocate and specially trained investigators who are not a part of the chain of command.

Question. If confirmed, what additional steps would you take to remove barriers to reporting sexual assaults?

Answer. First, continued focus on eliminating sexual assaults. Prevention efforts include training and establishing command climates where sexual assaults are not tolerated. Thorough and timely investigation of cases independent of the chain of command provides reassurance to victims. Another important factor is holding perpetrators accountable. Finally, victims who file unrestricted reports are afforded the opportunity to request expedited transfers. This program provides the victim with safety and security which helps remove barriers to reporting.

In order to aid in lessening these barriers, we must continue efforts to remove any perceived negative impact from coming forward after an assault. Allowing members to seek help and open communication with them is essential for leading the way in changing perceptions. Members need to know they will be supported regardless, and that service leadership is resolved to care for airmen.

Question. In response to the Annual Report on Sexual Harassment and Violence at the Military Service Academies for Academic Program Year 2011–2012, the Secretary of Defense wrote to the Service Secretaries and the Under Secretary of Defense for Personnel and Readiness stating: "Despite our considerable and ongoing efforts, this year's Annual Report on Sexual Harassment and Violence at the Military Service Academies demonstrates that we have a persistent problem. I am concerned that we have not achieved greater progress in preventing sexual assault and sexual harassment among academy cadets and midshipmen. These crimes and abhorrent behavior are incompatible with the core values we require of our Armed Forces' future officers. A strong and immediate response is needed."

What has the Air Force done to respond to the Secretary of Defense's requirement for a strong and immediate response?

Answer. The Secretary of the Air Force and the Chief of Staff have made this a priority and have stated that the Air Force succeeds because of the professionalism and discipline of its airmen. Sexual assault undermines that professionalism. Each cadet now receives over 12 hours of SAPR education training over the course of four years. Innovative training, to include scenario based programs with subject matter experts, is now a part of the USAFA SAPR curriculum. Additionally, the USAFA is in the process of instituting new initiatives. In April 2013, cadets will be leading the way in developing and running the USAFA's sexual assault awareness month (SAAM) activities and in the fall of 2013, the USAFA plans to institute Cadet Bystander Intervention Training (BIT).

Additionally, in January, an integrated process team, to include members of the USAFA staff, met with subject matter experts and Air Force SAPR program managers to review SAPR training for all new accessions. Based on the recommendations of this group, the Air Force is capturing best practices while instituting standardized core competencies and learning objectives as directed by the Secretary of Defense.

Question. If confirmed, what additional steps will you take to address the findings contained in this report?

Answer. As the Secretary of Defense states, there is no place in the military for sexual assaults. If confirmed, I would focus on victim care and support, to include legal assistance. Victims should be able to trust their leadership to do the right thing. This includes focused efforts on investigations and prosecutions. This, of course, is on top of the training being implemented currently.

INDEPENDENCE OF THE JUDGE ADVOCATE GENERAL

Question. What are your views about the responsibility of The Judge Advocate General (TJAG) of the Air Force to provide independent legal advice to the Chief of Staff and Secretary of the Air Force and to the Air Staff, particularly in the areas of military justice and operational law?

Answer. I believe it is critical for the Under Secretary to receive independent legal opinions from his senior uniformed judge advocate. Senior uniformed lawyers bring a wealth of experience and perspective shaped by years of working with commanders in the field. TJAG's ability to provide independent legal advice is statutorily guaranteed and vitally important to Air Force senior leader decisionmaking. Generally, I believe senior leaders are better informed to make the best decisions when they are aware of both The Judge Advocate General's advice and the advice of the Air Force General Counsel.

Question. What are your views about the responsibility of staff judge advocates throughout the Air Force to provide independent legal advice to military commanders in the field and throughout the Air Force?

Answer. Staff Judge Advocates (SJAs) are essential to the proper functioning of both operational and support missions. SJAs have a major responsibility to promote the interests of a command by providing relevant, timely, and independent advice to commanders, and this independence is reflected in statute (title 10, U.S.C., § 8037(f)(2)). Convening authorities are required by statute (title 10, U.S.C., § 806) to communicate with their SJAs on issues related to military justice matters, which is critical to disciplined mission execution. In addition, commanders and other leaders rely on their staff judge advocates for advice on all types of legal and policy matters. SJAs offer legal advice independent of any particular agenda. I believe it is very important for commanders to continue to receive uniformed legal advice.

AIR FORCE END STRENGTH REDUCTIONS AND TRANSITION ASSISTANCE

Question. The National Defense Authorization Act for Fiscal Year 2013 established an Active Duty Air Force end strength of 329,460, a reduction of 3,340 airmen from the fiscal year 2012 authorized level. The Air Force has informed the committee that it will achieve this reduction using only voluntary measures, and that transitioning airmen will benefit from a "considerably expanded" Transition Assistance Program (TAP).

Please describe the voluntary measures that will be used to manage the Air Force's personnel reductions in fiscal year 2013, and whether the Air Force envisions using involuntary measures in fiscal year 2014 and beyond.

Answer. The Air Force active component authorized end strength in the National Defense Authorization Act for Fiscal Year 2013 is 329,460, requiring the Air Force to reduce 3,340 airmen from the fiscal year 2012 authorized end strength of 332,800. Should sequestration go into effect and continue beyond 2013, the Air Force corporate process would evaluate and prioritize resources to maintain a balance between people, equipment and available funding. Continued budgetary shortfalls could lead to out-year funding cuts that might drive internal Air Force decisions to decrease force structure, which would undoubtedly lead to further end strength reductions.

The reduction in end strength in fiscal year 2013 alone will require the Air Force to take continued force management actions to reduce the number of airmen serving the Nation while ensuring they maintain a high quality force. To do so, they will continue a multi-year force management strategy of leveraging voluntary programs first, offering incentive programs where needed, and executing involuntary actions only if required. They currently have the full range of legislative authorities nec-

essary to execute a force management program to meet congressionally mandated end strength.

In fiscal year 2013 enlisted airmen in non-critical overage Air Force Specialty Codes will be offered time-in-grade, Active Duty service commitment, and enlistment contract waivers. They will also continue the expanded Palace Chase program. The Air Force also implemented the Temporary Early Retirement Authority for a second year, Date of Separation Rollbacks, reduced accessions, initial skills training separations and Career Job Reservation constraints.

For officers, the Air Force expects no involuntary separations for fiscal year 2013 other than a limited number of initial skills training separations for officers. Voluntary programs will include time-in-grade, Active Duty service commitment, and 10 versus 8 years of commissioned service waivers for certain year groups and overage career fields. They will also continue the Palace Chase program for eligible lieutenant colonels and below. Additionally, they will be offering the Temporary Early Retirement Authority program and the Voluntary Retirement Incentive program to the officer force in fiscal year 2013.

For fiscal year 2014, the Air Force expects similar force management programs, but may include involuntary Selective Early Retirement Boards. However, given the current set of fiscal challenges and the uncertainty sequestration presents, I would continue to assess the need to pursue additional voluntary and involuntary force management authority actions to meet reassessed authorized end strength levels in fiscal year 2014 and beyond as approved by Congress and the Secretary of the Air Force.

Question. Please describe the new TAP program and how it will help airmen transition back into civilian society during this period of unstable economic conditions.

Answer. The Departments of Defense, Veterans Affairs and Labor launched a redesigned Transition Assistance Program (TAP) effective 21 November 2012 to better prepare airmen for the transition to civilian life. The redesigned TAP is focused on reducing veteran unemployment levels which are 2 percent higher than the rest of the population and aims to bolster and standardize the transition support that airmen across the Armed Forces receive prior to separating or retiring from the Air Force in order to make them as employment ready as possible.

The Veterans Opportunity to Work (VOW) Act of 2011 and the Veterans Employment Initiative (VEI) drove the new legislated TAP requirements to expand training and employment services for Active and Reserve component members who transition from the Air Force.

DOD and its agency partners work closely with approximately 85 Air Force Installations (to include 2 Guard and 1 Reserve training hub), to coordinate delivery of transition services included in the redesigned TAP.

TAP has been redesigned as a comprehensive, mandatory program that includes pre-separation counseling, a military to civilian skills review, VA benefits briefings, financial planning support, job search skills building, and an individual transition plan (ITP) preparation which will aid in a successful transition into a "career ready" civilian. The program will be renamed "Transition GPS (Goals, Plans, Success)".

The new program features a 5-day workshop with further "optional" training tracks (Higher Education, Technical Training, and Entrepreneurship taught by the Small Business Admin) in addition to extensive one-on-one counseling.

The "target population" of airmen who may need a higher level of support during their transition process has been defined as: (1) young airmen (18–24 years old); (2) those completing their first term of enlistment; (3) members involuntarily separated due to force reshaping; and (4) those separating rapidly.

Eligible Reserve component airmen are also mandated to actively participate in the redesigned Transition Assistance Program. Eligibility includes all members of the Guard and Reserve who are separating after serving more than 180 days of continuous Active Duty.

Spouses are encouraged to participate with the airman in all facets of the redesigned program.

The Air Force is aggressively rolling out the redesigned TAP program to assist transitioning airmen with becoming as competitive as possible in civilian society during this period of unstable economic conditions.

PERSONNEL AND ENTITLEMENT COSTS

Question. Military personnel costs, including health care, compensation, and retirement continue to soar and are becoming an ever increasing portion of the DOD and Air Force budgets.

What actions do you believe can be taken to control the rise in personnel costs and entitlement spending?

Answer. Military compensation is, and must remain, competitive to sustain the recruitment and retention of high caliber men and women to meet readiness requirements and accomplish our national security mission. If confirmed, I will remain committed to this goal. However, in light of the current economic crisis and overall reductions in defense spending, we must look at balancing personnel costs to avoid reductions to force structure and modernization efforts critical to the support of the warfighter and the defense of our Nation. I look at management of force structure as being a key element in controlling personnel costs. If confirmed, I will ensure that the Air Force continues to make difficult, but fiscally responsible decisions to implement force management programs that allow us to remain at authorized end strength levels. Additionally, I will pursue legislative and policy changes needed to ensure that the Air Force is able to operate as a total force with the most effective use of resources.

Question. What is your assessment of the Air Force's use of military bonuses in both the Active and Reserve components?

Answer. The bonus programs are among the most flexible and responsive force management tools to retain airmen in critical fields with high ops demand and low manning such as special operations, explosive ordnance, aircrew, intelligence, surveillance, and reconnaissance, RPA pilots and health professions. Although overall retention remains high, bonuses are necessary to target these critical skills for current health and as an investment in emerging missions. If confirmed, I would work to ensure that we are using bonuses only where necessary to maintain the proper force structure and skill sets.

Question. What is your assessment of the Air Force's use of aviation career incentive pay or assignment incentive pay for unmanned aerial systems operators, both those who are rated pilots and those who are not?

Answer. Aviation career incentive pays are an important compensation tool used to motivate and retain aviators operating manned and remotely piloted aircraft. As the demand for remotely piloted aircraft continues to grow, we will continue to rely on monthly incentive pays to attract officers and enlisted personnel who not only possess a unique skill set, but who work under challenging conditions to provide the Nation with an unparalleled combat capability. If confirmed, I will ensure that we continue to periodically review the efficacy of all aviation pays and bonuses to ensure we are fiscally responsible.

SEQUESTRATION

Question. What would be the impact on the Air Force if sequestration were to take effect on March 1, 2013, as currently required by law?

Answer. The Air Force would not be able to eliminate the adverse impacts of sequestration to readiness or modernization or even substantially mitigate them. If triggered, the Air Force would ramp down spending while protecting wartime and readiness accounts for as long as possible. Additional programs would need to be restructured, reduced and/or terminated. The effects of sequestration would cause great harm to national security, both by the size of the reductions and the across-the-board nature of the implementation of those reductions. If triggered, the Air Force will also begin the deliberate programming process of prioritizing programs ensuring we continue to strive to meet the DOD Strategic Guidance.

Question. What would be the specific impact on Air Force civilian and military personnel; on family programs; on morale, welfare and recreation programs; and on the delivery of health care to airmen, their families, and retirees?

Answer. The Military Personnel Appropriation has been exempted from sequestration. Any civilian personnel actions taken would be based on specific guidance from OSD.

SUICIDE PREVENTION

Question. The number of suicides in the total Air Force continues to be of concern to the Committee.

If confirmed, what role would you play in shaping suicide prevention programs and policies for the Air Force, the Air National Guard, and the Air Force Reserve, to prevent suicides and increase the resiliency of airmen and their families?

Answer. Engaged leaders and communities are the key to suicide prevention. Although lower than comparable civilian rates, the Air Force's total force suicide rate has seen a slow but very concerning rise in the last several years. It is now at just under 16 per hundred thousand per year, and I am greatly concerned that we still lose about 50 active duty airmen per year from suicide. Fortunately the Air Force has an effective program in place—one that is continually improving, targeting career fields at higher risk. The Air Force Suicide Prevention Program is a commu-

nity-based approach that fosters a Wingman culture organized under commander-led committees of installation helping agencies. The program is composed of 11 elements of community and command involvement. Research shows that the Air Force suicide rate is lower when these 11 elements are fully engaged. This year, the Air Force is improving the annual self-assessment of those elements.

The Air National Guard and Reserve Command airmen's suicide rates have been similar to those of active duty Air Force. Although not all Reserve component airmen are in contact with their units as regularly as those on Active Duty, their leaders have, and will continue to be fully engaged in their lives—there for them and their families when they are in crisis. Like the Active Duty units, the Air National Guard and Reserve Command both utilize these elements of the prevention program. In concert with supervisors, chaplains, and community resources, wing and regional directors of psychological health work to get these airmen the help they need in crisis.

FAMILY SUPPORT

Question. Military members and their families in both the Active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of growing concerns among military families as a result of the stress of frequent deployments and the long separations that go with them.

What do you consider to be the most important family readiness issues for Air Force personnel and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced?

Answer. I understand that a primary concern for airmen and their family members is their ability to do the mission and simultaneously support their families. Specific areas of concern include access to quality specialized child care and education. Also, for those transitioning to the civilian sector, military members are concerned about being prepared for employment and/or continuing their education. Families are concerned about the civilian spouse finding employment as they relocate from installation to installation.

I am aware there are DOD and Air Force programs that address these issues, such as the Transition Assistance Program (TAP), which has been recently enhanced by the Veteran Opportunity to Work Act of 2011. If confirmed, I will ensure a thorough review of all available resources to support valuable family programs.

Question. How would you address these family readiness needs in light of global rebasing, deployments, and future reductions in end strength?

Answer. I understand the Airman and Family Readiness Centers serve as a resource hub for Air Force families prior—to, during, and following deployments. The deployment programs the Airman and Family Readiness Center have in place for the airmen and family members are crucial in supporting the mission. DOD has funded valuable resources in Military Family Life Consultants that work in Air Force Family Support Programs to deal with family and life issues, child behavioral issues and school transition issues. I will ensure the Air Force programs are adequately supported with this valuable resource.

Question. If confirmed, how would you ensure support to Reserve component families related to mobilization, deployment and family readiness, as well as to active duty families who do not reside near a military installation?

The Air Force is a total force, and provides resources and support to all components through various Airman and Family and Child and Youth programs. These support programs are sustained through continued collaboration with the State Joint Base Board and other services.

Geographically separated servicemembers (and their families) have immediate access to many resources online that enable them to remain connected to their units and support services.

Question. If confirmed, what additional steps will you take to enhance family support?

Answer. I will review current manpower and staffing for family programs. In keeping with current White House directives, I will support programs that enhance mission readiness.

I would like to see sufficient staffing and training for family readiness staff as we partner with community organizations to continue building support for airmen and their families.

MORALE, WELFARE, AND RECREATION

Question. Morale, Welfare, and Recreation (MWR) programs are critical to enhancement of military life for members and their families, especially in light of fre-

quent and lengthy deployments. These programs must be relevant and attractive to all eligible users, including Active Duty and Reserve personnel members and families assigned overseas, and personnel deployed in support of military training and operations.

What challenges do you foresee in sustaining Air Force MWR programs, and, if confirmed, what improvements would you seek to achieve?

Answer. MWR programs exist to provide Quality of Life (QOL) programs and services to airmen and their family members. There is a recognized correlation between QOL, readiness, and resilience, particularly in light of frequent and lengthy deployments.

A top priority for the Air Force is to develop and care for airmen. I don't foresee any change to that focus. The Air Force's MWR programs are currently undergoing an enterprise-wide transformation to right-size and ensure their currency and relevancy for airmen and their families.

Without a doubt, MWR programs and services for military members and their families are critical to Air Force readiness and mission capability. As the Air Force advances MWR transformation, I will advocate for the Air Force to seek partnership opportunities with local communities to help ensure they provide the best support possible for the Air Force while embracing efficiencies and innovative ways of doing business.

If confirmed, I will fully support the ongoing MWR transformation efforts to be a model of innovation, efficiency, and resource stewardship, geared toward meeting the needs of airmen and families now and in the future.

BALANCE BETWEEN CIVILIAN EMPLOYEES AND CONTRACTOR EMPLOYEES

Question. In recent years, the Air Force and the Department of Defense have become increasingly reliant on services provided by contractors. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as Federal employees.

Do you believe that the current balance between civilian employees and contractor employees is in the best interests of the Air Force and the Department of Defense?

Answer. I believe we must continue to ensure that inherently governmental functions are not outsourced and scrutinize those areas where the distinction is blurred, and could result in the potential for wasteful spending. If confirmed, I will work with the Secretary of the Air Force and leaders across the Air Force to assess this matter to ensure compliance with the law and with the President's policy. I believe there is a great deal to do in this area, and will bring lessons learned from the Department of the Navy, where we have made a substantial and successful effort to better shape the balance between the civilian and contractor workforce.

Question. In your view, has the Air Force become too reliant on contractors to perform its basic functions?

Answer. The Federal Acquisition Regulation (FAR) and title 10, U.S.C., section 129, restrict the use of personal services contracts. I believe these regulations best serve the interests of the Air Force. If confirmed, I would continue to work with the Secretary of the Air Force and leaders across the Air Force to ensure compliance with applicable law and policy.

I agree with the view expressed in President Obama's March 4, 2009 memorandum on government contracting, that states excessive reliance by executive agencies on sole-source contracts create a risk where taxpayer funds could be inefficiently spent and otherwise not service the needs of the Federal Government. I would work with the Secretary of the Air Force and leaders across the Air Force to assess this matter to ensure compliance with the law and with the President's policy. I believe there is a great deal to do in this area, and will bring lessons learned from the Department of the Navy, where we have made a substantial and successful effort to better shape the balance between the civilian and contractor workforce.

Question. Do you believe that the current extensive use of personal services contracts is in the best interest of the Air Force?

Answer. The Federal Acquisition Regulation (FAR) and title 10, U.S.C., section 129, restricts the use of personal services contracts. I believe these regulations best serve the interests of the Air Force. If confirmed, I would continue to work with the Secretary of the Air Force and leaders across the Air Force to ensure compliance with applicable law and policy. I believe there is a great deal to do in this area, and will bring lessons learned from the Department of the Navy, where we have made a substantial and successful effort to better shape the balance between the civilian and contractor workforce.

Question. Do you believe that the Air Force and the Department of Defense should undertake a comprehensive reappraisal of "inherently governmental functions" and other critical government functions, and how they are performed?

Answer. The Department's "sourcing" of functions and work between military and civilians, or through contracted services, must be consistent with workload requirements, funding availability, readiness and management needs, as well as applicable laws and statutes. Consistent with existing statutory requirements (such as FAIR Act and title 10, U.S.C., section 2330a), and the total force mix of military, civilian, and contracted support, I believe the Air Force should pursue a mitigation of risk and the appropriate consideration of costs. Even during this period of constrained defense budgets, the Air Force should ensure that military or Federal civilians are performing all inherently governmental jobs, and that sufficient levels of civilians are available to perform critical oversight, management, and readiness functions of the Air Force. I do not believe a comprehensive review of "inherently governmental functions" is necessary, but I do believe more rigorous oversight where we apply contracted services is necessary across the Department.

Question. If confirmed, will you work with other appropriate officials in the Department of Defense to address these issues?

Answer. If confirmed, I will continue to collaborate with other Air Force officials to ensure these matters are addressed in the best interest of the Air Force and the Department of Defense.

Question. Section 955 of the National Defense Authorization Act for Fiscal Year 2013 requires a 5 percent reduction in anticipated funding levels for the civilian personnel workforce and the service contractor workforce of the Department of Defense, subject to certain exclusions.

What impact do you expect the implementation of section 955 to have on the programs and operations of the Air Force?

Answer. Based on the Air Force's understanding of section 955's requirement for DOD to reduce at least the same percentage reduction in anticipated funding levels for the civilian personnel workforce and service contractors as compared to reductions in military pay levels, and contingent on receipt of DOD's efficiencies plan, the Air Force is working the following actions:

Civilian—The Air Force, as part of a larger OSD-led effort, conducted a comprehensive review of capabilities performed by its civilian workforce. During the course of this review, the Air Force identified areas where it could most prudently accept risk, while still being able to accomplish its mission. The result of this analysis led to a 2.8 percent reduction to Air Force civilian manpower over the next five years, exceeding the 2.3 percent reduction to Air Force military manpower over the same time period.

Contractor—The Air Force, as part of the OSD led Limitation on Aggregate Annual Amount Available for Contracted Services (section 808 of the NDAA for Fiscal Year 2012), has worked to ensure that contract obligations for fiscal year 2012 and fiscal year 2013 remain at, or are lower than, what was requested for contracted services in the fiscal year 2010 President's budget. This, coupled with previously identified service contract efficiencies (Knowledge Based Services, Advisory Studies, Service Support Contractors, and Program Mission Augmentation), should meet the intent of section 955.

Question. What steps will you take, if confirmed, to ensure that section 955 is implemented in a manner that is consistent with the requirements of section 129a of title 10, U.S.C., for determining the most appropriate and cost-efficient mix of military, civilian, and service contractor personnel to perform Air Force missions?

Answer. If confirmed, I would ensure the Air Force sufficiently determines the most appropriate and cost-effective mix of military, civilian, and contracted services by reviewing the performance of functions identified as core or critical to the mission of the department, consistent with the workload analysis and risk assessment required by sections 129 and 129a of title 10.

Question. What processes will you put in place, if confirmed, to ensure that the Air Force implements a sound planning process for carrying out the requirements of section 955, including the implementation of the exclusion authority in section 955(c)?

Answer. If confirmed, I will work within the Air Force to put a process in place to determine core or critical requirements that considers critical occupations in the Acquisition Workforce Plan, personnel employed at facilities that provide core logistics capabilities, medical services, and maintenance and repair of military equipment. Civilian personnel workforce or service contractor workforce performing other critical functions may be identified as requiring exemptions or exclusion authority in the interest of the national defense.

Question. Section 808 of the National Defense Authorization Act for Fiscal Year 2012 requires the Department of Defense to implement a freeze on spending for contract services, comparable to the freeze on civilian personnel required by the efficiencies initiatives.

What is your understanding of the impact that the freeze on spending for contract services has had on the Air Force?

Answer. I understand the Air Force began aggressively reducing spending on contracted services in fiscal year 2009 and continues while ensuring continued mission capability. Decisionmakers must balance acceptable risk and available budgets to ensure future mission capability as the reductions are made.

Specific to fiscal year 2012 and fiscal year 2013, the period covered by the NDAA, my understanding is the limitation is a broad brush that puts an overall ceiling on not only management support contracts, but also other mission critical contracts such as Weapon System Sustainment, Ranges, and Critical Infrastructure. If the limitation is so broad that it encompasses all contracts, there may be unintended consequences.

Question. What is your understanding of Air Force plans for spending for contract services over the next 5 years?

Answer. The Air Force will continue to make tough decisions on spending cuts. Air Force leaders must balance impacts to mission capability with the need for reducing spending. I believe additional emphasis on market research is critical for us to fully understand the industrial base and that we effectively use competition as a forcing function to reduce the services spend, while not sacrificing mission accomplishment.

Question. What is your view on the feasibility and advisability of further reductions in spending for contract services over the next 5 years?

Answer. Budget cuts must be made carefully and with full understanding of the accepted risks and impacts to mission capability. I believe further reductions are necessary, but should be applied tactically as a result of the analysis of risks to mission capability and effectiveness.

LEGISLATIVE FELLOWS PROGRAM

Question. Each year, the Services assign mid-career officers to the offices of Members of Congress under the Legislative Fellows Program. Upon completion of their legislative fellowships, officers are supposed to be assigned to follow-on positions in their services in which they effectively use the experience and knowledge they gained during their fellowships.

What is your assessment of the value of the Legislative Fellows Program to the Air Force and to the career development of the officers involved?

Answer. I strongly support the Legislative Fellows program and very much appreciate the continued support we get from Members of Congress for the program. It provides mid-career officers, civilians, and now senior noncommissioned officers, a valuable learning experience. The program exposes top-tier Air Force officers, civilians and senior noncommissioned officers to the inner workings of the legislative process. Additionally, the relationships they form with civilian leaders and their staffs in Congress benefit both the fellow and the Air Force by enhancing open dialogue and communication between the Air Force and Congress.

Question. What is your assessment of the Air Force's utilization of officers who have served as legislative fellows?

Answer. My understanding is that the Air Force makes every effort to assign them to follow-on positions which use their legislative experience. Most fellows who are not immediately assigned to a legislative-related position are selected for command and use their legislative experience in that capacity and later in their career. If confirmed, I will continue to emphasize appropriate follow-on assignments which maximize the skills developed during their time on the Hill.

MANAGEMENT AND DEVELOPMENT OF THE SENIOR EXECUTIVE SERVICE (SES)

Question. The transformation of the Armed Forces has brought with it an increasing realization of the importance of efficient and forward thinking management by senior executives.

What is your vision for the management and development of the Air Force senior executive workforce, especially in the critically important areas of acquisition, financial management, and the scientific and technical fields?

Answer. I believe that the members of the Senior Executive Service are an integral and critical component to the continued success of these vital career fields. As I understand it, the Air Force manages their Senior Executive Service workforce through a comprehensive and strategic corporate approach. The Air Force's delib-

erate lifecycle management of their executive cadre facilitates their recruitment, development, compensation, succession planning and retention. From what I have seen, the Air Force is particularly effective at making sure its senior civilian leaders have a healthy balance of experience inside and outside of the Air Force headquarters. If confirmed, I will continue to support this approach.

Question. Over the last 10 years, the Air Force budget has almost doubled, but the number of senior executives in the Department of the Air Force has remained almost unchanged.

Do you believe that the Air Force has the number of senior executives it needs, with the proper skills to manage the Department into the future?

Answer. I have not yet had the opportunity to review the number of Air Force senior executives and their associated proficiency levels in critical competencies. If confirmed, I will look into the issue.

REMOTELY PILOTED AIRCRAFT PILOT PROMOTION AND EDUCATION

Question. S. 3254, the Senate Armed Services Committee's version of the National Defense Authorization Act for Fiscal Year 2013, as reported out by the committee, included a provision that would require a report from the Secretary of the Air Force and the Chief of Staff on the promotion rates and educational and training opportunities for pilots of remotely piloted aircraft (RPA). The report would need to explain the causes for the persistently lower rates of promotion and education over the last 5 years, the impact of these trends, and the Air Force's plans to take corrective action.

Are you familiar with the adverse trends in RPA pilot promotion and education rates?

Answer. Yes, I am familiar with these issues and understand the Air Force has initiatives in place to improve the health of the RPA career field as they continue to aggressively monitor progress. The Air Force has addressed the below Air Force average promotions (11–19 percent behind the Air Force average) and completion of Advanced Academic Degrees and Professional Military Education (PME) by improving in-residence opportunities and promotion board packages that address the RPA community's unique challenges.

Question. Do you share the committee's concerns about these trends?

Answer. Yes. If confirmed, I will keep RPA a key focus area as we continue to grow this capability that is instrumental in our current and future success as the world's dominant air power.

Question. How would you expect to contribute to fixing this problem?

Answer. If confirmed, I will keep my finger on the pulse of the RPA community through functional, operational and resource management leadership. I will ensure current plans in place, aimed at leveling promotion and educational opportunities through targeted messaging, improved resourcing, and focused retention strategies, have the desired impacts and take swift action if they prove to be ineffective. With such a critically important career field, the Air Force must get it right at the beginning and build not just a population that is effective now, but one that is competitive, sustainable, and razor-sharp in the execution of their duties in the years ahead.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Under Secretary of the Air Force?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR BILL NELSON

EGLIN TEST MISSION

1. Senator NELSON. Mr. Fanning, in 2011, the Air Force announced a reorganization of the Air Force Materiel Command (AFMC) and aimed to reduce overhead costs and redundant layers of staff. The NDAA for fiscal year 2013 included an amendment which required AFMC to submit an assessment of the efficiencies and effectiveness associated with this reorganization. Will you commit to keeping a close eye on the recent efficiencies initiatives at AFMC started by General Wolfenbarger, as well as to visit Eglin Air Force Base to see the test mission first hand?

Mr. FANNING. Yes. If confirmed as the Under Secretary of the Air Force, one of my primary focus areas will be to ensure the Air Force is structured properly, with the ability to respond to the warfighters' needs as quickly and efficiently as possible. Given the current fiscal realities the Department faces now and in the future, we must make every effort to streamline and eliminate redundant layers of overhead, at all levels. This is precisely the intent of the Air Force Materiel Command (AFMC) reorganization.

The reorganization eliminated over 1,000 civilian positions, and is expected to generate at least $100 million in annual savings, while concurrently reshaping the Command to align each major mission area under one center commander. Additionally, AFMC's efforts reduced the number of direct reports from 12 to 5. Since it was implemented on 1 October 2012, it is well on its way to full operational capability later this year.

With regard to visiting Eglin Air Force Base, I absolutely commit to visiting the base as soon as my schedule allows. I am anxious to see the test mission and the other aspects of the Air Force mission resident at this location.

KC–46A TANKER

2. Senator NELSON. Mr. Fanning, on January 9, 2013, the Air Force released the initial round of basing for the new tanker, the KC–46A. The top four bases under consideration are located in the center of the country, as well as the west coast. U.S. Southern Command (SOUTHCOM) leads the counterdrug mission and, every year, drug interdiction on the high seas accounts for the removal of 200 tons of cocaine from the U.S. supply, which is 10 times that which is removed by U.S. law enforcement. I do not believe SOUTHCOM was consulted when considering the first round of basing for the KC–46A and deserves consideration. Would you commit to looking at the requirements of SOUTHCOM for the next round of basing decisions for the KC–46?

Mr. FANNING. Yes. As I understand it, the combatant commands (COCOMs) identify their air refueling requirements to the Air Force through various Joint strategic planning efforts. In turn, the Air Force's strategic basing process provides a methodology whereby basing decisions are consistent with Air Force operational requirements which are designed to meet the combatant commanders' needs. If confirmed, I will ensure that these requirements, including those of SOUTHCOM, are considered as part of the basing decisions.

QUESTION SUBMITTED BY SENATOR CLAIRE MCCASKILL

SEXUAL ASSAULT

3. Senator MCCASKILL. Mr. Fanning, DOD under former Secretary Panetta's leadership, implemented a number of initiatives to try to curb sexual assaults in the military—a problem he stated could be six times greater than reported—and we have seen both military and civilian leaders acknowledge that sexual assault is a problem that affects the recruitment, retention, and readiness of our Armed Forces. This committee has taken up the issue of sexual violence in the military and has implemented some reforms in the National Defense Authorization Act, most recently in fiscal year 2013.

In the advance policy questions you were asked: what are the barriers that discourage or prevent victims from coming forward and what additional steps would you take to remove barriers to reporting sexual assaults? You responded, "Shame,

fear, stigma, and concern for potential revictimization continue to be the primary reasons victims do not come forward. To remove these barriers, victims must have confidence in the system and in their leadership to do the right thing. Air Force senior leaders, commanders, and senior enlisted are personally involved and their leadership is instrumental to removing these barriers and ensuring victims receive the care and support they deserve." You also said, "Another important factor is holding perpetrators accountable." Yet last week, an officer convicted only 4 months ago of aggravated sexual assault by a jury of officers had all the charges dismissed by the convening authority, Lieutenant General Craig Franklin, and he has been reinstated.

Lieutenant General Franklin's decision to dismiss the charges sends a message to every member of the Air Force that if they are a survivor of sexual assault they might not find justice in the military justice system. If confirmed, how will you, as a senior civilian leader in the Air Force, help restore confidence to the members of the Air Force after this incident?

Mr. FANNING. Sexual assault is a crime and a matter of serious and continuing concern; eliminating sexual assault in the military is a high priority for the Air Force leadership. If confirmed, I will work closely with Air Force leaders, as well as outside experts, to ensure our sexual assault prevention and response programs are the best available—we have a responsibility to all airmen to make this so. This will be a priority of mine, and something I would speak out about at every appropriate opportunity.

I continue to believe shame, fear, stigma, and concern for potential re-victimization are the primary reasons victims do not come forward and that to remove these barriers, Air Force leadership must be personally involved. Creating an environment where all Airmen understand this crime has no place in the Air Force is a vital step in building confidence in the military justice system. In December 2012, the Chief of Staff met with all Air Force wing commanders and stressed the importance of their leadership in tackling this problem. This was followed by an Air Force-wide inspection conducted to assess and adjust the command climate across the Air Force.

Further, victims must be encouraged to report this crime and be fully supported when they do. The Air Force's newly established Special Victim's Counsel Program is an example of the importance Air Force leaders place on victim support. By providing victims of sexual assault with their own specially trained, independent military attorney, victims now have someone to specifically help them navigate the investigatory and adjudicatory phases of a case. I believe this will have a profound impact on reducing barriers victims currently face.

If confirmed, I would closely monitor Air Force effects to ensure they were making the necessary progress and to look for additional measures we could take to accelerate progress.

QUESTION SUBMITTED BY SENATOR ANGUS S. KING, JR.

AIR FORCE TANKER PROGRAM

4. Senator KING. Mr. Fanning, if you are confirmed and once you assume your duties as Under Secretary of the Air Force, I would like for you to provide information on the Air Force's plans for sustaining its air refueling capabilities in the future. I would like to see included in this information an explanation for how the initial 179 KC–46A aircraft will be fielded, and the follow-on plans for replacing the remainder of the KC–135 fleet. I would also like the Air Force's assessment of the role the 101st Aerial Refueling Wing (ARW) at Bangor, ME, will play in the future, and the earliest the 101st ARW could be in line to field new aircraft, including the KC–46A.

Mr. FANNING. If confirmed, it will be an early priority of mine to better understand the Air Force's Strategic Basing process so as to have more fidelity into the initial KC–46A basing actions. I commit to providing answers to these questions at the earliest opportunity.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

EFFICIENCIES

5. Senator INHOFE. Mr. Fanning, for years DOD has embarked on several efficiency campaigns. Both Secretaries Gates and Panetta have included efficiency ini-

tiatives as part of the President's budget submission. Do you believe DOD has adequate tools to track efficiencies?

Mr. FANNING. Yes. Efficiency initiatives are routinely tracked by the Office of the Secretary of Defense (OSD) Comptroller and DCMO, who report then to the Deputy Secretary of Defense in his role as Chief Management Officer of the Department of Defense (DOD). In my role as DUSN/DCMO, I have had responsibility for Department of the Navy efficiency initiatives. Working closely on these efforts with the Army and Air Force has led me to believe that the Air Force has a strong process in place and adequately resources their tracking mechanism. If confirmed, I will take a closer look to make sure my initial impressions are justified.

The work we are doing across the Services in the area of achieving clean audit, as well as the work directed by the OSD Comptroller on Standard Lines of Accounting, will certainly help improve the quality of data we have to understand, control and reduce the cost of business operations.

6. Senator INHOFE. Mr. Fanning, how successful has DOD been in realizing the efficiencies already assumed in previous budget requests?

Mr. FANNING. From my assessment, DOD overall has been largely successful in realizing the efficiencies already assumed in previous budget requests. Specifically in the Air Force, a $33 billion efficiency objective was set in the initial round of efficiency targets. The Air Force is currently managing and tracking $43 billion in efficiencies from fiscal year 2012 to fiscal year 2017. The first year of Service-established targets was 2012 and the Air Force recorded savings of over $6 billion against a target of $4.8 billion. Included in the 2012 efficiency savings are reductions of ~16.5 thousand civilian positions with ~19.9 thousand removed by 2016. However, some of the more difficult efficiencies were booked in the out years and will require continued and concerted leadership attention to achieve.

7. Senator INHOFE. Mr. Fanning, what lessons have you learned in the assumptions used in taking efficiencies?

Mr. FANNING. There have been many lessons learned from the efficiencies. First and foremost, many of the assumptions made in taking efficiencies failed fully to take into account the priorities of external stakeholders, to include local communities and congressional priorities.

Second, in reducing the size of organizations, we often assume that the targeted organizations will identify mission to cut. We have learned that it is very hard for organizations themselves to identify this mission. It requires sustained leadership involvement to direct what mission is no longer a priority, and to work with relevant stakeholders to eliminate the requirement for that mission.

Finally, leadership must stay involved long after the efficiencies are booked. It requires oversight to ensure that cuts do not grow back and that the hard work of actually achieving the efficiencies is not replaced by components offering offsets in their place.

ACQUISITION REFORM

8. Senator INHOFE. Mr. Fanning, for the past several years, the Chiefs of the individual Services have repeatedly stated requirements creep is one of the major factors creating increased costs and delays in the acquisition of weapon systems. Specifically, additional capability requirements continue to be added during the development of weapons systems. Among other difficulties created by additional requirements is the redesign, and even rebuilding, of weapons systems. These concerns continue despite the fact the Joint Requirement Oversight Council must approve of any requirements changes. Therefore, what additional steps is DOD using to ensure requirements creep is reduced and to reform the Joint Capabilities Integration Development System?

Mr. FANNING. The Air Force has implemented several acquisition and requirements initiatives focused on controlling both requirements creep and program costs. As a result, the Air Force implemented a deliberate effort to reduce the number of mandatory key performance parameters (KPPs), limit requirements objectives, better translate capability requirements into system specifications, and improve oversight of cost and schedule drivers at key program reviews.

The data shows that the number of KPPs has trended down since 2009. KPPs averaged 6.1 per program in 2009 and 4.6 per program in 2012. To further control potential program cost growth and requirements creep, the Air Force implemented Headquarters Air Force guidance that limits use of objective values in all Air Force requirements documents.

Requirements creep oftentimes occurs during the translation of operational capability requirements into derived system level requirements or specifications. To ensure system requirements documents (SRD) are accurate, the Air Force directed requirements sponsors to work with the program offices and provide formal coordination on generated SRD. The Air Force is also conducting an earlier and more robust cross-functional review of operational and derived requirements to inform the acquisition strategy prior to release of the final Request for Proposals.

Finally, the Air Force Configuration Steering Board (CSB) process is undergoing enhancements to ensure senior leadership reviews requirements cost drivers and affordability impacts at CSB reviews. Although CSB reviews are not part of the formal requirements process, they include mandatory representation from requirements and acquisition stakeholders to stimulate informed discussions on how requirements impact program cost and schedule.

CIVILIAN FURLOUGHS UNDER SEQUESTRATION

9. Senator INHOFE. Mr. Fanning, under sequestration, DOD will furlough civilian personnel for 22 days through the end of this fiscal year. Employees will suffer an 8 percent pay cut, and many of them will have a hard time making ends meet. We know that 86 percent of appropriated fund employees reside outside of the Washington, DC area. Most States will be affected by the furloughs. In Oklahoma, almost 24,000 civilian employees will be furloughed under sequestration. Many of them are Air Force civilians. DOD estimates it will cost those employees in my State approximately $129 million. If sequestration occurs, what will the Air Force do to minimize the impact on civilian employees?

Mr. FANNING. Due to the reality of sequestration, the Air Force immediately took actions to significantly slow spending in order to operate within mandated budget limitations. As a last resort, DOD elected to implement furlough. By scheduling furlough days in a discontinuous manner, the 14 days are spread throughout the remainder of the fiscal year to mitigate the financial impact to the civilian workforce. In spreading the furlough to roughly 1 day a week, civilians are ensured of earning at least 80 percent of their pre-deduction pay during the furlough period, which reduces the impact on valuable medical coverage, life insurance, and long-term care insurance coverage.

The Air Force also ensured any sequestration actions taken were not permanent and potentially reversible in the event the crisis suddenly ends. Implementing furlough in a discontinuous manner allows flexibility if the budget impasse is resolved, in which case the Air Force could immediately cease with any remaining furloughs in fiscal year 2013.

10. Senator INHOFE. Mr. Fanning, does the Air Force have stress reduction programs in place to help civilian employees get through these difficult times?

Mr. FANNING. The Air Force is fully committed to supporting civilian employees during these difficult times, and we have several programs at their disposal. To the maximum extent possible, Air Force medical mental health professionals will be available to provide stress management and reduction programs to our civilian airmen on a space-available basis. Additionally, Air Force Airman and Family Readiness Centers provide wellness programs for Airmen, to include civilians and their family members. Each Air Force base has an Employee Assistance Program with capacity to help our employees through this difficult time. Air Force civilian employees may also request to receive assistance from the Federal Employee Education and Assistance Fund. Finally, many civilian employees are members of the Guard or Reserve or are retired servicemembers, and may be eligible to request additional support from the Air Force Aid Society.

If confirmed, I will remain committed to providing every possible avenue for support to civilian Airmen affected by furlough and will share those options with them as quickly as possible. However, I also realize support programs may not fully compensate them for the lost income from 22 days of without pay. Therefore, the Air Force must encourage civilian employees to plan now for the potential reduction of income. Official notification of any furloughs would come through their chain of command.

AGING FLEET OF AIRCRAFT

11. Senator INHOFE. Mr. Fanning, our Air Force has been continuously engaged in combat operations for over 2 decades. It is operating the oldest fleet of aircraft in its history:

- Air Force bombers—35 years old on average;
- Air Force fighters—28 years old on average;
- Surveillance aircraft—over 30 years old on average; and
- Transport and tanker aircraft—over 40 years old on average with tankers projected to be 70–80 years old before they are retired.

Given the projected defense budgets, that fleet will continue to age. What are your concerns about this aging fleet and decreasing budgets?

Mr. FANNING. Given the outlook for future defense budgets, the biggest concerns associated with the Air Force's aging aircraft are keeping them operationally viable given advanced capabilities already demonstrated by potential adversaries and the increasing costs associated with maintaining them. Both of these absorb available funding that could otherwise be used to fund programs with more direct readiness impact, such as flying hours and training ranges. These factors, coupled with over 2 decades of ongoing operations and the resulting reduced training opportunities, have led to a steady decline in full spectrum mission readiness. The ability of the Air Force to continue to modernize and recapitalize capabilities is critical to maintaining its ability to meet Defense Strategic Guidance, particularly in highly contested environments.

12. Senator INHOFE. Mr. Fanning, what is the impact of sustaining aging equipment on our ability to procure new equipment?

Mr. FANNING. Every year the Air Force must carefully balance its funding between sustaining aging equipment and investing in new equipment. This period of fiscal constraint makes the attempt to balance sustainment and investment even more difficult. As the Air Force defers investments in new equipment, and as sustainment costs for older equipment increase, the competition for equipment recapitalization resources intensifies.

13. Senator INHOFE. Mr. Fanning, do you think we have reached the point with any of our current equipment that the business case analysis recommends we procure new equipment but, due to a lack of funds, we are forced to sustain the existing equipment?

Mr. FANNING. Yes, I believe that for some of our equipment, we may have reached the point where the business case analysis justifies replacement, but funding constraints force us to sustain the legacy system in lieu of modernizing. Where this is the case, we run the risk of a "death spiral" where operating and support costs continue to rise, crowding out opportunities to modernize. However, recapitalization decisions are complex and new equipment does not always cost less to sustain. Therefore, every recapitalization decision should be carefully evaluated using sound business case analysis that fully considers life cycle cost (investment, operations, and support) and capability.

14. Senator INHOFE. Mr. Fanning, what impact will the Air Force's inability to develop and procure new aircraft have on its readiness 10 years from now?

Mr. FANNING. The Air Force's legacy fleet will continue to become more expensive to maintain as it approaches and exceeds programmed life expectancy, likely causing reduced aircraft availability for both training and operational use. Further, many of the aircraft in the Air Force inventory today have reached the point where further technological upgrades will provide only minimal improvement against current threats and leave them ill-equipped for future combat environments.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

F–35 JOINT STRIKE FIGHTER

15. Senator CHAMBLISS. Mr. Fanning, the F–35 Joint Strike Fighter (JSF) has experienced several delays in its acquisition process. The F–16, one of the more successful air platforms, was fraught with engineering delays as well. DOD has spent massive amounts of funding on the program and it is an essential piece for our military dominance in the future. As we approach the next phase of defense strategy with the shift to the Asia-Pacific and increased tensions in historical hot spots, it is imperative that we maintain air superiority throughout this transition. To do so, the F–35 JSF program's success is vital. Is the Air Force committed to seeing this project to fruition?

Mr. FANNING. The F–35 represents the future of the Air Force fighter fleet. It will provide critical capabilities required to accomplish Air Force missions in the threat environment of the future, and enables true joint and coalition operations. As Sec-

retary Donley stated in his testimony before the Senate Armed Services Committee, the Air Force remains fully committed to the F–35 Program.

16. Senator CHAMBLISS. Mr. Fanning, as Under Secretary, what will you do to ensure the program is successful and timely in its acquisition and production?

Mr. FANNING. The Joint Program Office (JPO) has made important progress in identifying program efficiencies and pursuing cost avoidance efforts, and the Air Force has stated that it will continue to fully fund the program to the cost estimate, and is evaluating the most effective production ramp profile to maximize learning curve savings.

If confirmed, I will support these initiatives and more deeply involve myself in the work necessary to support the JPO's efforts to reduce operations and sustainment costs over the lifecycle of the program.

QUESTIONS SUBMITTED BY SENATOR MIKE S. LEE

BIOFUELS

17. Senator LEE. Mr. Fanning, in 2012, the Navy undertook the expensive "Great Green Fleet" demonstration, purchasing 450,000 gallons of biofuel at $26 a gallon for a total of $12 million spent on fuel for just one demonstration. The Air Force similarly spent $639,000 on 11,000 gallons of biofuels for a demonstration in 2012, costing the taxpayer $59 per gallon. With the prospect of sequestration and a much tighter defense budget in coming years, do you believe that the military should continue such large-scale demonstrations using biofuels? Please provide a yes or no answer, and if answering yes, please provide a justification as to why programs involving biofuels should be prioritized over other research and development programs.

Mr. FANNING. Yes. It is my understanding that the Air Force investments in biofuels is limited to certifying fuels that are in the pipeline or are planned to be in the pipeline, but that there are no plans to purchase in large quantities until it is cost effective. AF biofuels purchases are not designed to create a market for those fuels, but to better understand what alternatives work with existing AF platforms.

The Air Force should continue testing and certifying any alternative aviation fuels that have the potential to be produced cost-competitively by private industry and that meet Air Force specifications. Alternative fuels provide options for global mobility—rather than being tied to a specific fuel, the Air Force can use what is available. The Air Force is in the process of converting its primary jet fuel used in the continental United States from JP–8, the current military specification, to the more readily available commercial Jet A fuel. Since the cost of Jet A is less than JP–8, the Air Force estimates potential savings of $40 million annually in fuel procurement costs (Jet A with additives costs two cents ($0.02) a gallon less than JP–8). As part of this conversion, however, the Air Force will need to ensure none of the alternative fuels identified in the commercial specification will negatively impact flying operations. The purpose of purchasing 11,000 gallons of alcohol-to-jet fuel was to test and certify the Air Force fleet to ensure it could operate safely and effectively on such a fuel blend, which is anticipated to have high commercial viability.

FUTURE ACQUISITION PROCESS

18. Senator LEE. Mr. Fanning, with the prospect of sequester cuts to DOD this year and continuing cuts through the next 9 fiscal years, we must change the way that acquisitions are conducted in order to be more efficient and cost effective. Necessary acquisitions, such as our next generation fighter jet, have been plagued by delays and budget overruns. What lessons have been learned so far from the F–35 program that you will implement in future acquisitions?

Mr. FANNING. The F–35 program has provided several lessons applicable to future programs. First, while introducing a minor amount of concurrency to a program can streamline the transition from development to production, reduce overall costs and increase efficiency, starting production of the end item too early in the process can significantly increase the risk to the government in the form of additional costs and excessive rework. In today's highly technical world, early focus on software development, to include appropriate controls and oversight, must be enacted. Software efforts should be fully resourced and appropriate controls levied against the contractor to ensure the use of industry best practices. DOD and the Air Force recognize the importance of detailed cost estimates which improve the government's ability to negotiate contracts with the appropriate levels of risk and benefit for both the government and the contractor. The F–35 program also demonstrates the value of strong

government oversight of military contracts. The Air Force is starting to see stabilized and/or improved performance in a number of areas, to include improved program manager assessments, technical oversight, cost, workforce capabilities, contracting and funding execution.

ASIA-PACIFIC SHIFT

19. Senator LEE. Mr. Fanning, please explain how the Air Force is planning for the military's shift towards the Asia-Pacific region. Include in your answer what this shift will mean for existing domestic Air Force bases and what these bases and their communities can be doing to prepare for the shift.

Mr. FANNING. The Air Force is taking a broad approach to rebalancing to the Asia-Pacific, seeking wider distribution of forces, expanded agreements with partners, and increased partner interoperability.

Implementation of OSD's Asia-Pacific rebalance will not result in a substantial increase of U.S. Air Force permanent presence in the Pacific Command Area of Responsibility. However, in an era of overall force posture reductions, the rebalance protects forces in the Asia-Pacific, resulting in a small percentage increase of our total overseas presence.

Domestic Air Force bases and their communities will not experience a significant change in personnel or force structure as a result of the shift to the Asia-Pacific. However, rotational capabilities will continue to support the Secretary of Defense's strategy to rebalance its resources toward the Asia-Pacific region.

FINANCE EXPERIENCE

20. Senator LEE. Mr. Fanning, part of your job as Under Secretary of the Air Force would be serving as Chief Management Officer of the Air Force. This is an important position, as it will handle much of the day-to-day business of the Air Force, including managing finances. What experience do you have that qualifies you to handle this portion of the job? Please include specific examples of increasing efficiency and cutting costs from your time as Deputy Under Secretary of the Navy.

Mr. FANNING. I do feel I am strongly qualified to fill the role as Chief Management Officer (CMO) in the USAF. I entered my current position as the Deputy Under Secretary and Deputy Chief Management Officer of the Navy (DUSN/DCMO) shortly after the Department of the Navy's first confirmed dual-roll Under Secretary of the Navy (USN)/Chief Management Officer (CMO). This provided me the opportunity, working with him, congressional staff, OSD, and the other Services, to best understand the intent of CMO legislation and implement it in the most effective manner.

One of the first things I noticed was that the Department of the Navy's strategy was heavily influenced by a technology-centric philosophy—essentially implementing large business systems to drive transformation in the Department. Since transformation is best accomplished by improving the business and then laying in the appropriate technology—not the other way around, we changed the strategy. Moreover, I demand that before any dollar was spent there must be a compelling business case for that expenditure. In the simplest terms I always ask two questions: why and so what? Why are you doing this; what are you hoping to achieve, and so what? Why does that matter? Will you save money; will you increase performance in some critical area that someone cares about; or some other goal?

This is the leadership strategy I would employ in the Department of the Air Force if confirmed by the Senate. I bring to this position a facts-based, cost-conscious, and business-centric transformation philosophy. I also believe that in order to successfully transform at the highest level, you have to build relationships and trust. I have always found the best way to achieve outcomes is to give clear guidance and direction but allow individuals to come up with new and innovative ideas by empowering them. I also believe credibility is vital at this level and the success we have achieved in the Navy will serve me well. For example, in 2009 the Navy was handed the remnants of the Defense Integrated Military Human Resources System and told to implement it in the Navy. I immediately requested an independent assessment, and quickly concluded that we should stop inserting technology until we had first clearly defined the business problems. We then spent a year deconstructing our business processes, baselining our cost of doing business and prioritizing the highest impact business problems. Because of this approach, today the DoN is able to target specific problems holistic to the personnel and pay business—taking into account policy, processes and execution—before throwing technology into the equation. This

approach resulted in the DoN reprograming roughly $300 million to the Navy while modernizing its personnel and pay systems in the right way.

In terms of efficiencies, I spearheaded the Navy portion of the Secretary Gates efficiency effort. Two of my staff members served as part of Secretary Gates' core efficiency team. My office orchestrated the Navy's response by identifying and executing $35 billion in efficiencies. The Navy DCMO efforts were recently highlighted in the GAO report 'Opportunities Exist to Improve Information Used in Monitoring Status of Efficiency Initiatives', GAO–13–105R, December 4, 2012, which praised the progress of Navy efficiency initiatives using our newly emplaced internal governance structure. It further highlighted that for all of the initiatives selected, the "Office of the Navy Deputy Chief Management Officer (DCMO) coordinated with the appropriate Navy offices ensuring implementation of efficiency initiatives went as planned" and at the right level.

As DCMO, I frequently met with my Air Force, Army, and OSD counterparts on the broad issues facing the DOD. I have played a key role in the full spectrum of management of department from streamlining business processes and certifying business IT systems to helping lead our Department on its path to audit readiness.

F–35 COST OVERRUNS

21. Senator LEE. Mr. Fanning, delays and cost overruns with the F–35 have caused some of our partner nations, most recently Canada and Australia, to reassess their acquisition of the jets. What effects will a reduction of purchases outside of the United States have on the program and the cost of the jet?

Mr. FANNING. The F–35 delivers joint and partner nation air power essential to our mutual security strategy, and is a capability needed to defeat 21st century threats. The F–35 program was established on the concept of economies of scale for purchases. If an International Partner or U.S. Service reduces the number of F–35 aircraft they plan to purchase, the unit cost of each F–35 will increase. The amount of the cost increase depends on how many jets are reduced and in which years.

22. Senator LEE. Mr. Fanning, how are DOD and the Air Force working with our partner nations to address their concerns and maintain their participation in the program?

Mr. FANNING. DOD and Air Force are in close coordination with all eight of the System Development and Demonstration (SDD) Partner nations in the F–35 program. In addition to the daily interaction between liaison officers and DOD staffs working at the JSF Program Office in Crystal City, there is regular interaction between Lt. Gen. Christopher Bogdan, the JSF Program Executive Officer and senior leaders from each of the eight nations. The JSF governance structure addresses requirements and sustainment issues at different levels of leadership and allows partner concerns to be addressed in an open forum. The most recent engagement with senior leaders of F–35 program participants was the 20 March 2013 Joint Executive Steering Board, where Lieutenant General Christopher Bogdan briefed our partners that "affordability is the #1 concern" in the F–35 program and provided a status of development, production, and sustainment issues. There is a high level of transparency in communicating F–35 program status information to the partners.

[The nomination reference of Mr. Eric K. Fanning follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
February 4, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Eric K. Fanning, of the District of Columbia, to be Under Secretary of the Air Force, vice Erin C. Conaton, resigned.

[The biographical sketch of Mr. Eric K. Fanning, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF ERIC K. FANNING

Education:

Dartmouth College
- 1986–1990
- Bachelor of Arts in History awarded June 1990

Employment record:

Department of the Navy
- Deputy Under Secretary/Deputy Chief Management Officer
- July 2009–present

Department of Defense
- Special Assistant to the Secretary of Defense for White House Liaison
- April 2009–July 2009

Commission on the Prevention of WMD Proliferation and Terrorism
- Deputy Director
- May 2008–January 2009

Communication Management Group (CMG)
- Managing Director
- May 2007–May 2008

Business Executives for National Security (BENS)
- Senior Vice President for Strategic Development
- December 2001–May 2007
- Washington Regional Director
- March 2001–December 2001

1800HomeCare.com
- Senior Vice President, Operations and Strategy
- 1999–2000

Robinson Lerer and Montgomery Communication (RLM)
- Senior Associate
- 1998–1999

CBS National News
- Associate Producer, Foreign and National Desks New York City
- 1997–1998

The White House
- Associate Director of Political Affairs
- 1996

Department of Defense
- Special Assistant, Immediate Office of the Secretary of Defense
- 1993–1996

U.S. House of Representatives
- Research Assistant, House Armed Services Committee
- 1991–1993

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Mr. Eric K. Fanning in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Eric Kenneth Fanning.

2. **Position to which nominated:**
Under Secretary of the Air Force.

3. **Date of nomination:**
February 4, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
July 2, 1968; Kalamazoo, MI.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Single.

7. **Names and ages of children:**
N/A.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.

Secondary:

Cranbook, Bloomfield Hills, MI, 1982–1984.
Centerville High School, Centerville, OH, 1984–1986 (high school diploma)

Higher Education:

Dartmouth College, B.A., 1986–1990.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
Bio attached (attachment 1).

Bio
Eric K. Fanning

Education:

- Dartmouth College
  - 1986 - 1990
  - Bachelor of Arts in History awarded June 1990

Employment Record:

- Department of the Navy
  - Deputy Under Secretary/Deputy Chief Management Officer
  - July, 2009 – present

- Department of Defense
  - Special Assistant to the Secretary of Defense for White House Liaison
  - April, 2009 – July, 2009

- Commission on the Prevention of WMD Proliferation and Terrorism
  - Deputy Director
  - May, 2008 – Jan, 2009

- Communication Management Group (CMG)
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  - May, 2007 – May, 2008

- Business Executives for National Security (BENS)
  - Senior Vice President for Strategic Development
  - December, 2001 – May, 2007
  - Washington Regional Director
  - March, 2001 – December, 2001

- 1800HomeCare.com
  - Senior Vice President, Operations and Strategy
  - 1999 – 2000

- Robinson Lerer and Montgomery Communication (RLM)
  - Senior Associate
  - 1998 - 1999

- CBS National News
  - Associate Producer, Foreign and National Desks New York City
  - 1997 - 1998

- The White House

- Associate Director of Political Affairs
- 1996

- Department of Defense
  - Special Assistant, Immediate Office of the Secretary of Defense
  - 1993 - 1996

- United States House of Representatives
  - Research Assistant, House Armed Services Committee
  - 1991 - 1993

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

None.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

The nominee responded and the information is contained in the committee's executive files.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

None since college.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

"The Infusion of Efficiencies into DON Culture and Processes"—article published in Armed Forces Comptroller Journal, Summer 2011.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

Multiple speeches in current position, all relating to defense management and small business. None have transcripts. None were formally written.

17.**Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?
Yes.
(f) Do you agree, if confirmed, to appear and testify upon request before this committee?
Yes.
(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?
Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

ERIC K. FANNING.

This 25th day of February, 2013.

[The nomination of Mr. Eric K. Fanning was reported to the Senate by Chairman Levin on March 20, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on April 18, 2013.]

NOMINATION OF GEN. PHILIP M. BREEDLOVE, USAF, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, U.S. EUROPEAN COMMAND AND SUPREME ALLIED COMMANDER, EUROPE

THURSDAY, APRIL 11, 2013

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:35 a.m. in room SD–G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Donnelly, Kaine, King, Inhofe, McCain, and Ayotte.

Committee staff members present: Peter K. Levine, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Joseph M. Bryan, professional staff member; Richard W. Fieldhouse, professional staff member; Michael J. Kuiken, professional staff member; Gerald J. Leeling, general counsel; and William G.P. Monahan, counsel.

Minority staff members present: John A. Bonsell, minority staff director; Steven M. Barney, minority counsel; and Thomas W. Goffus, professional staff member.

Staff assistants present: Jennifer R. Knowles, John L. Principato, and Lauren M. Gillis.

Committee members' assistants present: Jeff Fatora, assistant to Senator Nelson; Marta McLellan Ross, assistant to Senator Donnelly; Karen Courington, assistant to Senator Kaine; Jim Catella, assistant to Senator King; Paul C. Hutton IV, assistant to Senator McCain; Lenwood Landrum, assistant to Senator Sessions; Todd Harmer, assistant to Senator Chambliss; Brad Bowman, assistant to Senator Ayotte; and Craig Abele, assistant to Senator Graham.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody. The committee meets this morning to consider the nomination of General Philip Breedlove, U.S. Air Force, to be Commander of U.S. European Command (EUCOM) and Supreme Allied Commander, Europe (SACEUR). General Breedlove is familiar with the European area of responsibility as he currently serves as Commander, U.S. Air Forces in Europe (USAFE). He is also familiar with the challenges

of wearing more than one hat, as he currently is also Commander, U.S. Air Forces, Africa.

General, we thank you for your 3½ decades of military service and for your willingness to answer the call to serve once again. We thank your wife Cindy, who is also here with you this morning. Your family, as you know better than anybody, their support and their sacrifices make it possible for you to succeed. Please feel free when we call on you for your opening statement to introduce your wife and any of your family or friends that are with you here today.

The next EUCOM Commander and SACEUR, will face significant challenges within a constrained budget environment. We received the President's budget yesterday and, like the budgets passed by the Senate and the House, it does not address the possibility of a $52 billion sequester next year. If we don't take action to avoid this second sequester, cuts to defense spending will have a real impact on our strategy and programs in the coming years. Despite these cuts, the United States remains committed to our longstanding trans-Atlantic relationship with our European allies and to our mutual defense obligations under Article 5 of the North Atlantic Treaty.

General, we'd be interested in your thoughts on the impact of the current sequester and the possibility of a second sequester in fiscal year 2014 on EUCOM's ability to carry out its mission.

Last year the Defense Department announced reductions in the U.S. force posture in Europe, including the removal over the next couple years of two of the four Army brigade combat teams deployed in Europe. In addition, two U.S. Air Force squadrons under General Breedlove's command in Europe were designated for deactivation.

As the United States continues to rebalance its military posture globally, I hope you'd share your thoughts on the ongoing rebalance and what additional revisions, if any, to the U.S. footprint in Europe you would recommend if confirmed.

Nearly all of our North Atlantic Treaty Organization (NATO) allies have undergone budget cuts of their own in recent years, raising concerns about what the capabilities of the alliance will be when the next crisis arises. Yet, after 10 years of fighting together in Afghanistan, the level of NATO cohesion is high and is unprecedented. One of the major challenges in the coming years will be capturing the lessons learned from these coalition operations and maintaining current levels of interoperability within the alliance.

The NATO mission in Afghanistan is entering a critical phase in the coming months, with the transition to Afghan security forces taking the lead on security throughout the country later this spring and coalition forces shifting to an advisory mission between now and the end of the International Security Assistance Force mission by the end of 2014.

The next NATO SACEUR will play a critical role in ensuring the smooth implementation of NATO's "in together, out together" policy for the Afghanistan mission and in shaping the post-2014 mission in Afghanistan which was discussed at the NATO defense ministers meeting in February.

While Syria is not in EUCOM's area, its impact is felt by key allies in the EUCOM region, including Turkey and Israel. As the

civil war in Syria rages on, President Assad and his increasingly small inner circle are resorting to the use of Scud missiles, air strikes, and other indiscriminate capabilities that terrorize innocent Syrians and increase further the flow of refugees out of Syria.

Last year the alliance agreed to deploy Patriot missile batteries to defend Turkey against potential action by Assad. This action by NATO is commendable, but it's not enough. The United States needs to build a coalition to ramp up the military pressure on the Assad regime, and I hope our allies in NATO will join this effort. The Arab League has already stripped the Assad regime of its seat at the Arab League and invited the Syrian opposition as the legitimate representative of the Syrian people.

General, if confirmed as Supreme Allied Commander for all NATO military operations, you will be confronted with these issues and we look forward to hearing from you on this matter today as well.

At the Lisbon summit in 2010, NATO agreed to develop missile defense capability to defend NATO European territory, population, and military forces. This is essential to protect our forward-deployed forces, allies, and partners against the existing and emerging regional missile threat from Iran. To achieve that commitment, NATO agreed to develop and finance a command and control system and the United States is contributing Phases 1 through 3 of the European Phased Adaptive Approach (EPAA) to missile defense, which remain on track to protect NATO Europe by 2018, with its defense sites in Romania and Poland.

Secretary Hagel recently stated that our commitment to NATO missile defense, "remains ironclad". He also announced that the United States no longer plans to deploy Phase 4 of the EPAA, because Phase 4 was designed to protect the United States, not Europe, and we can achieve enhanced protection of the United States from a potential Iranian long-range missile sooner by deploying 14 additional ground-based interceptors in Alaska. General Breedlove, we're interested to know your views on that issue.

As part of its 2010 Lisbon agreement, NATO also invited Russia to cooperate on missile defense. Although NATO and Russia have had different views on missile defense, there are numerous successful areas of U.S.-Russian and NATO-Russian military cooperation and the NATO-Russia Council continues to have active discussions on missile defense cooperation, including a joint theater missile defense exercise program.

The United States and NATO believe that cooperation on missile defense can enhance the security of both NATO and Russia and such cooperation could also send a vitally important signal to Iran that we are united in opposition to any Iranian efforts to acquire nuclear weapons and long-range missiles.

Other challenges facing the next EUCOM Commander and SACEUR include continuing and strengthening bilateral and NATO efforts: to counter transnational threats from terrorism; to prevent illicit trafficking, including the flow of narcotics from South Asia and elsewhere through Southeastern Europe; to counter cyber threats, including to the NATO Cooperative Cyber Defense Center of Excellence in Estonia; to counter piracy; and to maintain strategic assets, the key transit facilities for global operations, particu-

larly in support of U.S. Central Command (CENTCOM) and U.S. Africa Command (AFRICOM).

We all look forward to your testimony today, General, on these and other issues, and again we thank you for your continuing willingness to serve our Nation.

Senator Inhofe.

STATEMENT OF SENATOR JAMES M. INHOFE

Senator INHOFE. Thank you, Mr. Chairman.

We are faced with a little bit of a problem this morning in that at 10:30 we have a Committee on Environment and Public Works meeting and there are five members on the Republican side alone that will be going back and forth, as I've already explained to General Breedlove. So we'll be moving around a little bit.

I enjoyed very much meeting your beautiful wife and two daughters. I guess Dave is there somewhere; is that right? Yes. I didn't mean to sell you short. I just kind of walked by you to the beauty. [Laughter.] Anyway, it's nice to have your family here with you.

As I look at Iran, North Korea, and al Qaeda, as you and I talked in my office, and Mali and the conflict in the Central African Republic, and 70,000 dead in Syria, I can't understand how the President thinks that, "The tide of war is receding." On my recent trip to Korea we visited the demilitarized zone, which as you know from your time in Korea is anything but demilitarized. On my visit to North Africa we discussed the problems there, and none would indicate that the tide of war is receding. If this is what receding looks like, I'd hate to see what a threat looks like.

Through my extensive travel in Europe, Africa, and the Middle East and Asia, the critical importance of U.S. engagement and leadership abroad is readily apparent and the security dividends of our investment in NATO include the multinational operations in Afghanistan and Libya and counter-piracy missions in the Horn of Africa. I do want to cover that in my questions to you because it's probably even more extensive than people realize. It's clear that the future operations we conduct in Africa and the Middle East will be from Europe and with Europe.

I don't remember a time when the world was more dangerous than it is now. I can remember people saying that in the past, but it's for real now. Yet due in part to the wrong perception that the tide of the war is receding, we are poised to cut our defense budget by, if you take what has already been done and what we're looking at in sequestration, about a trillion dollars. I agree with our former Secretary of Defense it's devastating to our defense. While our military commanders have done a phenomenal job with the hand that they are dealt, we owe them a better hand.

Unfortunately, the President released a budget yesterday that's symbolic of his last 4 years in office. It highlights his failure to address the unprecedented resource challenges facing our military. His proposal continues his unfortunate history of saddling the men and women of our military with disproportionate and illogical budget cuts that would undermine their readiness and their capabilities.

As you and I talked about in my office, four of the six U.S. fighter squadrons stationed in Europe have been grounded, and our

tanker and airlift squadrons will revert from full mission capable to a greatly reduced status of basic mission capable. The lack of resources will make EUCOM's support of AFRICOM even more difficult. We'll have a chance to talk about that and I've expressed to you my concern there.

Over the long term, I'm greatly concerned that we'll squander our investment of our national blood and treasure in Afghanistan by precipitously drawing down the troops' capability similar to what we saw in Africa.

Now, when you're confirmed, General Breedlove, you'll be charged with guiding the most successful alliance in history through a difficult fiscal environment and be responsible for ensuring that our efforts in Afghanistan over the last decade will not have been in vain. I can't think of anyone who is more up to this very difficult task than you are, and so I'm looking forward to the successes that we'll see through your leadership in this new position.

Thank you, Mr. Chairman.

[The prepared statement of Senator Inhofe follows:]

PREPARED STATEMENT BY SENATOR JAMES M. INHOFE

Thank you, Mr. Chairman. I join you in welcoming General Breedlove, who has amassed an impressive record of service. General, I thank you for your continued willingness to serve the country. Please ensure the brave men and women you lead know how grateful we are for their sacrifice, and that of their families, on behalf of our national security.

General Breedlove, we no longer have the luxury of operating in a bipolar world as we did during the Cold War—when you were cutting your teeth as a second lieutenant and when the threats to the Homeland were clear. Now, more than ever, the threats in the areas of responsibility around the globe are interconnected. What happens in Europe, the Middle East, the Asia-Pacific and Africa has the potential to directly impact the security of the U.S. Homeland.

I have a hard time squaring the reality of an aggressive Iran, a bellicose Kim Jong Un, a war against al Qaeda in Mali (AQIM), armed conflict in the Central African Republic, continuing frozen conflicts in Azerbaijan, and 70,000 dead in Syria, with the President's statement that "the tide of war is receding." On my trip to Korea in January, we visited the DMZ, which as you know from your extensive time in Korea, is anything but demilitarized. It was obvious when we visited Taiwan that based on the number of missiles pointing at us from China, the Chinese don't think that the "tide of war is receding." On our visit to Northern Africa, we discussed AQIM, Boco Haram, and al Shabaab—none of which would tell you that the "tide of war is receding." If the "tide of war is receding," I'd hate to see what it looks like when the President decides it is coming in.

Iran is determined to develop a nuclear weapon, despite growing international pressure and the damage sanctions are doing to its economy. Public intelligence reports tell us that they could have a ballistic missile capable of reaching the east coast of the United States by 2015. Although I'm encouraged that the President reversed his earlier misguided decision and is now seeking to bolster our homeland missile defense system through fourteen additional ground-based-interceptors on the west coast, I remain deeply concerned about our ability to defend against the growing threat from Iran. Restoration of the original planned number of missiles on the west coast helps but is late to need and does not go far enough. We need the additional protection that an east coast site would provide.

Throughout my extensive travels to Africa, the Middle East, and Asia, it has been readily apparent how critically important it is for the United States to remain engaged and a leader abroad. The return on that investment abroad is exemplified by the troop contributions of over 50 nations from around the globe to the International Security Assistance Force in Afghanistan. The North Atlantic Treaty Organization (NATO) has served as an invaluable partner and critical platform to integrate the contributions of troops and military capabilities to bolster operations in Afghanistan, while at the same time operations in Afghanistan have transformed the expeditionary capabilities of NATO. The security dividends of our investment in NATO

include combined operations in Afghanistan, Libya, and counter piracy missions off the Horn of Africa. It is clear that whatever future operations we conduct in North Africa and the Middle East will be from Europe, and with Europe.

While the threats that our witness is tasked with confronting are growing in scope and complexity, the resources available to deal with them are decreasing. I don't remember a time when the world has been more dangerous and the threats more complex. Yet, due in part to the misperception that the tide of war is receding, we are poised to cut our defense budget by a trillion dollars over the next 10 years. The misguided policy of the President is the relentless pursuit of disarmament. As we diminish our defense industrial base, China and Russia increase theirs; nurturing militant adventurism that ultimately our military commanders must address. While our military commanders on the ground have done a phenomenal job with the hand that they were dealt; we owe them a better hand.

I remain concerned that we have a strategy-resource disconnect that puts military lives and our national interests at risk. As we speak, four of six U.S. fighter squadrons stationed in Europe have been grounded and our tanker and airlift squadrons will revert from full mission capable to a greatly reduced status of basic mission capable. This lack of resources will make U.S. European Command support to U.S. Africa Command even more difficult and further reduce our ability to react to contingencies similar to Benghazi. Over the longer term, I am also greatly concerned that we'll squander our investment of national blood and treasure in Afghanistan by a precipitous draw down of troops and capabilities similar to what we saw in Iraq.

If confirmed, General Breedlove, you will be charged with stewardship of the most successful alliance in history and be responsible for ensuring that our efforts in Afghanistan have not been in vain. As we saw very clearly in Libya last year, our strategic partnership and strategic access in Europe is the linchpin for our engagement in some of the most volatile regions in the world today. What I'm getting at here General is that there will be no shortage of challenges facing you and the men and women you will lead. The threats are growing, and the tools available to address them are declining.

I look to you to provide the committee with your assessment of how the ongoing budget crisis will impact your ability to effectively address national security challenges and whether the current strategies that you are operating under are still executable given the budget realities.

Thank you again for appearing before us today and I look forward to your testimony.

Chairman LEVIN. Thank you very much, Senator Inhofe.

General.

STATEMENT OF GEN. PHILIP M. BREEDLOVE, USAF, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, U.S. EUROPEAN COMMAND, AND SUPREME ALLIED COMMANDER, EUROPE

General BREEDLOVE. Thank you, Mr. Chairman, Ranking Member Inhofe, and distinguished members of the Senate Armed Services Committee.

I would like to introduce my family, sir. I'd like to introduce first my wife, Cindy. She's been beside me for 34 years. She's moved our household 21 times, 9 of those times across the oceans, and she completely raised the 3 wonderful children who have already been acknowledged, Samantha, Rebecca, and Daniel. I know that I would not be here today without her and my family.

I'm honored to have my oldest daughter, Samantha, here. She's a world-class triathlete in my mind. Her husband Kevin serves in the Army National Guard and has accomplished two 1-year tours in Iraq.

I'm also honored to have with me my daughter, Rebecca, and my son-in-law, Clay, both of whom proudly serve their Nation as lieutenants in the U.S. Air Force. Clay is a third generation Air Force

officer. His father, Master Sergeant Mike Hardy, is also here with him today.

My son Daniel is here and is a freshman in college and he makes me proud every day with what he does.

Chairman LEVIN. Is he going to the University of Michigan, I hope?

General BREEDLOVE. Sir, no, sir. I'm off to a bad start. [Laughter.]

Senator DONNELLY. We have some other suggestions for that as well.

General BREEDLOVE. My mother-in-law, Ms. Lib Thompson, is here today with us as well. Her husband, Don Thompson, now deceased, served in the Marine Corps and they have both supported Cindy and I throughout our Air Force career.

Ms. Regina Hagerty is also here in support. She has been a part of our family for over 28 years, since her husband was my most influential commander in my early years.

Finally, I'm proud to have Chief Master Sergeant Craig Adams here. He is the most important half of my command team at USAFE.

It's a tremendous honor for me to be here today and I'm humbled to have been nominated by our Commander in Chief for the position of Commander of U.S. European Command and Supreme Allied Commander, Europe. Allow me to publicly thank Secretary Hagel and General Dempsey for their recommendation and for their trust and confidence. I'd also like to say thank you to Admiral Jim Stavridis for his 36 years of service to our country. His leadership of our joint and coalition forces as our longest serving combatant commander has truly been inspiring.

The nations of Europe make up the majority of an alliance key to our collective defense strategy. They have been our most reliable allies for over 70 years. These partnerships are irreplaceable. We cannot rebalance or pivot towards Asia without Europe.

I have served in Europe for a third of my career and if confirmed this will be my eighth assignment. I have worked hand in hand with our partner nations to advance U.S. and alliance objectives. While it's a tremendous honor to be nominated to this position, I believe leadership is a responsibility that must be earned through action, a daunting task for anyone selected to lead the great men and women responsible for a coalition that has ensured the trans-Atlantic security of our Nation and its allies.

If confirmed, I fully acknowledge the significance of our mission in Europe and your expectations of me as a commanding general. Cindy and I pledge to give nothing less than our all to live up to decades-long standards of excellence. Our soldiers, sailors, airmen, marines, and coastguardsmen who selflessly serve deserve nothing less than everything I have to offer.

Thank you, Mr. Chairman and the committee, for allowing me to appear before you today and I look forward to your questions.

Chairman LEVIN. Thank you very much, General.

Our timing system worked very well yesterday, so we'll continue. We thank Senator Inhofe for that suggestion to use this highly advanced technology, which has been here for probably 20 years without use by this committee. [Laughter.]

General, last month Senator McCain and I sent a letter to the President urging him to work with NATO and our regional partners to pursue additional options in Syria, including the following options: to degrade the Assad regime's air power with precision air strikes or the possible use of Patriot missile batteries; to target Syrian aircraft and missiles; to create with Turkey's initiative, a safe zone within Syria, with a limited no-fly zone; to provide additional assistance to vetted opposition groups.

Can you give us your personal assessment of these options? Are they viable and are they desirable in your professional military opinion?

General BREEDLOVE. Thank you, Mr. Chairman, for the question. We have six batteries of Patriots in Turkey at this time and they are reacting to and under the command of my NATO element, Headquarters Allied Air Command (AIRCOM) NATO. They are voluntary national contributions to an Article 4 request by Turkey to participate in the defense of a stalwart ally.

Two of those batteries are U.S. batteries and four are NATO. In order to be able to use any of those batteries in a safe zone protection of Syria, of course, we would have to engage Turkey and NATO about the four additional batteries. As you and I have discussed, sir, clearly the U.S. batteries could be used in a role to project into Syria. They have the capability to do it. Their range is somewhat limited, as we have discussed, at doing that, but they have full capability to do that. If Turkey and the United States were to look at doing this in a bilateral fashion or if we could convince our NATO partners to come alongside of us to also be a part of that, then we could do that.

The fact of the matter of being able to project power into Syria is physically possible. There is both good and bad at creating this impression into Syria. I think that it enables some of the things that we discussed that you are concerned about as far as a safe zone in northern Syria. What it would do is ask us then to reorient the defense away from what they are defending now, and I guess that's the down side of reorienting where those Patriots are.

Creating a no-fly zone. I think General Mattis in his last testimony to this committee put it pretty much the way I see it: A safe zone could create opportunity to engage with the opposition, but creating a safe zone in northern Syria would have to be much more than Patriots. It would probably require fixed wing air and other capabilities that we would have to bring to the problem.

As I know you and I have talked and your staff have talked, creating a no-fly zone first starts with having to take down the integrated air defense system of the enemy, which would be something that would have to be done kinetically. I know that CENTCOM has thought through those issues and their recommendation at this point is they don't see a military value in that.

Chairman LEVIN. Excuse me. CENTCOM has said they don't see a military value in taking down air defenses of Syria—I'm sorry.

General BREEDLOVE. I'm sorry, Senator. Let me say that a different way. What they have said is they don't believe that there are good military options or outcomes by creating a no-fly zone.

Chairman LEVIN. Over a safe zone?

General BREEDLOVE. Yes, sir.

Chairman LEVIN. Who have they said that to?

General BREEDLOVE. I think, Senator, that was General Mattis in this committee. Maybe I have that wrong.

Chairman LEVIN. Yes, I don't think so. But we'll review that testimony. Senator McCain I know has been very actively involved in this issue.

Senator MCCAIN. Let me. Could I?

Chairman LEVIN. Yes.

Senator MCCAIN. With your indulgence, sir, General Mattis said, "The United States and our allies could identify and destroy quite a fair amount of Assad's operational aircraft on the ground using precision strike and standoff weaponry," General. So your statement is in direct contradiction to what General Mattis said in testimony and has told me.

General BREEDLOVE. Senator, I sit corrected. You have it exactly right, what General Mattis said in your testimony.

Chairman LEVIN. Okay, thank you for that important clarification. The stakes here are very significant.

Yesterday an administration spokesman, senior administration official, said that, "The President has directed his national security team to identify additional measures so that we can increase assistance." I would hope that would happen quickly, and I know Senator McCain and other members of this committee have spoken on this subject as well.

I'll leave the subject of Syria, I'll leave it at this point, in order to be able to ask some additional questions. But we do hope, General, that when you're confirmed that you will take back to our NATO allies the feeling of many members of this committee, who will all speak for themselves, and hopefully by then an administration position that we be much more forward-leaning in terms of putting additional military pressure on Assad, which would really require NATO support, and it obviously would require Turkey to decide that it is willing to create a safe zone in northern Syria, providing it has NATO support. We would hope that you would be able and ought to make this case to NATO as we've just outlined.

On the missile defense issue, on European missile defense, is it your assessment that our European allies are supportive of our new missile defense policy in Europe?

General BREEDLOVE. Mr. Chairman, thank you again for that question. I have talked to numerous of the major allies that are a part of AIRCOM since AIRCOM, which is my NATO current hat, is in charge of the missile defense, which is in its nascent form now, our initial capability. As I understand the feedback from all of my NATO counterparts at this point, as long as we remain steadfast in our support to Phases 1 through 3, which was the portion of the missile defense that was about Europe, as long as we are unfaltering in our support to proceed apace with those first three phases, our NATO partners are comfortable with the announcement.

Chairman LEVIN. That is our new policy, is that correct?

General BREEDLOVE. Yes, sir.

Chairman LEVIN. In your response to prehearing questions you said that we should continue to seek zones of cooperation with Russia and that we should continue to believe that cooperation with

Russia on missile defense could enhance the security of both NATO and Russia. Can you describe ways in which you believe that missile defense cooperation and transparency with Russia could enhance our security, including whether such cooperation could send a powerful signal to Iran that we oppose jointly, NATO and Russia oppose Iran acquiring nuclear weapons and long-range missiles?

General BREEDLOVE. Sir, I agree with the opening statement that was made, and that is that we have to find ways to cooperate with Russia. I think in the opening statement it made reference to the signal to Iran. What a powerful signal to Iran if the U.S. and Russia were cooperating on missile technology and missile defense.

I think we do need to press hard to move forward with that. I've started in my current job connecting to senior Russian leaders and actually have hosted at my headquarters there their commander of long-range aviation as a first step to get to the senior leadership. I'm committed, if confirmed, to continue that pursuit to bring Russia alongside of us in these important endeavors.

Chairman LEVIN. Thank you.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

Mr. Chairman, I appreciate your drawing attention to the family. I think a lot of people don't understand the sacrifices that are made. To me, Cindy, when I hear something like you've been married for 34 years and moved 25 times or whatever it was, it's inconceivable to me. My wife and I have been married 54 years and we've never moved. Same house that we were originally in. It's hard to see that. But that's a lifestyle that you've become accustomed to and you've made great sacrifices.

I'm not going to do it, but for the record, because of your current position, not the position for which you will be confirmed, I hope, I am concerned about where we are in our Phase 1, 2, 3, and 4, and the fact that cancellation of the fourth phase in terms of the capability of our SM–3s, the 1A, the 2B, 2As, and what we don't have. I'd like to get, for the record, from your past experience where you really think that puts us today. You and I talked about this in the office, but I'd like to have it down so that we can have that in writing.

General BREEDLOVE. Sir, I have that for the record.

Senator INHOFE. All right, sir. That's good.

[The information referred to follows:]

After announcement of the change to European Phased Adaptive Approach (EPAA) by Secretary Hagel, it is clear that the U.S. contribution to defense of NATO Europe will be unaffected. Phases 1–3 of the EPAA will still provide defense of Europe, and Phase 3 in particular will allow coverage of all European NATO populations and territory to the extent technically feasible. The indefinite hold on Phase IV does not affect deployment of Phases 1–3.

The goal of EPAA Phase 4 was defense of the United States against an intercontinental ballistic missile attack from the Middle East. We will now meet that goal sooner by additional ground-based interceptors deployed in the United States, which will also enhance protection of the United States against the growing threat from North Korea.

- The U.S. European Command has already deployed a radar to Turkey and Aegis Ballistic Missile Defense ships to the Mediterranean Sea as part of Phase 1.
- The United States stated commitment to Phases 1–3 includes the development of Aegis Ashore sites in Romania (2015 timeframe) for Phase 2 and in Poland (2018 timeframe) for Phase 3.

• As Under Secretary of Defense for Policy (Dr.) Miller stated at a press conference, "We will still go forward, as planned, with Phases 1–3. Phase 3 for the European Phase-Adaptive Approach will involve deploying about 24 SM–3 IIA interceptors, SM–3 interceptors including the IIA in Poland. Same timeline, same footprint of U.S. forces to support that."

Senator INHOFE. Now, you mentioned in my office and I mentioned in my opening statement that four of the six U.S. fighter squadrons stationed in Europe have been grounded—and our tanker and airlift squadrons will revert from full missile capability to a greatly reduced status for basic mission capability—how long does it take to make that up?

I'm thinking more because of my personal background in what's happening to our fighter squadrons stationed in Europe, because you have a problem. You're going to have to get them back up ready. What do you do with them during this period of time? You have four of them that are down there and you also have the pilots. There's only so much you can do on simulation. What do you do with them and how long will it take you to get back and the kind of comparable cost should we see fit to address this in our National Defense Authorization Act (NDAA) for Fiscal Year 2014?

General BREEDLOVE. Sir, it is a great question and we have been thinking about this ever since we have begun to contemplate that we would have ground forces. As I have explained to some, the forces actually degrade over time. Our youngest pilots after about 30 days lose their qualifications. Our older pilots after about 45 days, they lose their qualifications.

Once they lose their landing qualifications and other combat skill qualifications, then we essentially have to put them through a requalification process. If we were to receive funding to be able to start flying them very shortly after they're grounded, that would be a shorter process. If we had to wait all the way to the end of the fiscal year to get budget authority for flying hours in the next fiscal year and they are grounded for say 3½ months, then it would be much longer.

We've looked at that, sir, and I think for the fighter aviation a rough number is 2 months, a little more than 2 months to get the squadron back on track. For the lift squadron, when they lose some of their exquisite capabilities like paradrop, precision drop, supporting the Army in their parachute training, etcetera, those are harder to regain simply because we have to get the training opportunities to do it. It's not like you can just fly sorties the next day. We have to marry with the Army and other things. That could take significantly longer, and that concerns me, Senator.

Senator INHOFE. I think that as we go into our development of our NDAA and we start our discussions, we want to get from you some more specifics, because should we do what I consider to be the responsible thing, we need to know the costs and what we have sacrificed in this interim period of time.

Just one real question I normally do ask. It's becoming less relevant, but it still is relevant. That is on the sequestration. If we were, as I suggested some 7 weeks ago, able to take the same top line and give the commanders in the field more flexibility, would that—I have talked to all the Service Chiefs. I have them on record here. But would you agree with them that it would be far less dev-

astating if we could have some flexibility at the discretion of the Service Chiefs?

General BREEDLOVE. I do, Senator.

Senator INHOFE. One of the areas that I've been very much concerned with is, of course, in AFRICOM. You'll have that responsibility. It's an awesome responsibility because of your shrinked resources and the problems that are happening there. Now, we're used to problems in Africa. We've never, prior to September 11, really addressed them to any real degree.

Everyone is aware of what happened in Somalia. They're aware of piracy on the east coast. But, as you and I talked, I'm reminded when I go over there that, with the new finds of the oil and the resources in West Africa, we have a new problem that's developing there and that's piracy in West Africa.

Now, just when you look at the fact that you are up in Stuttgart and you have to get your resources down to that huge continent of Africa, how are you going to handle that? It's hard enough as it is today, but as this expands, and with the resources you have—and I'm talking about maybe lift resources. Maybe this is something we need to reevaluate.

How can you handle that with these new problems coming in, that vast continent of Africa?

General BREEDLOVE. Yes, sir. I think that my last several assignments in USAFE where we supported Africa before AFRICOM and now as the Africa commander, I have learned the definition of geography and what geography means, time, distance, and heading. I often show a picture, a map of Africa, where you can literally put almost exactly four continental United States in the continent of Africa. I understand now as an operational commander just how hard access is to Africa even if it's unopposed. Time, distance, and heading becomes a real problem.

Being able to have forces forward deployed in the southern tier of USAFE so that they can reach into Africa is incredibly important. Our basing in these southern states—Spain, Italy, and others—are critical to us. I believe that we are now in northern Africa looking to see where are there lily pads inside of Africa that we can establish relationships with nations whereby when we need to we can move forces forward, to cut that time, distance, and heading problem down.

Senator INHOFE. I think that's important because that's a moving target. Not long ago no one was really concerned about Mali and Chad and some of that area in there. However, we are. When we look at the five African brigades that we originally talked about building, not that we're on schedule for doing it, which would be another question for the record, it concerns me that we are already to the point where you have to have these resources, you have to have them developed.

Initially when we, as you well know and most of the people at this table know, when we established AFRICOM, it would have been better to have that headquarters down more centrally located, maybe even in Africa, maybe in Ethiopia. But we know the political problems down there that made that impossible.

With the reduction in the resources that are already there and the escalating problems already in eastern Africa, but now in West

Africa, that's going to be one that's going to be a huge problem for you. I'd like to have you be sure to let us know as we go into the development for 2014 just what those problems are so we can help you to address those problems when that time comes.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Inhofe.

For everyone's information, the vote is now scheduled at 11:00 o'clock.

Senator Donnelly.

Senator DONNELLY. Thank you, Mr. Chairman.

General, thank you for your service, and to all of your family. I noted that you graduated from college the same year I did. I consider you as young as I am, and it's wonderful to see your family here with you today.

You will help in your new position coordinating our reduction in forces from Afghanistan. As we look at that process moving forward, what do you consider as the most significant challenges for the Afghan army, for the police, for their government, as we move forward in this process?

General BREEDLOVE. Sir, it's a great question. As we look at what are the sizes that are being contemplated for the long-term force structure and what are the capabilities that are being contemplated, it is center in our discussion. I think first and foremost we need to continue the pressure on making sure the professionalism of the military meets the requirements of the Nation. I think that, quite frankly, we are doing pretty good there in the armed forces piece and we have some work to do in the Afghan police piece.

But we need to make the military creditable, capable, and responsive and appear creditable to the Nation of Afghanistan and the people that they would protect. I would offer that their recent performance in the military realm has been quite respectable. Almost 90 percent of the nation now is back to the Afghanis. They have led now some very large formation attacks and complex military maneuvers, which are fairly encouraging in this matter.

Senator DONNELLY. Do you have, as we move forward on this, almost a set of metrics as we head closer toward the end of 2014, that at this point we hope to be here, at this point we hope to be here?

General BREEDLOVE. Sir, the short answer is no, I do not. But I know that Joe Dunford, who is a long-time friend, we have served together many times, I know that he is working on that. If confirmed, my pledge is to get there to talk to Joe and then go down and see Lloyd Austin immediately thereafter, to do just that: How can we develop metrics and thoughts that will inform this Congress and inform our leadership on the way to go ahead?

Senator DONNELLY. What do you see as the biggest challenge in this process of transition?

General BREEDLOVE. Sir, my initial response now, not having been there, will be colored by the color of my uniform. As I talk to the other NATO nations and as I have talked to the commanders there in my past trips as an Air Force officer, they are very concerned about enablers. They are very concerned about being able to do the intelligence, surveillance, and reconnaissance that we do,

to be able to do the personnel recovery that we do, to do the medevac that we do, inter- and intra-theater airlift.

These are all things that they are not capable of doing and that NATO has been providing by and large during the time, and I think those are things that we need to be concerned about.

Senator DONNELLY. Admiral Stavridis had told us a few weeks ago that the remaining bases in EUCOM were forward operating bases needed for access and that we could conceivably draw down further. I met with the Army this week and they briefed us on their plans. Their plans, they told me, were to reduce the infrastructure in the region by 51 percent between now and 2016. How do we match those goals and the previous testimony that we heard?

General BREEDLOVE. Senator, let me just talk to what I've been doing as the air commander there and what I've watched my fellow commanders around do the same thing. When I took command about 9 months ago, I immediately started looking at what is the enduring mission of USAFE as it supports Africa and Europe and the Middle East, the Eastern Med, and Africa?

I do believe that we have more infrastructure that we can draw down in the Air Force. I have heard my fellow component commanders speak to the same. I know very much less about what Bruce Clingan is looking at in the Navy, but I do know that the Army thinks that they can bring down further.

I think it's in all of our best interests to do that, because these bases cost money and the infrastructure that we can draw down saves money for flying aircraft.

Senator DONNELLY. One of the things I just want to try to get your commitment for, the Indiana National Guard, we're extraordinarily proud of them. They have ongoing relationships with European state partners, and I just want to make sure that we can get your commitment that the longstanding relationships between National Guard units and the European state partnership countries will remain with the Guard as we move forward.

General BREEDLOVE. Senator, I can absolutely assure you in that respect. For EUCOM, 21 state partnership programs servicing 22 nations. As I talked to the staff in preparation for this hearing, they tell me that literally one-quarter of our interaction with our partners are done by the state partnership program.

[The information referred to follows:]

During the hearing, I referred to 21 state partnership programs servicing 22 nations in the U.S. European Command area of responsibility. I misspoke and should have said there are 23 state partnership programs.

General BREEDLOVE. Specifically in the Air Command, I could not run by air operations center either in peacetime or in conflict without the support of two Guard units that bring people and expertise to my area of command.

Senator DONNELLY. As we look at Syria, obviously we're concerned with all the border areas, but one of the border areas that we're concerned about conflict threatening to boil over is in Israel. We are wondering the coordination between EUCOM and the Israeli Defense Forces, as well as coordination with our other friends and allies in the area. What kind of coordination is occur-

ring now and what do you plan moving forward in this extremely challenging situation?

General BREEDLOVE. The coordination level now is higher than I've ever seen it. I have been participating in working with Israel since I was a colonel in Europe. I have flown in Juniper Falcon from Nevatim Air Base twice in my life during large exercises with Israel.

At the senior staff level, in preparation for last year's Austere Challenge 12, which you have heard billed as the largest missile defense exercise ever, we could not have been more tightly lashed to Israel in how we plan to do missile defense of that area should we need to.

I think that it is very strong. It continues to grow stronger and it should as we bring ourselves closer and closer together, to dealing with a neighborhood that has been altered, I think, by the Arab Spring.

Senator DONNELLY. Right. That's with our other allies, too, I presume.

I'm almost out of time, so I want to ask you one last question. As you look at this region, as you look at your new potential command, what is your greatest concern as you look, as you move ahead? What keeps you up at night, other than your children?

General BREEDLOVE. Sir, I think my first focus is going to be getting the transition in Afghanistan right. I need to get over there, engage with the commanders, come back and engage with the leadership here in Congress and our Nation, and make sure that we have force sizing, drawdown schedules, and what we leave behind in residual capability right. I have to focus on that.

I'm running over a little bit, but, sir, I think it's really important that as we begin this drawdown in Afghanistan that we don't take a peace dividend and, as was mentioned in the opening comments, back way off of the gains that we have made with our European allies in interoperability and their investment in defense and in participating in Afghanistan.

Senator DONNELLY. General, thank you. To your family, thank you very much for all your service.

Chairman LEVIN. Thank you very much, Senator Donnelly.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

Thank you, General, for you and your family's service. You mentioned all the different duty stations and I'm sure that your time at Luke Air Force was by far the most enjoyable of all of those.

General, I mentioned to you in my office both Admiral Stavridis and General Mattis have been very candid with this committee, which is one of the questions that's asked of you on your confirmation. I hope you will follow in their footsteps, and I would remind you again on the issue of Syria. Admiral Stavridis testified before this committee that Patriot missile batteries could be deployed from their current positions closer to the border with Syria, where they could help defend civilian populations in Syria and serve as a powerful deterrent to Syrian pilots. Do you agree with that?

General BREEDLOVE. I do, Senator.

Senator MCCAIN. Can Patriot missiles shoot down Scud missiles?

General BREEDLOVE. Yes, sir. In fact that's their primary duty as they're aligned right now.

Senator MCCAIN. Can they shoot down aircraft?

General BREEDLOVE. Yes, sir, they can.

Senator MCCAIN. General Mattis also testified that a fair amount of Assad's operational aircraft could be destroyed on the ground using standoff weaponry. Do you agree with that statement?

General BREEDLOVE. I do, sir.

Senator MCCAIN. So we really aren't putting pilots at risk and there's not a requirement to take out the air defenses around Damascus in order to assure the security of a no-fly zone. I think we all know that if pilots think they're going to fly into areas where their risk is incredibly high, as it would be with the Patriot missile and other capabilities, they would not do that.

Both former Secretary of Defense Panetta and General Dempsey, the Chairman of the Joint Chiefs, both testified before this committee that they had supported supplying weapons to the rebels. Have you reached a conclusion on that? In Syria?

General BREEDLOVE. Senator, I think that if we could assure that the weapons were going to the right people and that we would not have to face them in the future, that it would be helpful to removing the regime.

Senator MCCAIN. I thank you for that answer. Obviously, the best way to assure that would be if there were a safe zone, such as Benghazi was in Libya, for the resistance to organize and control the flow of weapons. I think we all know, and I know you agree, that the situation has worsened over time, to the point where the jihadists are playing a greater and greater role in Syria, which obviously post-Assad, which will happen some day, is going to be incredibly complicated.

Do you believe that, as opposed to 2 years ago, that Lebanon and Jordan are more or less stable than they were before the last 2 years?

General BREEDLOVE. Sir, I would say they are less stable, not because their intent is not good, but there is so much instability with the Arab Spring and, sir, a pretty large refugee problem at this point.

Senator MCCAIN. Of course you are aware that the Russians continue their flow of weapons into Bashar Assad's forces; and even now, later reports that the Iranians are not only providing weapons, but they're training, actually training people in Iran and sending them back into Syria. Have you heard those reports?

General BREEDLOVE. Sir, I have not, but I do know that in general we would not categorize Russia's support to us as helpful in this area now. I am not privy to those reports yet.

Senator MCCAIN. I think it's good to give them flack jackets. I don't think there's any way that can really seriously affect the equation on the ground. I—well, my opinion is well known.

General Mattis recommended 13,600 U.S. troops and about half as many international troops in post-2014 Afghanistan to do counterterrorism and train and assist missions. Have you had a chance to look at that assessment of General Mattis'?

General BREEDLOVE. Sir, I have looked at General Mattis' testimony and other thoughts on 13,600. I think that it relates back to

a comment I made earlier, Senator, that I think that our eventual number in Afghanistan is yet to be determined, but influencing that will be do we remain at 352,000 in the Afghan National Security Forces (ANSF) or do we come down to what was proposed at the Chicago summit of 230,000 and when that happens. If we keep the ANSF high through 2018, it should give us more flexibility on numbers. If we don't keep the ANSF number high, then that would probably cause input.

Senator MCCAIN. One of the things that is a little frustrating to some of us is we're sort of seeing a repeat of the Iraq scenario, in that we delay and delay and delay on these decisions. Meanwhile it puts Karzai and our friends in the region in an uncertain position. I hope that as soon as you are confirmed that you would in the deliberations urge a decision soon on the post-2014. We're into 2013. We need to have a firm decision as to what our troop strengths are going to be, what our presence, and what their role is going to be. I greatly fear the same kind of unraveling that we are seeing in Iraq today.

Finally, you made a very strong statement to me in my office when we had the pleasure of our visit about sequestration. You mentioned that certain squadrons are having to stand down, that there are certainly decisions having to be made that are basically no-win decisions.

When I asked you about the effect, especially since you have a couple of young members of your family here, the effect of sequestration on the decisions that these young officers, junior officers and mid-level officers, are going to be making about whether to remain in the Air Force and in the military, what's your personal view of that particular situation?

General BREEDLOVE. Senator, it's a great question and I'm happy to have an opportunity to comment. As I took command, the chief and I, we got out and talked to our troops. What I will do is just report to you things that I'm hearing from the troops. This concerns them greatly. It concerns them, will we have the wherewithal to do what we do? Will we be able to continue educational benefits that we thought were a part of our business? Will we be able to train and fight at the level that we expected to train and fight at?

I would just say that, from the number of questions that the chief and I got as we have circulated the battlefield forward and in Europe, that this is a concern on the mind of our troops. I am concerned that it will impact the long-term retention, health, and welfare of our troops.

Senator MCCAIN. Thank you, General.

Thank you very much, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

Senator King.

Senator KING. First, General, thank you very much for your service, and I am delighted to have you here. I, too, was struck by the number of times you moved. I, as a young man, worked on a moving truck for Allied Van Lines and we used to say that four moves equals a fire. You've been through it.

As NATO reflects—and you mentioned this a bit in your testimony—on the experience in Afghanistan, what are the major

learnings from that experience and how do you see that reflecting itself in future activities?

General BREEDLOVE. Sir, there are a couple of very positives that I think we should take from this experience. First of all, NATO in general and some of the partners has become much more interoperable. Much more of the troops have come up to the same level of standards. We use an acronym "TTP" for "tactics, techniques, and procedures". We have standardized tactics, techniques, and procedures. We have brought their special forces very close to the level of ours. Their joint tactical air controllers (JTAC) on the ground, are acting almost interchangeably with our U.S. JTACs.

I think the most positive gain out of a horrific situation is that our alliance has really begun to be much more jelled in its ability to employ interactively and mixed together because of the skill and capability of all.

Sir, I would tell you that's also my number one concern. You asked about my concerns. That is that if we come out of Afghanistan we cannot allow what we have gained to fall back because it was bought with precious time and effort of our people. I think it's going to be important for me, if confirmed, to keep pressure on not only defense investment, but to keep pressure on our ability to train together and keep the standard of excellence high so that we can remain interchangeable.

I believe one of the reasons that Libya went so well with NATO in the lead is because we have become so much more like each other in the way we do business.

Senator KING. I think that clearly is an important lesson.

Just to be clear on the record, you've talked several times about the grounding of the, I think, it's four squadrons you said in Europe. Is that because of the sequester?

Senator KING. Sir, that's because of the budget effects of sequester, that's correct. It's not just Europe. These squadrons are grounded in the United States. In your States we have squadrons grounded.

The lift and tanking squadrons are equally as affected. As was mentioned earlier, the effect of going from a fully mission capable air crew in a lift aircraft to an air crew that can simply do air-land, load, reload, it is a big effect on our military capability in a time, as has been captured by the chairman, a very volatile time.

Senator KING. You listed earlier all the qualifications that were being limited and the mission abilities that were being limited.

I think it's important to emphasize that the sequester is not a 1-year deal. At least it's not according to current law. If nothing happens, it keeps going. This condition that you are in, unless it's alleviated in some way, would continue and, in fact, accelerate.

General BREEDLOVE. Yes, sir. I think that in my specific command as we service not only Africa but Europe, but our mission in Africa is growing now, which is a strain as well on our budget.

Senator KING. I heard recently on the news a member, not of this body, but a member of our Government, characterized the sequester as a "home run". I hope this gentleman will talk to you about the effect on our readiness, on our retention, and on our military.

Another question, changing the subject, under your area of responsibility comes both Turkey and Israel. What's your assessment

of the current relationship between Turkey and Israel, and are we headed for a better relationship? What are you hearing from your counterparts?

General BREEDLOVE. Sir, a month ago I probably would have had a negative report. There has been some work done by our senior leadership and Israel has come forward and talked to some of the problems that they've had with Turkey in the past. I now am cautiously optimistic. I think that this relationship is headed in the right direction. If confirmed, I will continue to try to foster that relationship.

In my current capacity, I do today, because these are two incredible allies—Turkey is absolutely critical to us. Their geopolitical position, their moderate voice in this world—there are so many things about Turkey that are absolutely dear to us. We cannot have two of our most important allies in an adversarial state.

Senator KING. Thank you.

One final question. As we've been focused so much on the Middle East and on Afghanistan, attention has been shifted from the Balkans, which was a major area of concern a decade ago. What's the situation there? Are we comfortable with the circumstances and is there any need for concern or new attention to that region?

General BREEDLOVE. Sir, I would tell you that I am not comfortable with the Balkans. Progress has been made. We have brought the troops down to just about 5,000 now, of which about 800 are United States. We need to bring that down lower. But I have heard the situation in northern Kosovo described as stagnant. We were making progress and now we have slowed down in that progress. That worries me because I think that our Nations are a little weary of that situation and want to move on. What I don't think we can do is totally take our eyes off of a situation that if not watched could possibly go in a direction we don't want it to go.

I think that there are good things happening. There are great things happening in the training of the Kosovo Defense Force. But we need to keep our eye on the ball.

Senator KING. Thank you very much, General, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator King.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

I want to thank you, General Breedlove and all of your family, for being here and for your service to our country.

I wanted to ask you about our relationship with Russia, and in particular looking at the advance questions, you described Russia will remain the primary actor of regional concern through 2020. Why do you believe that Russia is the primary actor of regional concern?

General BREEDLOVE. Thank you, Senator. I think that I would try to put that in some context, and that is that Russia remains a very important influence with many of the nations on its periphery and nations that have been leaning more west than east and have become good allies—not allies, but have been great partners with us in places like Afghanistan and others.

But these nations are clearly still tied to Russia for such things as energy needs, transportation, and others. There's lots of tenta-

cles that go back and forth. Russia's ability to either help us or hinder us as we work with these nations I think is still very great.

I do and I have been quoted often saying that I think we would be better off if we quit treating Russia or thinking of Russia as an enemy and try to bring them into a partnership as we deal with Europe and other places around the world. Russia has been very helpful with us in counter-piracy and other things outside of the European theater. I think that Russia still has deep influence in Europe. We need to try to find out how to work with them, as opposed to at them.

Senator AYOTTE. General, one of the things I wanted to get your view on is you said we need to stop treating Russia as an enemy. That strikes me as in line with when the administration, the Obama administration, came into office, the whole reset of the Russian relations. Yet if you look at the Russians' actions both in the United Nations and also on numerous issues, we have not gotten the reaction that we had hoped. In fact, if you think about issues like the adoption issue that obviously all of us have heard from our constituents on, which is just outrageous, to use children to advance a policy objective like that or to somehow think that they're going to punish the United States.

I hear and I understand what you're saying, but we're not, in my view, getting the reaction that we would hope in turn from the behavior of the Russians. What is your view on that, and what are the differences that remain between us and how in your view are we going to improve our relationship with Russia in a way that protects our interests and those of our allies?

General BREEDLOVE. Ma'am, I could not agree with your assessment more. In fact, I've described the reset as sort of on pause. We had made some progress. There were some political changes in Russia and we are now sort of very much slowed down.

I think that we have to continue to reach out. I do agree with your concern that this not become a one-way street and that we just give, give, give. I think that the principle of reciprocity is how we need to think about our work with Russia. But I don't think that we should stop. We need to keep working with them.

As I mentioned, ma'am, before you were here, I have reached out to several very senior levels in their air force to establish dialogue so that we can begin to get some normalization of conversation and then do some military-to-military work. If confirmed, I will continue the effort as the SACEUR and as the Commander in Europe.

Senator AYOTTE. I would agree with you on the reciprocity issue very much, because I feel like it has been a one-way street at the moment. The Russians, for example, if you look at conflicts like Syria, could have a major influential role, and yet they are actually fueling that conflict with their arms provisions. It's outrageous really. I think in many instances they have as much the blood of some of the Syrians that are being murdered on their hands as the Assad regime. I can't imagine why Russia would want to stand for that.

One of the things that concerns me as well is the arms control agreements that we have with Russia. Do you understand whether, or if you can give us some insight, whether the Putin Government

is in full compliance with all existing arms control agreements that we hold with them right now?

General BREEDLOVE. Ma'am, I could not comment on that at this time. But I will get back to you on that with a position and an answer.

Senator AYOTTE. I would appreciate that, because the administration, of course, has made some announcements in the press that there is some thought of further reducing our nuclear arsenal in some types of negotiations with the Russians. I think it's very important for us to understand what their posture is on existing arms agreements right now.

[The information referred to follows:]

Since U.S. European Command does not participate in the verification process for arms control treaties, I would refer you to the President's annual report, submitted through the Department of State, on "Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments" required by section 403 of the Arms Control and Disarmament Act, as amended (title 22, U.S.C., section 2593a).

Senator AYOTTE. I would also express the hope, to the extent you weigh in on these issues, that they would, the administration, would seek to go through Congress on these types of issues, particularly with what we see happening in the world right now. You have in your area of responsibility, of course, Israel, with Iran marching toward a nuclear weapon, what we have happening in North Korea. I think this is a very important issue for Congress to weigh into, rather than just a unilateral agreement between Russia and the administration.

Certainly in your role, if you're asked for advice, I hope that you will recommend that Congress be given the role, its constitutional role in this?

General BREEDLOVE. I will, Senator.

Senator AYOTTE. Okay, I appreciate that, General.

You talked about your area of responsibility with Israel and the relationship that you have had based on your experience with the Israeli military. Do you believe it's important that Israel maintain its qualitative military edge over any potential adversary in the region?

General BREEDLOVE. I do, Senator, and that is one of the primary duties of EUCOM, to continue to make sure that that is upheld.

Senator AYOTTE. Why is that critical in light of the position we are in right now?

General BREEDLOVE. Senator, I think that it's pretty clear to all that Israel is in a tough place and the neighborhood is unsettled. I think that the Arab Spring has further unsettled the area, and the strategic depth that we talk about Israel having or lacking is only getting less. We need to make sure that Israel is able to respond capably with the weapons that enable them.

Senator AYOTTE. When you're confirmed for this position, what do you think that you could do to further deepen our relationship with Israel?

General BREEDLOVE. Senator, I think that, building on the success of Austere Challenge 12, we made a huge leap forward in our ability to interact in missile defense. We have been doing exercises

such as Juniper Falcon and others that I've participated in, and Juniper Stallion, which I flew in, where we bring the interoperability of our conventional forces closer together.

I believe we need to be very straightforward in our ability to interact with and come to those same TTPs we talked about before, make sure that our interoperability is high and our ability to support Israel is ready.

Senator AYOTTE. Thank you, General. I appreciate your being here today and look forward to supporting your nomination.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Kaine.

Senator KAINE. Thank you.

General Breedlove, what a treat to have you here, and to see your family and hear you talk about them with such pride is something that makes an impact on all of us. I have three youngsters, one a newly minted second lieutenant like one of your own and two artists. They all grew up eating the same food and breathing the same air, but they've all gone in very different directions, but we're proud of all of them.

I want to start where Senator McCain finished with you, which is as you look at these budgetary uncertainties, sequester, we can talk about Air Command units standing down. We can talk about the effect on logistical operations, refueling, and airlift capacity. We can talk about a lot of things in the here and now, but there is a concern about tomorrow as well.

As I talk to my son and his colleagues and others—recently I was at University of Virginia talking to a Reserve Officers' Training Corps (ROTC) group and one of the youngsters training to be an officer there said: I sign up voluntarily, knowing that I'm potentially going to face hostile fire, and I'm willing to do that. I'm willing to make a career decision that involves doing that. But I kind of have to wrestle with whether I want to make a career decision to do that if the support for me from Congress, budgetary support, is so uncertain.

That was kind of a chilling thought of anything that I've heard about sequester as I've traveled around the Commonwealth of Virginia, and I've heard a lot about it because we're so connected to the military. The thing that probably has struck me the most is what it is as a young person being willing to face hostile fire, but having to ask yourself the question of should I do it if I'm not sure whether Congress is going to be there with the right kind of budget support for the work that we do.

You testified about that a good bit already, but I'm really struck by that and it's a sobering thought for all of us. I wonder if you have any additional comment on that from what you've heard from your own troops?

General BREEDLOVE. Senator, you have it exactly right. Our troops, including my daughter and her husband, are concerned about these things and we've had these conversations. As I took over U.S. Air Force Europe and Air Force-Africa 9 months ago, the chief and I set a mantra: mission, airmen, families. We have to be able to keep the mission going. That is driving everything we do. But the way we get the mission done is through our airmen, and we have to set the airmen so that they can focus on their mission.

If the families are not set, the airmen are not going to be set. These are inextricably tied.

If confirmed, going forward in Europe, one of the concerns that I've talked about to my fellow commanders in Europe are the three things that my wife talks about every time we move: schools, housing, and access to medical care. If confirmed, Senator, that will be one of the first focus items I have across the broader EUCOM Command, because, as I said in the "Mission, Airmen, Families," if we can keep the family, which is at the base, squared away, then the airmen can focus on the mission, and that's where we have to be. In the case of EUCOM, then it would be our soldiers, sailors, airmen, marines, and coastguardsmen that we would be enabling.

Senator KAINE. Excellent, excellent.

Let me jump around a bit. What an awesome thing to be up for nomination to be SACEUR. Some pretty amazing people have had that title. That has to be—well, it's a good thing, but it's a humbling thing, too.

Talk to me a little bit about that role, and in particular NATO lessons learned from Libya? You describe them in a positive way. We did well because we've gotten to be so much like one another in the way we approach these challenges. I'd like you to talk a little bit about that, what you meant by that, but then how you see that relationship going forward. To the extent that sequester and other budgetary uncertainty potentially jeopardize some of what we might be able to do in that NATO combined operation, I'd love to hear your thoughts.

General BREEDLOVE. Thank you, Senator. Very shortly, I would also say that, if confirmed, I would find myself sitting behind the desk that Eisenhower sat behind. I would tell you that my father from the State of Georgia would roll over in his grave at that thought, and some of my grammar school and high school teachers probably as well.

Sir, as far as Libya and NATO, as in almost every case, there are good things that we learned and there are bad things that we learned. I highlighted a couple of the good things previously and those are that we have trained so much together and now we have fought beside each other in Afghanistan and other places for some time. What has happened is it has enabled us to be much more seamless across being able to employ the NATO force and being able to interchange NATO people, having a Belgian officer be your deputy commander and having a French officer be your chief of operations and having a German officer being your intelligence officer, and expecting that we would be able to execute at a very high level because of that interoperability. I think that's very important.

Not to highlight the bad, but there are some bad things. What we did learn is that the depth of some of our partner nations and especially their sustainment to the fight is not very deep. We have work to do in weapons and the amount of weapons. We have work to do in very critical enablers that are going to be required for any force—air-to-air refueling capability and others.

I think probably the most glaring thing we need to work on as an alliance is intelligence, surveillance, and reconnaissance. You can be very proud of your joint force. There is no one that does it

like us. What we don't want to do is be the only supplier of that superb capability. We want to bring others along.

If confirmed, Senator, those are going to be center in the heart of the shot pattern for what I'll do in NATO.

Senator KAINE. One of the expectations that I would have as a Senator from Virginia, obviously, is the Allied Command Transformation is in Norfolk and so the working relationship with General Palomeros is something we would care deeply about as well.

The Aegis ballistic missile defense system also has a Virginia tie to Dahlgren, where much of the research and work is done. That's a critical part of EUCOM's ability to address the ballistic missile defense issues. Could you give us just a quick update on the Phased Adaptive Approach?

General BREEDLOVE. Thank you, Senator. Yes, sir. Right now, as I mentioned earlier, the announcement that Phases 1, 2, and 3 are firmly on track is a good one. The investments required to start Phase 2 are on track for putting in that first Aegis Ashore, as we call it. I believe that right now on Phases 1, 2, and 3 I have positive reports on how we're proceeding.

Senator KAINE. Finally, I'll just comment that I agree with comments you've made earlier. I think the U.S.-Turkey relationship is one of the most strategically important right now, both because of the region, but also because of Turkey's important role in NATO. I was heartened to hear your comments and heartened to hear other reports that suggest that the Turkey-Israel relationship, which has been quite frosty—for a long time the military-to-military connection has been quite positive, but it's been quite frosty—seems to be getting better.

Your testimony about Israel is also welcome. I'm going to be with Ambassador Oren, the Israeli Ambassador to the United States, tonight, introducing him to a large group of people in Richmond. He will be happy to hear of the importance you accord that relationship in your testimony.

Thank you for your service and I look forward to supporting you.

General BREEDLOVE. Thank you, Senator.

Chairman LEVIN. Thank you, Senator Kaine.

I just have one question. Senator Inhofe has a question or two that he'll ask in round two, and then we'll be able, I think, to leave here in time to get over to vote at 11 a.m.

General, you and I have spoken in my office about what are called residual value payments. We recently completed a committee report regarding the expenditures which we've made in certain facilities overseas that are being returned to a host nation and the improvement in those investments and the payments which are made by those host nations for those improvements.

Under our law, those payments must be directed towards offsetting operation and maintenance costs and they must be directed according to law towards military construction projects which are identified in the Future Years Defense Plan, and they have to be used for Department priorities that are specified.

Will you take a look at this issue and read this report when it comes out, because there's been some real significant problems in terms of the use of those payments, which are identified in our re-

port. So you can get back to us after you have read that. Will you do that?

General BREEDLOVE. I will, sir. I did some work with this last night. I'm much smarter now about it. I understand that our staffs have cooperated to get this report out and I do commit to you to get to that report early if confirmed and get back to you.

Chairman LEVIN. Thank you very much.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

I wasn't going to ask another question until Senator Kaine asked a question. In fact, I'd say the only answer that you gave during the course of this hearing that I would disagree with is your answer to Senator Kaine. We all know and I don't think anyone questions now that our intelligence assessment, going way back to 2007, that Iran would have the capability along with a delivery system by 2015—that's been consistent. I've often said that it's probably going to be earlier than that, judging from the miscalculation our intelligence made way back in 1998 on North Korea's ability to fire a multi-stage rocket, when they were off by 5 years.

Anyway, I think that we can say that 2015's a critical time. Then, of course, I disagree with the changes that took place 4 years ago in terms of the ground-based interceptor in Poland. But assuming that we are where we are right now—and you talk about Phase 1, Phase 2, and Phase 3. I understand that in the SM–3 Block 1A, we're already there, then 2015 for the 1B.

But then the SM–3 Block 2A, which would be necessary for the protection of our NATO allies, is not scheduled until 2018. We have a 3-year period that concerns me. I'd like to have you tell me how you think you'd like to address that 3-year period, if that concerns you, if that increases risk, and of course risk means lives.

General BREEDLOVE. Senator, you're absolutely right about my answer. My answer was not about the timing in relation to the threat, let me make that clear. What I was trying to answer Senator Kaine, was that the program and the schedule to accomplish the things that we are doing——

Senator INHOFE. Is on course?

General BREEDLOVE.—is on course.

Senator INHOFE. Yes, I understand. But I'm suggesting the course is wrong.

General BREEDLOVE. Yes, sir. I understand that question completely now, and there are concerns about getting the appropriate coverage at the appropriate time. I think that one of the things we are having to do right now is talk to our fellow European nations about their contribution to EPAA and their bringing some capability to the task early.

I am encouraged by the fact that we have our Dutch friends upgrading four of their cruisers to Aegis-class capability to help us in this battle. I am also encouraged by the fact that several of the nations, France, Germany, and others, are looking at voluntary national contribution of not only their short-range capability, but some of their radars.

I don't want to take too much of your time, but I do see positive movement in the nations leaning forward now to be a contributing part both kinetically and as basing nations in this effort.

Senator INHOFE. I know this is not directly in your new position, but you're the expert in this and I appreciate your background and knowledge. I would think that if you're looking for that 3-year gap to be filled by more assertive progress from our NATO allies, they're the ones that are at risk. Is there any reason they would not do everything they can to help fill that 3-year gap?

Now, obviously the chairman wouldn't want me to get into the third site discussion and I'm not going to do that. But on this one, I would think that they would be the ones that would want to go out of their way and do what is necessary, specifically looking at that 3-year gap.

General BREEDLOVE. I agree with you, Senator, and I think Admiral Stavridis has said in the past that the store is open, we're ready for your contributions. If confirmed, I will continue the pressure that he's already started on our allied nations to help us bring that capability to the table.

Senator INHOFE. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Inhofe.

Senator Kaine, you all set?

Senator KAINE. Yes.

Chairman LEVIN. We have standard questions which we ask of our military nominees, which I'll ask you now, in order to make sure that this committee and other committees of Congress are able to receive testimony, briefings, and other communications of information. Here are the questions:

Have you adhered to applicable laws and regulations governing conflicts of interest?

General BREEDLOVE. Yes, Senator.

Chairman LEVIN. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

General BREEDLOVE. I do.

Chairman LEVIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

General BREEDLOVE. I have not.

Chairman LEVIN. Will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

General BREEDLOVE. I will.

Chairman LEVIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

General BREEDLOVE. I will.

Chairman LEVIN. Will those witnesses be protected from reprisal for their testimony or briefings?

General BREEDLOVE. They will.

Chairman LEVIN. Do you agree, if confirmed, to appear and testify upon request before this committee?

General BREEDLOVE. I do.

Chairman LEVIN. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

General BREEDLOVE. I do.

Chairman LEVIN. Yes, Senator Inhofe?

Senator INHOFE. Just one comment. Of the questions the chairman asked you, the most difficult one is the second one. You have answered that correctly, but that's the most difficult one because you still have a Commander in Chief. We understand the line of command. Yet there are some things that we'll need to know, particularly with the upcoming activity we'll have, for your honest answer, and we'll be looking forward to that.

General BREEDLOVE. Yes, sir.

Chairman LEVIN. Those are the answers we received today even before you were confirmed. So we know you'll continue in that same vein after you're confirmed, which we would hope and expect will be very promptly.

We thank you. We thank your family and those many folks who have come here today to support you.

We will stand adjourned.

[Whereupon, at 10:59 a.m., the committee adjourned.]

[Prepared questions submitted to Gen. Philip M. Breedlove, USAF, by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and the chain of command by clearly delineating the combatant commanders' responsibilities and authorities and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions or the Special Operations reforms?

Answer. Successful operations around the world from Iraq and Afghanistan to Libya demonstrated the importance of Goldwater-Nichols. I learned the importance and value of joint training early in my career as an air liaison officer working with the Army in 1985. I am convinced the success of all of our operations over the past years is directly attributable to the joint training and doctrine that came out of Goldwater-Nichols. I do not see the need for modifications at this time.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. I do not see the need for modifications at this time.

DUTIES

Question. What is your understanding of the duties and functions of the Commander, U.S. European Command (EUCOM) and NATO's Supreme Allied Commander, Europe (SACEUR)?

Answer. The Commander of the U.S. European Command is responsible for giving authoritative direction to subordinate commands and forces necessary to carry out all U.S. military operations and activities across the 51 independent states in the European Command Area of Responsibility (AOR) in pursuit of U.S. national military objectives. This AOR includes all of Europe (including Turkey), the Caucasus Region, and Israel. The commander is also responsible for the health, welfare and security of the approximately 64,000 servicemembers forward deployed within that AOR.

The NATO North Atlantic Council and Military Committee assigns specific roles and duties to SACEUR. These include:

- Overall command of all NATO military operations regardless of geographic boundaries.

• Strategic planning to include military planning for the full range of Alliance missions and contributions to crisis management and effective defense of NATO territory and forces.
• Identifying and requesting forces for the full range of Alliance missions.
• Strategic Analysis: In conjunction with Supreme Allied Commander for Transformation, supports NATO's Defense Planning Process and conducts strategic level analysis to identify and prioritize type and scale of NATO's critical capability shortfalls.
• Operational Leadership: Executes military measures within the capability of the command to preserve or restore the security of NATO nations.
• Transformation: Cooperates with the Supreme Allied Commander for Transformation (SAC–T) on integrating transformation efforts.
• Crisis Management. Continually monitors and analyses the international environment to anticipate crises, and where appropriate, take active steps to prevent them from becoming larger conflicts.
• Strategic engagement and partnership building: Develops and participates in military-to-military contacts and other cooperation activities with NATO partners around the globe.
• In conjunction with Supreme Allied Commander for Transformation, conducts combined and joint training and exercises. This role will be critical to the implementation of the NATO connected forces initiative designed to maintain interoperable forces in the post ISAF environment.

The responsibilities of the Commander EUCOM and the SACEUR are complementary. The fact that they have traditionally been vested in one officer facilitates near-seamless coordination between the U.S. and NATO military command structures.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. As Commander, U.S. Forces in Europe, Commander, U.S. Air Forces Africa, and Commander, NATO Allied Air Command, in addition to my six previous assignments in Europe, I have had the privilege of working closely with our joint forces, NATO Allies, and coalition partners. During these assignments, I have had the opportunity to meet with several Ministers and Chiefs of Defense in Europe, providing me a unique opportunity to develop lasting relationships. Recent operations in Europe and Africa have continued to reinforce my belief in the criticality of these partnerships and inspired confidence in future of U.S. and European relations. If confirmed, I believe my knowledge of the region and familiarity with the Alliance, coupled with these personal relationships, will enhance my ability to perform command duties for both EUCOM and Supreme Headquarters Allied Powers Europe (SHAPE), and contribute to our Nations' shared security objectives.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Commander, EUCOM, or NATO SACEUR?

Answer. If confirmed, I will engage with key officials and personnel within the executive and legislative branches of the U.S. Government to uphold and advance the national policies and interests of the United States in the European theater. To this end, I will also engage with the governments and militaries of our allies to understand the magnitude and interdependent issues within the region. I will seek the cooperation of the Alliance leadership to work together to engage on vital regional issues. I will also continuously improve my understanding of the history and culture of the region.

RELATIONSHIPS

Question. Section 162(b) of title 10, U.S.C., provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander, EUCOM/NATO SACEUR, to the following:

The Secretary of Defense.

Answer. The Secretary of Defense exercises authority over the Armed Forces of the United States through the EUCOM Commander for those forces assigned to the EUCOM AOR. The EUCOM Commander exercises command authority over assigned forces and is directly responsible to the Secretary of Defense for the performance of assigned missions and the preparedness of the Command.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense is delegated full power and authority to act for the Secretary of Defense and to exercise the powers of the Secretary on

any and all matters for which the Secretary is authorized to act pursuant to law. The EUCOM Commander coordinates and exchanges information with the Deputy Secretary on matters delegated by the Secretary. The Commander directly communicates with the Deputy Secretary on a regular basis.

Question. The Under Secretary of Defense for Policy.

Answer. A direct command relationship between the Under Secretary of Defense for Policy and the EUCOM Commander does not exist. However, the EUCOM Commander regularly interacts, coordinates and exchanges information with the Under Secretary of Defense for Policy on policy issues relating to NATO, European, and Eurasian affairs. The Commander directly communicates with the Under Secretary of Defense for Policy on a regular basis.

Question. The Under Secretary of Defense for Intelligence.

Answer. There is not a direct command relationship between the Under Secretary of Defense for Intelligence and the EUCOM Commander. However, the EUCOM Commander regularly interacts with, coordinates and exchanges information with the Under Secretary of Defense for Intelligence on intelligence related matters.

Question. The Assistant Secretary of Defense for International Security Affairs.

Answer. There is not a direct command relationship between the Assistant Secretary of Defense for International Security Affairs and the EUCOM Commander. The EUCOM Commander and the Assistant Secretary of Defense for International Security Affairs work together on coordinating international security policy and strategy.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman functions under the authority, direction and control of the President and Secretary of Defense. The Chairman transmits communications between the President and Secretary of Defense and the EUCOM Commander, as well as oversees the activities of the EUCOM Commander as directed by the Secretary of Defense. As the principal military advisor to the President and the Secretary of Defense, the Chairman is a key conduit between the combatant commander, interagency, and Service Chiefs.

The EUCOM Commander keeps the Chairman informed on significant issues regarding NATO and the EUCOM AOR. The Commander directly communicates with the Chairman of the Joint Chiefs of Staff on a regular basis.

Question. The Secretaries of the Military Departments.

Answer. The Secretaries of Military Departments are responsible for administration and support of forces that are assigned or attached to the EUCOM Commander. The Secretaries fulfill their responsibilities by exercising administrative control (ADCON) through the Service Component Commands assigned to EUCOM.

Question. The other combatant commanders, in particular Commander, U.S. Central Command and Commander, U.S. Africa Command.

Answer. Formal relationships between the EUCOM Commander and the geographic and functional combatant commanders derive from command authority established by title 10, U.S.C., section 164. Combatant commanders closely coordinate as necessary to accomplish all assigned missions.

Question. The NATO Secretary General.

Answer. The NATO Secretary General is appointed by the 28 Alliance Heads of State and Government. He chairs the North Atlantic Council, the principal decisionmaking body of the Alliance. The SACEUR carries out roles and missions assigned by the North Atlantic Council, and directly communicates with the Secretary General on a regular basis.

Question. Commander, International Security Assistance Force.

Answer. The EUCOM Commander has no formal relationship with Commander, ISAF; however, Commander, ISAF, is "dual-hatted": 1. As the Commander U.S. Forces in Afghanistan he reports to Commander, U.S. CENTCOM (national command and control); 2. The Supreme Allied Commander, Europe exercises command authority over the Commander, ISAF, via the Commander, Joint Forces Command Brunssum, in the Netherlands (operational command and control).

Question. The Supreme Allied Commander for Transformation.

Answer. Both NATO's Strategic Commanders, SACEUR and Supreme Allied Commander Transformation (SAC–T), carry out roles and missions assigned to them by the North Atlantic Council. SACEUR and SAC–T work together to ensure the transformation of NATO's military capabilities and interoperability that support Allied Command Operations.

Question. The North Atlantic Council.

Answer. The North Atlantic Council is the principal policy and decisionmaking body of NATO. SACEUR carries out roles and missions assigned by the North Atlantic Council.

Question. The U.S. Permanent Representative to the North Atlantic Council.

Answer. There is not a direct command relationship between the U.S. Permanent Representative to the North Atlantic Council and either the EUCOM Commander or the SACEUR. The North Atlantic Council provides direction to NATO military authorities and the U.S. Permanent Representative is 1 of 28 members of the North Atlantic Council. The EUCOM Commander works with the U.S. Permanent Representative on matters of mutual interest, such as EUCOM military operations and security cooperation activities that support U.S. objectives and military contributions to NATO.

MAJOR CHALLENGES

Question. In your view, what are the major challenges and problems you would confront if confirmed as the next Commander, EUCOM, and SACEUR?

Answer. If confirmed, one of the biggest challenges I will face is managing the evolution of NATO, specifically past its operational focus in Afghanistan. The Alliance has evolved from a Cold War construct to one with ambitious aspirations and capabilities after integrating former Warsaw Pact and Eastern European Soviet Republics and building an out of area expeditionary capability. As EUCOM Commander, my challenge is to work diligently to support the broader U.S. Government effort to ensure that the Alliance makes the right choices to maintain its capability, capacity, and credibility.

The second challenge is the impact of the sequestration reductions and the continuation of those reductions in the out years. Sequestration negatively affects both theater operations and EUCOM's ability to support the U.S. Defense Strategy by further reducing an already declining budget. This includes an increased risk to access, degradation of the security cooperation relationships forged over numerous years, and reduced partner participation in operations.

The third challenge is the potential for a long-term continuation of the Arab Spring and its impact to Israel's shrinking strategic depth. Currently Iranian's malign influence in the politics of Syria and Lebanon are a constant concern. Of specific concern for Israel, aside from Iran's nuclear ambitions, are security considerations relative to Syrian chemical weapons and high end conventional weapons, the decline in influence of Egypt's military and the resulting instability in the Sinai and the strength of Lebanese Hezbollah. This instability will remain throughout the region for some time. Our challenge is to lead the military effort to assure Israel of U.S. resolve to guarantee its security.

The fourth challenge I see is the security impact of the European economic crisis. The result of the financial crises upon European militaries is magnified as national Gross Domestic Products (GDP) have fallen, and the percentage of GDP dedicated to defense spending has been cut as governments struggle to deal with reduced revenue and increasing deficits.

The fifth challenge I see is the growing asymmetric terrorist threat in Europe from al Qaeda and other Islamist extremist groups with extensive ties to Western Europe. Europe is an important venue for recruitment, financing, and attacking U.S. and western interests. The effects of the financial crisis and austerity measures on countries with historical terrorism and anarchism could spark new forms of politically and economically-driven terrorism.

The sixth challenge I see is dealing with Russia, which remains an aspirational superpower but is hindered by endemic deficiencies. Russia will remain the primary actor of regional concern through 2020 by virtue of its geographic position, natural resource wealth, military forces, and desire for regional influence. However, a number of systemic deficiencies, such as mounting internal stressors—politico-economic, socio-cultural, and demographic—will continue to challenge its aspirations. The U.S. and NATO will need to continue to assure our allies and partners, who live in the Russian self-declared "sphere of privileged influence," of our resolve.

The seventh challenge I see is the continued risk of conflict in the Caucasus and Balkans. Chronic ethnic enmity, virulent Islamism/Islamist influence coupled with socio-economic privations, and the general intractability of grievances plague the Caucasus and Balkans to varying degrees. Our challenge is to carefully encourage our European Allies and partners to continue their commitments to regional security, while encouraging the development of security capabilities that do not exacerbate local tensions.

Another important issue is improving our comprehensive readiness to face 21st century challenges, specifically the threat of malicious cyber activity. Our primary focus here should be assisting our allies and partners in the defense of their critical information systems, and to develop and mature their cyber defense capabilities, programs, and processes.

The last significant challenge I see is maintaining our force laydown in today's austere environment. While combat forces receive the bulk of attention during force restructuring, the capabilities garnered from critical enablers (i.e., medical, police, intelligence, logistics) are equally as important. The challenge we have is balancing our strategic pivot to the East while highlighting the critical role our European force structure plays in assuring Allies and guaranteeing continued U.S. access to a critical region of the world. This access will remain important to U.S.-led global operations across multiple theaters, and cannot be guaranteed if we abdicate our European footprint.

Question. If confirmed, what plans do you have for addressing these challenges and problems?

Answer. Despite budget reductions, EUCOM must be at the forefront of revitalizing and supporting NATO, highlighting the critical role the U.S. partnership plays to ensure the Alliance's credibility, particularly with regard to our Article 5 commitments. A significant component of this effort will be our role in a renewed commitment to the NATO Response Force. This commitment will ensure our NATO allies continue to meet high standards for interoperability and readiness. We can also incorporate NATO Smart Defense initiatives into our planning process, to guide our engagement and help ensure that NATO forces maintain a credible mix of expeditionary forces.

Next, we must recognize the unique opportunity the economic downturn presents to help European nations examine defense and force structure inefficiencies. Stark fiscal realities leave political room for serious force structure and capability changes consistent with the vision of Smart Defense. We must also continue to coordinate our efforts across a broad spectrum of actors, specifically with the interagency and other geographic and functional commands. This cooperation can be expanded, as we leverage NATO training and standardization as a global benchmark for interoperability.

As a command, we must continue to invest in interagency cooperation and collaboration to reinforce a whole-of-government approach to numerous challenges. We must also look for ways to enhance security cooperation planning by working with those allies who conduct security cooperation consistent with our interests.

Next, we will emphasize civilian-military opportunities for nation engagement, particularly in the areas of disaster preparedness and foreign consequence management by leveraging private entities. This will encourage regional approaches to collaboration within areas like the Balkans and Caucasus in order to bolster stability.

We must also emphasize technology and innovation to provide a backstop to decreasing resources, while diminishing our vulnerabilities to new asymmetric threats. The growing cyber threat must be addressed, while seeking ways to mitigate the loss of valuable border protections within the European theater. These physical border protections in many cases no longer exist. Technological solutions to tracking illicit materials, such as biological, chemical and radiological agents, must be found.

Finally, we must continue to seek zones of cooperation with Russia. Successful avenues to date have included the Arctic Council, health and bio-surveillance arenas, combating terrorism, and counter-piracy. We must encourage Russia to play a more constructive role in European and global security and foreign policy.

DEFENSE DEPARTMENT STRATEGIC GUIDANCE

Question. The January 2012 Department of Defense (DOD) Strategic Guidance, entitled "Sustaining U.S. Global Leadership: Priorities for 21st Century Defense," discusses the importance of Europe as "our principal partner in seeking global and economic security." At the same time, the DOD Strategic Guidance calls for a rebalancing of U.S. military posture toward the Asia-Pacific and Middle East regions.

Do you agree with the strategy outlined in the January 2012 DOD Strategic Guidance?

Answer. Yes, I do.

Question. In your view what will be the major impact of that strategy on EUCOM and what changes, if any, would EUCOM need to make to implement that strategy?

Answer. The January 2012 Defense Strategic Guidance mentions Europe and NATO prominently, and with good reason. As it says on page 2, "Europe is home to some of America's most stalwart allies and partners, many of whom have sacrificed alongside U.S. forces in Afghanistan, Iraq, and elsewhere." Europe is primarily a security producer, rather than a consumer, and EUCOM's strategy must endeavor to bolster this ability and commitment to providing security. To this end, one of EUCOM's key priorities is sustaining the U.S. relationship with its highly capable allies, as well as the sustainment of those allies who have recently developed capabilities and interoperability with U.S. forces. EUCOM will also look to

grow its links to NATO, bolstering the viability of this vital Alliance, which will serve to ensure that European nations continue to approach global security issues through the NATO Alliance, and ensure that European and U.S. viewpoints are weighed together in the decisionmaking process. By bringing attention to the deep and valuable contributions of the Euro-Atlantic Alliance to U.S. national security and global security efforts, EUCOM supports the unique and valuable role that these contributions make, and the strategic access and global reach they provide.

In order to implement this strategy, EUCOM must look to develop low-cost, innovative ways to emphasize force interoperability, while encouraging European allies to conserve resources by adopting the NATO "Smart Defense" program. One of these new methods will be the reinvigorated U.S. contribution to the NATO Response Force (NRF), which will mitigate force structure reductions in Europe by sustaining and improving interoperability. Over the long term, the NRF will be a vital asset for post-ISAF interoperability and NATO's Connected Forces Initiative. The NRF will also serve as a valuable tool for evaluating the status of European forces. As the most likely companions in any security effort, from humanitarian assistance to full-spectrum conflict, the United States must have confidence in the interoperability and readiness of European forces.

The planned reduction of NATO forces supporting ISAF, combined with U.S. reinvigoration in the NRF, provides a unique opportunity for EUCOM to support NATO's Connected Forces Initiative and make adjustments to both commands' exercise programs, committing to exercising high-end capabilities and training. Conducting exercises that test these high-end capabilities, once common, have reduced markedly in the face of operational commitments. Exercises that bring together several NATO nations, focused on advanced training objectives that exercise a joint force across a broad spectrum of threats, will ensure NATO force relevance and flexibility. After 10 years of combat deployments against an asymmetric enemy, NATO will need to dedicate itself to flexible training that emphasizes underutilized skill sets (for example, naval and air warfare), while incorporating lessons learned from recent conflicts. Additionally, a small EUCOM investment in some of these exercises provides the opportunity for newer (i.e. Eastern European) members of the Alliance, as well as other NATO partners, to pair with more mature Allies, continuing to burden-share security cooperation while raising the overall quality of NATO forces.

In response to shared environments of fiscal austerity, NATO has embraced the idea of collective resource pooling through the Smart Defense initiative. Alignment of EUCOM engagement with NATO capability targets will ensure U.S. bilateral efforts complement NATO's multilateral efforts. Through this improved cooperation, EUCOM can reinforce NATO's efforts to maintain a credible mix of expeditionary forces available for burden-sharing in conflicts that would otherwise be shouldered by U.S. forces alone. Supporting an initiative such as Smart Defense should not come at the expense of jeopardizing NATO's Article 5 commitments and defense spending requirements. EUCOM must ensure waste or unnecessary capabilities are trimmed and strengths are retained. EUCOM should engage with the Smart Defense structure to ensure a holistic approach to future NATO capability requirements.

Finally, EUCOM has an opportunity to enhance its security cooperation planning by reaching out to Allies who are themselves conducting some level of security cooperation in the theater. EUCOM can work together with these nations to openly discuss mutual goals and plans and gain efficiencies from knowing what engagements other nations are performing in various regions, what effects are desired in these regions, and what partnering possibilities exist for theater-wide security cooperation. Fiscal reality drives this consideration, but so does strategic sense. Such cooperation can help to smooth future operational interaction and pair high-end allies with developing nations to establish theater relationships that will bolster European security and reduce U.S. resource commitments.

NATO COMMITMENTS ON AFGHANISTAN TRANSITION

Question. At the NATO Summit in Chicago in May, NATO members committed to promoting a stable and secure Afghanistan and to "preventing Afghanistan from ever again becoming a safe haven for terrorists that threaten Afghanistan, the region, and the world." NATO members also reaffirmed their commitment to the International Security Assistance Force (ISAF) mission in Afghanistan through 2014, when the transition to Afghan National Security Forces (ANSF) having the security lead throughout Afghanistan will be completed and the NATO combat mission will end.

Do you agree with the goals and transition plan for the ISAF mission endorsed at the NATO Chicago Summit?

Answer. Yes, I do.

Question. What are the major challenges you foresee, if confirmed as the next Commander, EUCOM and SACEUR, in implementing the transition plan for Afghanistan?

Answer. Over the next 20 months, we must fully recruit, field and ensure the sustainment of the ANSF while we shift the main effort for security lead to the Afghans in 2013. We must prepare for the Afghan Presidential election, while redeploying thousands of ISAF forces and restructuring our basing posture so that we are ready for the post-2014 mission.

Question. How would you address these challenges, if confirmed?

Answer. I would continue the work in progress, and ensure that redeployment mechanisms and routes are feasible and practical for ISAF forces.

BUILDING AND SUSTAINING THE AFGHAN NATIONAL SECURITY FORCES

Question. The NATO Training Mission in Afghanistan (NTM–A) is responsible for building the ANSF to an end strength of 352,000 by this fall, consisting of 195,000 Afghan National Army soldiers and 157,000 Afghan National Police personnel.

What is your assessment of the NATO Training Mission in Afghanistan, and what changes, if any, would you recommend for the NTM–A, if confirmed?

Answer. The NATO Training Mission in Afghanistan or NTM–A is truly a success story. It has changed over time as the ANSF capability has developed, and will continue to do so.

Question. In your assessment, are the current target end strengths for the ANA and ANP sufficient for Afghan security forces to assume full responsibility for security and stability in Afghanistan by 2014?

Answer. Yes, they are. The target strengths are important, but so are the quality, capabilities, and competence of the force. Improving these aspects will be a significant part of the Security Force Assistance Teams work from now until the end of 2014, and beyond in the post-2014 mission.

Question. At the NATO Chicago Summit, the ISAF participating countries called for future reductions in the size of the ANSF after 2014 to be "conditions-based." At the same time, the ISAF participating countries discussed a "preliminary model" for the future size of the ANSF of around 230,000, with an estimated annual cost of $4.1 billion, which would be subject to regular review in light of security developments.

Do you agree that any reductions in the ANSF after 2014 from an end strength of 352,000 need to be conditions-based in light of the security situation in Afghanistan at the time the reductions would occur?

Answer. The size and balance of capabilities across the ANSF after 2014 will ultimately be a decision for the sovereign Government of Afghanistan. The financial contributions by the current ISAF nations and other countries need to be channeled through a transparent and accountable mechanism that is open to audit by those contributing Nations.

Question. What should be NATO's role in assessing the security conditions in Afghanistan for purposes of determining future force requirements for the ANSF after 2014?

Answer. The future force requirements for the ANSF after 2014 will be a decision for the sovereign Government of Afghanistan, with assistance and advice from the post-2014 NATO led International Training, Advisory, and Assistance Mission.

NATO TRAINING MISSION IN AFGHANISTAN POST-2014

Question. In your view, what should be the objectives and priorities for a possible NATO training mission in Afghanistan post-2014?

Answer. The objectives and priorities were agreed by NATO Nations and partners in the North Atlantic Council (NAC) Initiating Directive at the Defense Ministerial meeting last October and reaffirmed in the February Defense Ministerial meeting. The NATO-led post-2014 engagement will train, advise, and assist the Afghan National Security Forces in line with the NATO–Afghanistan Enduring Partnership declaration.

Question. If confirmed, what recommendations, if any, would you have for modifying the NATO training mission in Afghanistan after 2014?

Answer. There is still much work to be completed on the post-2014 mission. In particular, the Concept of Operations is currently being developed for endorsement by the Military Committee and subsequent approval by the North Atlantic Council. Once this is approved, the Operation Plan will be developed.

INSIDER THREAT IN AFGHANISTAN

Question. The recent rise in the number of attacks by individuals in Afghan uniform on U.S. and coalition soldiers, so-called "green-on-blue" attacks, has raised concerns about the safety of our soldiers and the success of the transition plans in Afghanistan. ISAF and Afghan military leaders have announced a number of new or expanded precautions to address the insider threat, including increased Afghan counterintelligence efforts to identify Taliban infiltrators, additional cultural sensitivity training, and expanding the "Guardian Angel" program to protect against the insider threat in meetings between coalition and Afghan forces.

To what do you attribute the recent increase in the number of green-on-blue attacks?

Answer. These attacks are an insurgent tactic, just like the threat of Improvised Explosive Devices (IEDs).

Question. What is your assessment of the measures that have been taken to address the insider threat?

Answer. We have analyzed these attacks, and developed tactics, techniques, and procedures to counter them. The measures we have taken to mitigate these attacks in conjunction with the Afghans are working. (20 incidents July–September 12, 10 incidents October–December 13, 3 incidents January–March 13)

Question. If confirmed, what additional steps, if any, would you recommend?

Answer. It is important to recognize that the number of insider attacks has decreased since the summer of last year (20 incidents July–September, 10 incidents October–December, 3 incidents January–March). The measures taken across the force are having a positive impact, and I want to ensure we continue to aggressively implement those measures while maintaining the strong personal bonds that have proven effective at the tactical level.

Question. What is your assessment of the impact of these insider attacks on morale among U.S. and allied forces in theater?

Answer. These attacks do have the potential to damage trust between collation and Afghan forces, however close cooperation and our strong relationship with the ANSF have been invaluable to tackling this common threat.

Question. In light of the insider threat, do you believe ISAF should reconsider its plan to embed small units of U.S. and coalition military personnel with Afghan military units to advise and assist those units as the Afghan forces transition to the security lead?

Answer. No. The plan is correct and will ensure the ANSF continue to advance their military capability. The security of U.S. and coalition military personnel is improved by building close personal relationships with the ANSF they advise and assist.

EUCOM'S STRATEGIC MISSIONS

Question. In your view, what are the key strategic missions of U.S. European Command?

Answer. We derive our key strategic missions from the Command's formal mission statement: "U.S. European Command conducts military operations, international military engagement, and interagency partnering to enhance transatlantic security and defend the United States forward." Given this mission statement, as well as the Guidance for Employment of the Force issued by the Office of the Secretary of Defense, EUCOM's key strategic missions are:

- Posture EUCOM forces to execute high-priority contingency operations;
- Sustain the trust, relationships and interoperability forged over the past decade with our Allies and partners; aligning our efforts with NATO Targets and Partnership Goals;
- Contribute EUCOM forces and enable European force generation to support an effective and responsible transition in Afghanistan, ensuring Afghanistan's security while assuring our NATO allies and partner nations of the U.S. commitment;
- Nurture strategic relationships and maintain the necessary force posture to enable continued access—thereby ensuring United States freedom of action and global reach;
- Prevent violent extremist organizations (VEOs) from establishing footholds in Europe or obtaining or using weapons of mass destruction; through close coordination with the other global and functional combatant commands, minimize the seams that these VEO's often operate in;
- Advance NATO European Ballistic Missile Defense through an integrated approach built on balanced contributions;

- Ensure secure cyber access to enable our other missions and improve collaborative information sharing across all security levels;
- Combat transnational organized crime to reduce the effects of trafficking and the monies available to fund illicit activities;
- Support continued defense reform and prevent the escalation of local crises into regional conflicts, particularly in the Balkans and Caucasus.

Considering these missions in the context of near-term challenges, EUCOM derives the following Command priorities:

- Ensure readiness to execute EUCOM's high-priority contingency operations;
- Preserve our strategic partnerships to include;
  - Sustain our relationship with high-end allies ensuring a strong NATO Alliance;
  - Preserve the recently developed partner capability and interoperability;
  - Maintain regional stability and security;
- Enable a successful ISAF transition;
- Counter transnational threats, focusing on missile defense, weapons of mass destruction, counter-terrorism, illicit trafficking, counter-piracy and threats from cyberspace;
- Maintain United States' strategic access across Europe in support of global operations;
- Focus on four key countries:
  - Israel, to maintain a strong partnership;
  - Russia, to encourage areas of cooperation;
  - Turkey, to reinvigorate our relationship;
  - Poland, to enhance the realization of its potential.

U.S. FORCE STRUCTURE IN EUROPE

Question. The January 2012 Defense Strategic Guidance stated that there is a strategic opportunity to "rebalance the U.S. military investment in Europe." Currently there are approximately 70,000 U.S. military personnel stationed in the European area of responsibility. In January, the Department of Defense announced additional reductions in U.S. forces in Europe, including the drawdown of two of the four Army Brigade Combat Teams (BCTs) stationed in Europe by the end of 2013 and the inactivation of one A–10 squadron from Germany in 2013. In addition, U.S. Army Europe has plans to consolidate and reduce its footprint from 16 garrisons today to 7 garrisons by 2017.

In answer to questions in advance of the hearing in July on his nomination to be Chief of Staff of the Air Force, then-U.S. Air Forces Europe Commander General Mark Welsh said that he would support further consideration of reductions and consolidation opportunities in the Air Force posture in Europe.

Do you support the reductions in U.S. force posture in Europe announced earlier this year?

Answer. Yes. The risk posed by the force reductions announced in 2012 is manageable, and can be reasonably mitigated by employing rotational forces, to include a CONUS-based brigade fully dedicated to NATO, as well as implementing the posture initiatives described below. Our successful efforts to revitalize the transatlantic link, our unwavering commitment to the defense of Europe, and 65 years of transatlantic cooperation have lowered threat levels on the continent, and continue to serve the United States as a vital geostrategic platform to support our enduring global security requirements. Combined with the drawdown of operations in Afghanistan, this creates a strategic opportunity to modernize the U.S. military investment in Europe, moving from a focus on current conflicts toward a focus on future capabilities. While maintaining our enduring relationships and security commitments, our force structure in Europe is evolving to meet a broad range of 21st century challenges, including missile defense, cyber security, counterterrorism, and countering weapons of mass destruction. To that end, as announced previously, the plan is to enhance EUCOM's ability to address ballistic missile threats by forward stationing four Aegis-Ballistic Missile Defense (BMD) capable ships in Spain and establishing land-based SM–3 BMD sites in Romania and Poland, which adds to the capabilities already provided by the AN/TPY–2 radar in Turkey. Additionally, we will enhance the responsiveness of Special Operations Forces in the region (increasing our overall air and ground capabilities in Europe). We also recently established an aviation detachment in Poland, enhancing their fixed wing training opportunities.

Question. Do you believe that additional reductions in U.S. forces stationed in Europe, including the Army and the Air Force, should be considered consistent with EUCOM's key strategic missions?

Answer. We must ensure that our posture adapts and evolves in ways that respond to, and anticipate, changes in the international security environment. The persistence of conflict, the diffusion of power around the world, the proliferation of nuclear and other weapons technologies, and rising pressures on the freedom of the global commons pose new security challenges that require innovative adjustments to our defense posture. To this end, we will seek a new cooperative architecture, one that generates opportunities to work together with allies and partners on shared regional and global security opportunities and challenges. We'll continue to align our posture to achieve our national strategy goals and objectives.

Question. If confirmed, would you agree to undertake a review of the U.S. force posture in Europe to determine whether additional reductions are appropriate?

Answer. Yes. EUCOM is currently supporting an internal DOD European infrastructure consolidation analysis. I look forward to reviewing the recommendations of this effort and working with the Department and Congress to ensure our military presence in Europe continues to effectively and efficiently support our national strategy.

USE OF ROTATIONAL FORCES IN EUROPE

Question. The January 2012 Defense Strategic Guidance stresses the importance of a U.S. rotational presence for building partner capacity and promoting interoperability.

What role do you foresee for U.S-based forces in maintaining a rotational presence in Europe and promoting interoperability with our NATO and other European partners?

Answer. EUCOM leverages the Global Force Management system to meet force requirements in order to build partner capacity and promote interoperability with allies and partners that cannot be addressed by our assigned forces. This includes employing U.S.-based Navy and Marine Corps forces for NATO exercises and our annual Black Sea Rotational Force program of training and military-to-military activities with allies and partners in the Black Sea/Caucasus region. The reinvigoration of U.S. participation in the NATO Response Force and rotation of U.S.-based battalion task forces to Europe will create additional opportunities to build partner capacity and promote interoperability that complement the activities of U.S. Army Europe. These efforts, by our assigned and rotational forces, are critical to preserving the gains in interoperability and ally/partner nation expeditionary capability that have been forged over the past decade of operations in Iraq and Afghanistan.

U.S. COMMITMENT UNDER ARTICLE V OF THE NORTH ATLANTIC TREATY

Question. A cornerstone of the NATO alliance is the principle of collective self-defense as codified in Article V of the North Atlantic Treaty.

In your view, how important to U.S. strategic interests is the U.S. commitment to its obligations under Article V?

Answer. The United States is unquestionably committed to its Article 5 obligations. The formal, demonstrated, and sustained commitment to Article 5 collective defense by the United States has provided the backbone for the most successful Alliance in history. For the past 64 years, this commitment has contributed to an unprecedented period of peace and prosperity in Europe and North America. But the strategic value of the U.S. commitment is not a win/lose proposition. Both sides of the Atlantic have benefited from America's unwavering commitment. While Europeans have enjoyed the benefit of a powerful security guarantee, the United States has gained a voice in European security affairs and an economically strong trading partner resulting in a Transatlantic Alliance that represents 50 percent of the world's Gross Domestic Product (GDP). Moreover, it is our allies' commitment to NATO which has enabled interoperable European and Canadian forces to deploy alongside the United States in Afghanistan, to stay the course in Kosovo, to take the lead in Libya (enabled by the United States), and to conduct maritime missions in the Mediterranean as well as counter-piracy in the Indian Ocean. Today, NATO remains the world's premier security organization and an essential component of the transatlantic security bridge. It provides a forum for political and military combined action, and is exhibiting an increasingly global perspective. It has become a hub to cooperate with like-minded partners such as Australia, South Korea, Singapore, New Zealand, and Japan. All of this is made possible because of how seriously the United States takes its Article 5 obligations. In my view, the U.S. commitment to Article 5 is a strategic imperative.

RUSSIA

Question. U.S. European Command has responsibility for the Russian Federation in its area of responsibility.

How do you see the NATO-Russia relationship evolving in the future?

Answer. Our goal for building NATO-Russia relations is to find ways we can collaborate to address areas where our interests intersect in the complex security environment of the 21st century. We continue to believe that NATO-Russian cooperation can enhance the security of the United States, our allies in Europe, and Russia. However, differences remain, and we look to the NATO-Russia Council as a forum to discuss both our differences as well as our shared interests. The NATO-Russia Council has achieved much through political dialogue over the last few years. There remains a robust military to military cooperation program between NATO and Russia. If confirmed, I look forward to working with my Russian counterparts and furthering these important relationships.

Question. What do you believe are appropriate objectives for U.S.-Russian security relations, and what do you believe are the areas of common interest between the United States and Russia in the security sphere?

Answer. We continue to seek cooperation with Russia in zones of mutual interest and benefit, particularly in the military-to-military areas of combating terrorism, counter-piracy, peacekeeping in unstable regions, and maritime interoperability. Additionally, we look for ways to support interagency efforts in areas beyond direct Russian Defense Ministry oversight, particularly in counternarcotics, humanitarian assistance/disaster response, and support to capacity-building for Afghanistan security forces through 2014 and beyond, such as the Afghanistan Helicopter Maintenance Trust Fund.

EUROPEAN PHASED ADAPTIVE APPROACH TO MISSILE DEFENSE

Question. In September 2009, President Obama announced that he had accepted the unanimous recommendation of the Secretary of Defense and the Joint Chiefs of Staff to implement the European Phased Adaptive Approach to missile defense, designed to provide capability against the existing and emerging missile threat from Iran. Phase 1 was successfully deployed by the end of 2011, including an Aegis Ballistic Missile Defense-capable ship on patrol in the Mediterranean, an early-warning missile defense radar in Turkey, and a command and control center in Germany. Future phases will include Standard Missile-3 interceptors based at sea and on land in Romania and Poland.

Do you agree that the European Phased Adaptive Approach (EPAA) will provide the capability needed to protect U.S. forces in Europe and our NATO European allies against existing and emerging Iranian missile threats?

Answer. Yes. EPAA Phases 1–3 are designed to address the increasing missile threat. The United States remains firmly committed to Phases 1–3 which is the United States' contribution to NATO missile defense. In the words of Secretary Hagel: "Let me emphasize the strong and continued commitment of the United States to NATO missile defense. That commitment remains ironclad." EUCOM has already deployed Phase 1 capability including a radar to Turkey, which is now under NATO Command and Control, and Aegis Ballistic Missile Defense-capable ships to the Mediterranean.

The United States' commitment to Phases 2 and 3 includes the development of missile defense sites in Romania (2015) as part of Phase 2 and in Poland (2018) as part of Phase 3. Both deployments remain on schedule and on budget, and coordinated with both countries. Construction on the Romanian site is scheduled to begin this year in addition to equipment purchases for the Phase 3 site in Poland. The goal of Phase 4 of the EPAA was to defend the United States against an ICBM attack from the Middle East. Though we are no longer planning for Phase 4, we will achieve its intended effect sooner by additional GBIs deployed in Alaska, which will also enhance protection of the United States against the growing threat from North Korea.

Question. Do you believe that it is important to develop the Standard Missile-3, Block IIB interceptor in order to have the capability to defend against potential future long-range Iranian missiles that could reach all of Europe as well as the United States?

Answer. We support the Secretary of Defense's decision and we believe the solution that has been described is the most technologically sound decision at this time.

MISSILE DEFENSE COOPERATION WITH RUSSIA

Question. The United States and NATO are seeking options to cooperate with Russia on missile defense against common missile threats from nations such as Iran. President Obama has announced that such cooperation would not limit U.S. or NATO missile defense capabilities.

Do you agree that such cooperation could enhance the security of the United States, NATO, and Russia against common missile threats from nations such as Iran?

Answer. Yes. Constructive cooperation with Russia in fields of mutual interest, such as missile defense, is a EUCOM goal. If confirmed, I would look to continue supporting U.S. interagency efforts to increase cooperation and transparency with Russia. Cooperation with Russia demonstrates our transparency and develops trust between nations. In turn this trust underpins and enhances our security.

Question. Do you believe that such cooperation could send a powerful signal to Iran and help in our efforts to dissuade Iran from pursuing nuclear weapons and long-range ballistic missiles?

Answer. Yes. Strategic cooperation between Russia and NATO has many benefits that strengthen our security. We have seen how coordination with Russia on topics of mutual interest can send powerful messages. However, our work at EUCOM is closely aligned with the progress of the NATO-Russia Council in defining and aligning our interests in missile defense.

Question. In response to a committee question to General Martin Dempsey, then-nominee to be Chairman of the Joint Chiefs of Staff, General Dempsey stated that missile defense cooperation with Russia "could result in tangible benefits to the United States, Europe, and Russia in the form of a more robust common defense against missile threats, which could strengthen strategic stability and transparency. U.S. cooperation with Russia along the lines of shared early warning of missile launches, technical exchanges, operational cooperation and planning, and joint exercises would be mutually beneficial."

Do you agree with General Dempsey's assessment?

Answer. Yes. Both the U.S. and NATO Russia Council are working on constructive engagements with Russia on Missile Defense, to include joint technical studies and exercises when Russia is ready.

NATO MISSILE DEFENSE CONTRIBUTIONS

Question. The United States is deploying the EPAA as its contribution to NATO missile defense capability. As part of its decision to develop such a capability, NATO has agreed to develop and pay for a missile defense command and control network, the active Layered Theater Ballistic Missile Defense system. Various NATO nations, including Turkey, Poland, Romania, Germany, and Spain, have agreed to host elements of NATO missile defense, and they and others are making additional national contributions to NATO missile defense.

Do you agree that this current NATO approach to missile defense contributions is reasonable and appropriate?

Answer. Yes, I do. If confirmed, I am looking forward to continuing to emphasize the efforts already underway, as well as increasing allied coordination and cooperation during my time as EUCOM Commander in order to facilitate and enable additional allied contributions to the Ballistic Missile Defense (BMD) mission.

EUCOM is observing that the NATO response to the ballistic missile threat is increasing, and we are actively working with our allies to explore additional capabilities that complement and are interoperable with the United States' EPAA contribution to NATO. For instance, EUCOM just hosted (in September 2012) an Allied BMD Upgrade Conference in Berlin, Germany, with eight allies (the Netherlands, Germany, Denmark, Norway, Spain, France, United Kingdom, Italy) that already possess advanced land-based and maritime air defense assets that could be upgraded for BMD capability. I look forward to continuing and expanding such engagement activities with our allies.

Additionally, EUCOM has aligned our exercise program to provide increased opportunities to work with our NATO allies on the non-technical aspects of interoperability, including the ability to execute missile defense.

I think it is also important to keep in mind that the Chicago Summit called for "voluntary national contributions to NATO missile defense". Several of the allies are already stepping up in this regard, to include: our basing allies (Spain, Romania, Poland, Turkey, Germany); allies that possess lower tier BMD capabilities, such as the Netherlands and Germany (with their Patriot PAC–3 systems); as well as allies that are considering or already upgrading existing maritime and land-based air defense systems to provide upper tier surveillance and interceptor capacity to the Alli-

ance. For example, the Netherlands recently announced the signing of a contract to upgrade all four of their Air Defense Command Frigates for BMD surveillance capability that could be used to cue U.S. Aegis BMD ships or other allied BMD assets, and provide air defense escort for U.S. BMD ships. Poland and Turkey are considering the purchase of lower tier BMD systems, such as the Patriot PAC–3. In short, many allies are already providing support to various aspects of the BMD mission in Europe, and could potentially provide additional contributions across the full spectrum of the missile defense mission, including: basing; passive defense; active defense; theater missile warning; command and control; attack operations; and consequence management. All of these are important contributions to NATO's ballistic missile defense mission.

NATO-RUSSIA COUNCIL

Question. The NATO-Russia Council (NRC) has served as an important venue for discussions and cooperation between NATO and Russia, including missile defense cooperation such as the Theater Missile Defense exercise program. Recent NATO communiqués have expressed support for expanded cooperation through the NATO-Russia Council, including on missile defense.

Do you believe the NATO-Russia Council has potential as a forum for NATO-Russian cooperation, including cooperation on missile defense?

Answer. Yes, I do.

The NATO-Russia Council Work Program provides for multiple agreed areas of cooperation with Russia, including not only missile defense, but also the Afghanistan Helicopter Maintenance Trust Fund, counter-narcotics training for South and Central Asia, combating terrorism, crisis management, logistics, maritime search and rescue, counter-piracy, and others. Although missile defense remains a point of contention between NATO and Russia, discussions on possible cooperation continue. NATO has held active discussions with Russia through the NATO-Russia Council Missile Defense Working group. We continue to believe that cooperation with Russia on missile defense can enhance the security of both NATO and Russia.

Question. Do you support continuation of the Theater Missile Defense exercise program within the NATO-Russia Council?

Answer. Yes, I do.

Both the U.S. and NATO–Russia Council are working on constructive engagements with Russia on Theater Missile Defense, to include cooperative technical studies and exercises when Russia is ready. The effectiveness of these efforts will ultimately depend on Russia's willingness to engage.

EUCOM ROLE IN COORDINATING MISSILE DEFENSE WITH ISRAEL

Question. U.S. European Command has Israel in its area of responsibility (AOR) and, among other missions, has the mission of coordinating and integrating U.S. missile defense capabilities and operations with those of Israel. To this end, EUCOM has sponsored a number of previous missile defense exercises with Israel. In addition, the United States has deployed a EUCOM missile defense radar (known as an AN/TPY–2 radar) to enhance defense against missiles from Iran.

Do you agree that this EUCOM mission of coordination and integration of U.S. and Israeli missile defense capabilities and operations is a critical component of our security posture in the EUCOM AOR?

Answer. Yes, I do. Cooperation between the United States and Israel is important to the security of the Middle East, and reflects a common understanding of the global security environment. Periodic missile defense exercises such as Exercise Austere Challenge 12 provided an excellent opportunity to train our military forces to respond to a regional crisis. This training is essential to building and maintaining defense interoperability and ensures Israel's qualitative military edge.

Question. If confirmed, would you continue to make this mission a high priority as Commander of EUCOM?

Answer. Yes. EUCOM has a robust program to support co-development, integration, and exercises focused on the missile defense of Israel. If confirmed, the defense of Israel will continue to remain a EUCOM high-priority mission under my command.

NATO-LED KOSOVO FORCE

Question. Approximately 5,600 troops from 30 contributing nations, including nearly 900 U.S. troops, are deployed as part of the NATO-led Kosovo Force (KFOR). KFOR's mission is to assist in maintaining a safe and secure environment in Kosovo consistent with United Nations Security Council Resolution 1244 and to support the

development of the Kosovo Security Force (KSF). NATO has sought to gradually draw down the KFOR presence as the security situation has improved.

What do you see as the major challenges in Kosovo, including in connection with the establishment of the Kosovo Security Force?

Answer. The principle challenge facing Kosovo is solidifying the gains of independence and continuing to build the institutions of a modern democratic state. Much progress has been made, but more work remains. A key to allow Kosovo the space to undertake key reforms is the quest for and implementation of an acceptable political agreement with Belgrade that will resolve the longstanding impasse over northern Kosovo. Setting the stage for successful negotiations and peaceful resolution remains the top priority. Resolution of this impasse is critical for Kosovo's and the region's long-term stability.

Subsequently, the Kosovo Security Force (KSF) has matured, under its limited mandate, into a professional, multi-ethnic, civil response focused, security organization. However, the KSF does not yet possess the capabilities to replace KFOR as Kosovo's enduring security and defense organization. Our goal is to start building these additional capabilities with the KSF early next year after Kosovo legislative restrictions are lifted this summer. It is essential that NATO is an active partner in shaping the future KSF with U.S. support, so that the future KSF contributes to, not detracts from, regional security and is not viewed as a threat to its neighbors. Some allies who do not recognize Kosovo's independence are slow to support increasing competencies of the KSF which could pose additional challenges in the future.

Question. If confirmed, what additional steps, if any, would you recommend to enhance the ability of KFOR to carry out and complete its mission in Kosovo?

Answer. KFOR must act within its mandate and mission and we must not allow KFOR's role to include the realm of law enforcement, yet this is the predominate capability required to maintain peace in Kosovo. KFOR's most effective role is to deter violence through a strong presence, and to respond as a third provider to unrest that exceeds Kosovo Police and European Union Rule of Law Mission in Kosovo (EULEX) capabilities. Within this context, our best approach includes: (1) strong support for continued dialogue; (2) urging Europe to maintain or increase their contributions to EULEX and encourage EULEX to robustly fulfill its mandate; (3) urging allies to fully meet force commitments to KFOR to present a strong and unified KFOR presence; and (4) maintain the U.S. plan to provide a timely military response after NATO response forces become committed in the event of crisis.

NATO ENLARGEMENT

Question. What are your views on whether NATO would benefit from further rounds of enlargement?

Answer. The policy on enlargement is set out in Article 10 of the North Atlantic Treaty. NATO has an "Open Door" policy of further enlargement that was agreed to by the Alliance Heads of States and Government at the Lisbon Summit in 2010 and reaffirmed at the Chicago Summit this year. The decision of which Nations are offered, and when they join, is political and will be ultimately decided by the 28 member states of NATO.

Question. What criteria should the United States apply in evaluating candidates for future NATO enlargement?

Answer. The criteria are well established in the Membership Action Plan mechanism, which I support. It supports stable, democratic, and reform-driven Nations who wish to contribute to security.

Question. In your view, is there a limit on the extent to which NATO can be enlarged and still be an effective military organization capable of making decisions and acting in a timely fashion?

Answer. NATO has gone through several rounds of enlargement, and has continued to prove itself effective.

GEORGIA

Question. In your view, how should the United States and NATO proceed on the issue of NATO membership for Georgia?

Answer. This is a political issue and outside the role and responsibilities of SACEUR. As I stated previously, Article 10 of the Washington Treaty, and the agreed Open Door policy for further NATO enlargement, allow for stable, democratic and reform-driven Nations to be considered for NATO membership.

That said, I believe the U.S. and NATO should continue to reaffirm support for Georgia's territorial integrity, sovereignty, and the Bucharest decision regarding Georgia's eventual NATO membership. Georgia's democratic reform progress, exem-

plified by the successful October parliamentary elections and transition of leadership between democratic parties, their unwavering and substantive support to ISAF operations, and commitment to the Geneva talks and a peaceful resolution of the South Ossetia and Abkhazia territorial disputes are all very encouraging signs that we commend. Likewise, Georgia continues to demonstrate itself as a strong partner of NATO through its contributions to our ISAF mission, where its two infantry battalions serve with no operational caveats, shoulder to shoulder with U.S. marines, in one of the most dangerous regions of Afghanistan. We will continue to encourage the new Georgian Government in its reform efforts. EUCOM is committed to assisting the new government through close partnership and continued engagement just as we have in the past.

Question. Section 1242 of the National Defense Authorization Act for Fiscal Year 2012 requires the Secretary of Defense, with the concurrence of the Secretary of State, to develop a plan for normalized U.S. defense cooperation with Georgia, including the sale of defensive arms.

What is your assessment of current U.S. defense cooperation with Georgia?

Answer. The United States currently has a vigorous defense cooperation program with Georgia. We conduct hundreds of events annually in a wide-range of areas to include: cyber defense; border security; professional military education development; and counterinsurgency operations training, to name a few. Georgia has one of the most robust Foreign Military Financing programs in EUCOM, with funding at approximately $14 million.

In January 2012, President Obama offered six enhanced engagement areas to President Saakashvili, which will help the Georgians improve their national defense. Those areas are:

1. Operational air surveillance/air defense training and education;
2. Coastal surveillance training and education;
3. Tactical level train-the-trainer instruction for Junior Officers and Non-Commissioned Officers;
4. Brigade command and staff training and education;
5. Defensive combat engineer training and education; and
6. Utility helicopter aviation training support.

EUCOM has already conducted or has planned initial engagements with Georgia in all these areas. We are aggressively using our International Military Education and Training funding to fulfill many of the educational requirements in these areas. These new areas of cooperation, which are in addition to continuing cooperation in defense institution building efforts, focus on Georgia's self-defense capabilities and NATO interoperability.

Question. What opportunities, if any, do you see for enhanced U.S. defense cooperation with Georgia, including defensive arms?

Answer. With regard to defensive equipment, the Obama administration has agreed to consider favorably the sale of air surveillance radars, coastal surveillance acoustic systems, and small arms ammunition.

NATO-EUROPEAN UNION

Question. How would you characterize the NATO–EU relationship today?

Answer. It is a strong partnership. This is reflected in the Strategic Concept from the Lisbon Summit, which determined to strengthen the strategic partnership between NATO and the European Union (EU).

That said, the characterization of the NATO–EU relationship is largely a political issue outside the purview of the role of the SACEUR. However, from a military perspective, the two organizations can be complementary partners in a comprehensive approach addressing complex crisis, and I believe the relationship is improving. NATO and the EU are now coordinating efforts to improve capabilities and the EU is using NATO Defense Planning baseline information to help establish priorities.

Question. In your view, what should be NATO's position with regard to European efforts to strengthen the European Security and Defense Policy and build military capacity within the European Union?

Answer. NATO's position regarding the strengthening of European Security and Defense Policy will be decided at the political level by its 28 member nations. However, from a purely military perspective there is no question that within Europe the military capabilities are derived from a single pool of forces which are made available to either NATO or the EU based on a political decision. Of the 27 EU member nations, 21 are in NATO. The building of the capacity and capability of forces within the EU is also the building of military capacity and capability for NATO. In a resource constrained environment it makes sense to leverage the capabilities of all NATO and EU members to ensure the best return on a limited defense investment.

If confirmed, this is an area in which I would seek to develop complementary activities in coordination with my counterpart, General Jean-Paul Palomeros of Allied Command Transformation, in Norfolk, who is leading the military effort to develop capabilities in NATO.

FRANCE

Question. What is your assessment of the impact of France rejoining the integrated military structure?

Answer. I strongly welcome the significant contributions across the Alliance made by France. France is one of the most militarily capable members of NATO, and is a critical ally of the United States. We believe France's decision to reintegrate into the NATO integrated military structure has been mutually beneficial. The alliance is stronger militarily, the transatlantic link is more solid, and our own bilateral relationship with France is strengthened along with it. We appreciate France's leadership in the alliance—in terms of capabilities, defense investment, and contributions to operations.

UNIFIED COMMAND PLAN CHANGES

Question. It has been reported that Admiral McRaven, Commander of U.S. Special Operations Command (SOCOM), is seeking changes to the Unified Command Plan (UCP) that he believes would allow SOCOM to better support the requirements of the Theater Special Operations Commands (TSOCs). Reportedly, such changes would give the Commander of SOCOM combatant command authority over the TSOCs—including responsibilities for resourcing—and provide for more rapid deployment of Special Operations Forces to and between geographic combatant commands without the requirement for approval by the Secretary of Defense in every case. Operational control of deployed Special Operations Forces would reportedly remain with the respective geographic combatant commander.

Some have expressed concern that such changes could raise problems related to civilian control of the military, infringe upon the traditional authorities of the geographic combatant commanders, and make it more difficult for Ambassadors and geographic combatant commanders to know what military personnel are coming into their areas of responsibility and what they are doing while they are there.

Please provide your assessment of whether such UCP changes are appropriate.

Answer. The UCP changes to SOCOM are designed to provide a greater measure of flexibility in responding to the fluid and global nature of counterterrorism. Along with the approved changes in our assigned forces document called 'Forces for', they provide a level of global perspective to the counter-terror fight that is currently lacking within DOD. By altering the command relationship slightly, SOCOM gains abilities that have been in use in Operation Enduring Freedom since 2005 (under SOCOM 121 authorities). These authorities have allowed for rapid deployment of U.S.-based Special Operations Forces to and between the U.S. Central Command (CENTCOM) and U.S. Africa Command (AFRICOM) areas of responsibility. They are appropriate, as long as caveats relating to minimum force levels discussed between EUCOM and SOCOM are implemented.

Question. Please address any concerns that such UCP changes may raise, including whether such changes would conflict with civilian control of the military, infringe upon authorities provided to the geographic combatant commanders, or raise concerns with the State Department?

Answer. The UCP and "Forces for" changes do not conflict with civilian control of the military as, fundamentally, the changes require and defer to civilian authority. This is a bedrock principle of the U.S. military's constitutional obligation to fully abide by civilian authority. Additionally, these changes, with the agreed-upon caveat suggested by EUCOM, do not infringe upon the authority of the geographic combatant commanders (GCC) in any way. Forces assigned to a GCC remain under the operational control (OPCON) of that GCC, and therefore require GCC concurrence prior to being assigned outside the theater. This arrangement fundamentally supports geographic combatant commander authority. The same would be true of forces entering the theater. This will allay State Department concerns about the UCP change, as it maintains the current notification and permissions relationship between the GCC and ambassadors, ensuring that foreign policy concerns continue to be addressed in the same manner as before. The caveat mentioned above is that EUCOM requested an identified baseline of Special Operations Forces assigned to the GCC. This would allow EUCOM to make long-term plans for the engagement of partners and allies in theater with confidence that the forces assigned against those engagements are not withdrawn from the theater without an informed discussion of the costs and disruptions that might be incurred.

INTERAGENCY COLLABORATION

Question. The collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies has played a significant role in the success of counterinsurgency and counterterrorism operations in recent years. However, much of this collaboration has been ad hoc in nature.

What do you believe are the most important lessons learned from the collaborative interagency efforts in Afghanistan, Iraq, and elsewhere?

Answer. I believe working in a collaborative manner with representatives from other Federal partners is essential to achieving success for any combatant commander. The value provided by representatives from other agencies cannot and should not be duplicated within the Defense Department. That is why every geographic combatant command now has some organizational entity designed to facilitate collaborative interagency efforts. At EUCOM Headquarters, that organization is the J9-Interagency Partnering Directorate established through the vision and wisdom of ADM Stavridis in November 2009. EUCOM's J9 model has been emulated at other geographic combatant commands, including U.S. Pacific Command; U.S. Southern Command, under the leadership of ADM Stavridis; U.S. Africa Command; and, most recently, U.S. Northern Command. At EUCOM, the J9 Interagency Partnering Directorate hosts 12 Federal agency partners from U.S. Government Departments and Agencies, including: the Departments of State, Justice, Treasury, Homeland Security, Energy; and the U.S. Agency for International Development (USAID). EUCOM utilizes a broad definition of "interagency partnering" to include collaboration with non-governmental, academic and private sector partners.

In another compelling whole-of-government initiative, EUCOM installed a career foreign service officer and senior State Department leader to serve as the "Civilian Deputy to the Commander." The creation of that position, the Command's most senior "interagency representative" was also an initiative developed by Jim Stavridis. The position is presently filled by Ambassador Larry Butler.

In my mind, the key to successful interagency partnering is to properly identify and engage partners early in the planning process in order to capture the expertise these organizations can bring to the effort at hand. Once engaged, we must maintain open and continuous communications with each other throughout operations to fully realize the benefit of everyone's unique experiences, expertise, and contributions.

Question. How do you believe these efforts can be improved?

Answer. Our environment is characterized by decreasing resources and an atmosphere of multiple distributed threats. Given this setting, it makes both fiscal and strategic sense to continue advocating for an interagency, whole-of-government, collaborative approach as a fundamental modus operandi. I believe this is the most effective and efficient method for us to safeguard and advance U.S. and Theater priorities.

Question. If confirmed, what role would you seek to play in encouraging greater interagency collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies?

Answer. If confirmed, I would seek to continue the innovative interagency efforts underway at EUCOM Headquarters through initiatives like the Civilian Deputy Commander, the J9 Interagency Partnering Directorate, and the Joint Interagency Counter-Trafficking Center. These offices help ensure the combatant command continues to engage in early and continuous interagency coordination, planning, and collaboration. They foster a mindset that encourages linking U.S. Government agency representatives to relevant DOD headquarters and component staffs. These efforts have ensured the expertise, capabilities, and priorities of twelve hosted partner agencies are coordinated with critical EUCOM and component planning and execution efforts. If confirmed, I would continue to support this important 21st century way of thinking; strengthening existing relationships among Federal and non-governmental partners and the command. I would also look for opportunities to expand their participation across the Command to capitalize on the capabilities, authorities, and reach-back abilities present in their parent organizations.

SPECIAL OPERATIONS PERSONNEL IN EMBASSIES

Question. U.S. Special Operations Command deploys personnel to work with country teams in a number of priority countries where the United States is not engaged in direct action operations but rather trying to stop the spread of violent extremism. Their mission is to support the priorities of the ambassador and the geographic combatant commander's theater campaign plan against terrorist networks. At times, ambassadors have complained that they have not been adequately informed of activities by Special Operations Forces in their country.

If confirmed, what do you intend to do to make sure the goals of special operations personnel deployed to these countries are aligned closely with those of the ambassadors they are working with?

Answer. If confirmed, I will promote an interagency approach as we assess the deployment of military forces within the EUCOM AOR. U.S. Special Operations Command (SOCOM) must have flexibility to respond to the fluid and global nature of counterterrorism. However, the ambassadors must be notified of these deployments to ensure foreign policy concerns are addressed adequately.

Question. What is your assessment of the value of these special operations personnel to their respective geographic combatant commands and the country teams they are supporting?

Answer. Special operations forces are an invaluable resource to the geographic combatant commander. From my experience in Afghanistan, these forces provide a unique capability that is indispensable to global counterterrorism efforts.

MARINE SECURITY GUARDS IN EMBASSIES

Question. Due to the attack on the U.S. consulate in Benghazi, Libya, which resulted in the death of of a U.S. Ambassador and three other Americans, many are conveying concern about the safety of U.S. diplomatic personnel around the world.

Do you share this concern?

Answer. I do share this committee's concern for the safety of our diplomatic colleagues stationed around the world.

Question. The Marine Security Guard Program was established in 1946, and its mission, to provide internal security at designated embassies of classified information and equipment, remains unchanged to this day.

In light of increasing threats to U.S. diplomatic personnel by terrorists throughout the world, do you believe it is time to re-examine the Program's mission and protocols?

Answer. The Marine Corps Embassy Security Group does not fall under the authority of the combatant commands. EUCOM does not have the expertise to comment on the Marine Security Guard Program's mission and protocols.

Question. If so, should it be broadened to provide additional protection to U.S. diplomatic personnel?

Answer. Although the primary mission of the Marine Security Guard Program is to provide internal security services at designated U.S. diplomatic and consular facilities to prevent the compromise of classified information and equipment vital to the national security of the United States, a secondary mission is to provide protection for U.S. citizens and U.S. Government property located within designated U.S. diplomatic and consular premises during exigent circumstances (urgent temporary circumstances which require immediate aid or action).

Question. In your opinion, what additional steps, if any, should be taken to reduce the risk of attacks on U.S. embassies and consulates and diplomatic personnel by terrorist organizations throughout the world and in the EUCOM area of responsibility, in particular?

Answer. The risk of attack to our diplomatic facilities can never be completely eliminated. Working closely with my Department of State colleagues, I will seek to reduce the risk by leveraging the expertise of our interagency partners in order to strengthen our comprehensive counter-terrorism strategy. In an era of decreasing resources and increased threats, we must utilize a whole-of-government approach to reduce the risk to our diplomatic facilities and personnel in the EUCOM area of responsibility and beyond.

NATO SPECIAL OPERATIONS HEADQUARTERS

Question. The NATO Special Operations Forces Headquarters (NSHQ) was created in 2007 to enhance the capabilities of and promote interoperability between the Special Operations Forces (SOF) of NATO member nations. Admiral McRaven, Commander of U.S. Special Operations Command (SOCOM), has credited the NSHQ with bringing about "a generational leap forward in NATO Allied and Partner SOF capabilities."

What do you see as the value of NSHQ to ISAF operations in Afghanistan?

Answer. Since its establishment in 2007, the NATO Special Operations Force Head Quarters (NSHQ) has quietly made an immense behind the scenes impact on operations in Afghanistan, and more broadly, in the development of a wider Allied and Partner SOF. In an ISAF context, one of the over arching achievements has been the establishment of a coherent framework for Allied and Partner SOF operations under the ISAF mandate that was non-existent prior to the inception of the NSHQ. This crucial framework has not only brought a greater capability to ISAF,

but has also served to underpin a more effective and relevant and inter-operable SOF capability through the creation of doctrine, training, and common standards. Moreover, the NSHQ has also been instrumental in supporting increased SOF contributions by Allies and Partners to ISAF operations. Allied and Partner SOF contributions on the ground have increased by some 500 percent since 2007.

The NSHQ has also closed a number of operational gaps identified in Afghanistan by developing and conducting a comprehensive purpose built training and education program at the NATO SOF School. This effort has included combined joint SOF staff operations and procedures, technical exploitation, threat network analysis, imagery analysis, and intelligence, surveillance, and reconnaissance (ISR) full motion video employment. Additionally, the NSHQ has enabled NATO Allied and Partner SOF through the reciprocal sharing of classified information leveraging both the NATO SOF communications network and the NSHQ's the Special Operations Forces Fusion Cell (SOFFC) in Kabul that serves more than 2,200 Allied and Partner SOF personnel operating under ISAF. These enhancements include enabling Allied and Partner SOF task forces to receive ISR video feeds in support of partnered advise and assist operations with their Afghan counterparts in the Provincial Response Companies (PRC).

Question. What role do you believe the NSHQ should play in future contingencies involving NATO SOF?

Answer. Operations in Afghanistan have led to significant gains in SOF capabilities and capacities across Allied and Partner SOF. Let me also point out that the benefits realized from the enhancement of SOF within the Alliance by the NSHQ also impact bi-lateral and multilateral SOF operations outside of a NATO context. In response to operational requirements, the NSHQ has successfully established a NATO Allied and Partner SOF community where none existed previously. This human SOF network transcends the Alliance and habitually includes non-NATO SOF partners from Ireland, Australia, New Zealand, Sweden, Finland, Austria, and Switzerland. Looking ahead to future challenges, we need to transfer the synergy, effectiveness, and efficiency acquired as a result of operational drivers in Afghanistan, to counter-piracy, and from NSHQ activities, and orient them towards emerging Alliance security challenges. In many instances SOF will play an instrumental role in mitigating threats. The NSHQ role will be crucial in developing a more responsive and agile series of SOF capabilities including scaled force packages with organic plug and play capabilities. NSHQ coordination and focus will ensure greater utility to the Alliance with an assured full spectrum SOF capability.

Question. How do you believe the NSHQ can most effectively support NATO SOF capabilities and interoperability?

Answer. The NSHQ role, with its specific and focused advocacy of SOF initiatives, is a crucial driver of Alliance SOF capability and interoperability. Moreover, as highlighted at the February NATO Defense Ministers meeting, NATO SOF interoperability will be key to supporting NATO's Connected Forces initiative. It is important to recognize that there is no more efficient or effective means to develop SOF capabilities, capacities, and interoperability than through an enduring Alliance with a dedicated SOF advocate hence the reason the NATO SOF Transformation Initiative was launched following the North Atlantic Council endorsement at the Riga Summit in 2006. As mentioned, the NSHQ has made unprecedented strides in the development of SOF capabilities and capacities across a range of disciplines and functional areas. Significant improvements include the areas of command, control, communications, information sharing, policy making, doctrine and standard operating procedures. A robust SOF community of interest in SOF medicine has enabled the development of this critical capability across the Alliance. A well-documented Alliance and National SOF capability gap is in SOF air which was painfully evident in Afghanistan and in many cases affected our operational tempo. The NSHQ is working to gain similar momentum to promote enhanced capability, capacity and interoperability in the air domain. Success will be the integration of these capabilities that will eventually allow for a more responsive employment of SOF in a NATO context and among national SOF.

Question. What do you believe are the appropriate roles for EUCOM and SOCOM in providing guidance and resources to the NSHQ?

Answer. The NATO Special Operations Headquarters is under the daily operational command of the Supreme Allied Commander Europe, so in terms of guidance, if confirmed, I would oversee all operational issues related to the NSHQ. As Commander, EUCOM, I am delegated authority from the Joint Staff to execute U.S. Lead Agent and framework nation representative responsibilities, including managing NSHQ manpower and strength with support from the Army to manage fiscal resourcing. The Commander of SOCOM is designated as the Lead Component charged with Executive Agent responsibilities within the U.S. Department of De-

fense. In that capacity, Admiral McRaven exercises SOF custodianship of U.S. framework nation related activities.

MASS ATROCITIES PREVENTION

Question. President Obama identified the prevention of mass atrocities and genocide as a core U.S. national security interest, as well as a core moral interest, in August 2011 under Presidential Study Directive 10.

Among interagency partners, what is EUCOM's role in addressing atrocity threats, and what tools does EUCOM have for preventing or responding to atrocities in its AOR?

Answer. EUCOM has been one of the DOD leaders in the development of an analytical framework to shape the military's role within the interagency community to focus on the unique aspects of preventing and responding to mass atrocities. EUCOM has developed detailed operational level tools to prevent and respond to atrocity threats along three broad lines of effort. These lines of effort include operational integration to transform evolving concepts into practicable/executable tactics, techniques, and procedures; doctrine development to institutionalize already accepted practices; and policy development/refinement to foster interagency integration. A year ago, EUCOM co-hosted a conference with AFRICOM to catalyze a broad discussion on mass atrocity prevention and response operations as well as address the requirements of Presidential Study Directive 10. Attendees included senior representatives from the National Security Staff, Department of State, Office of the Secretary of Defense, Joint Staff, and Dr. Sarah Sewall, Director of the Carr Center for Human Rights Policy at Harvard University.

Question. Has EUCOM developed planning processes toward this effort so that it will be able to respond quickly in emergency situations?

Answer. Yes. EUCOM has a level-two contingency plan for conducting peace operations in the EUCOM area of responsibility with the focus to contain conflict, redress the peace, and intervene to either prevent or respond to mass atrocities. The plan provides the staff with tools to facilitate a rapid response to include: a mass atrocity specific commander's critical information requirement; a joint operations center checklist to alert key leaders and initiate crisis action planning; a playbook that delineates critical events in the interagency response process; and a detailed mass atrocity response operation annex that will enable the command to collaboratively plan and execute a mass atrocity response operation.

COUNTER THREAT FINANCE

Question. A number of officials in DOD and the Intelligence Community have called for investing additional resources in identifying and tracking the flow of money associated with terrorist networks and illicit trafficking.

What are your views on the role of DOD in counter threat finance activities?

Answer. I completely agree. Of course, Treasury has lead and a great deal of expertise. The U.S. Government, and in this case the Department of Defense, must invest the required resources to identify and track the revenue flow derived from illicit activities. These funds, increasing by trillions of dollars, are key enablers in challenging security, creating instability, and undermining good governance on a worldwide scale. Through close interagency partnership with U.S. law enforcement agencies, DOD support to counter threat finance serves a critical role in disrupting narco-trafficking and transnational organized crime.

Question. What do you believe is the appropriate role, if any, of EUCOM in supporting counter threat finance activities?

Answer. Again, acknowledging that Treasury has lead, I believe that EUCOM, and all of the regional combatant commands, have a critical role in supporting counter threat finance (CTF) activities. Illicit trafficking organizations operate on a global scale. As a result, attacking these networks requires a comprehensive, synchronized, interagency, and international effort. Currently, EUCOM has an organic CTF team that works collaboratively with U.S. Government interagency and international partners in support of the National Transnational Organized Crime Strategy (TOC) and U.S. national security objectives.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

Question. Criminal networks are not only expanding their operations, but they are also diversifying their activities, resulting in a convergence of transnational threats that has evolved to become more complex, volatile, and destabilizing. In July 2011, the President released the Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security. One of the priority action areas

designated in the strategy is "enhancing Department of Defense support to U.S. law enforcement".

What is your understanding of the President's strategy to combat transnational criminal organizations?

Answer. The President's strategy to combat transnational organized crime (TOC) is organized around a single, unifying principle—to build, balance, and integrate the tools of American power to combat transnational organized crime and related threats to our national security, and to urge our partners to do the same. The National TOC strategy will achieve this end state by pursuing five key policy objectives:

1. Protect Americans and our partners from the harm, violence, and exploitation of transnational criminal networks.
2. Help partner countries strengthen governance and transparency, break the corruptive power of transnational criminal networks, and sever state-crime alliances.
3. Break the economic power of transnational criminal networks and protect strategic markets and the U.S. financial system from TOC penetration and abuse.
4. Defeat transnational criminal networks that pose the greatest threat to national security by targeting their infrastructures, depriving them of their enabling means, and preventing the criminal facilitation of terrorist activities.
5. Build international consensus, multilateral cooperation, and public-private partnerships to defeat transnational organized crime.

Question. What is your assessment of the threat to the United States posed by transnational organized crime operating in the EUCOM AOR?

Answer. Transnational organized crime networks use sophisticated business models and operations to perpetuate their illicit activities. They are highly adaptable, bold in their techniques, and ruthless in their execution. These networks are expanding and diversifying their activities at an alarming rate. The result is a convergence of well-funded transnational organized crime networks that can destabilize entire economies, undermine good governance, and create national security threats to our Homeland and our allies. TOC networks with links to narcotics and arms smuggling, trafficking in persons, and a variety of other revenue generating commodities operate throughout the EUCOM AOR. These entities, with their exceptional destabilizing influence, threaten our Theater and national security interests, the security and stability of our allies and partners, and U.S. interests both at home and abroad.

Question. What role does EUCOM play in combating transnational organized crime and in training and equipping partner security forces that have been tasked with combating it?

Answer. In Europe, EUCOM's new Joint Interagency Counter Trafficking Center (JICTC), is focused on facilitating and implementing the National TOC Strategy in conjunction with U.S. interagency organizations and international partners. JICTC's mission is to support U.S. Interagency and Country Team efforts, and collaborate with similar international organizations, to counter transnational illicit trafficking and other associated threats. JICTC also assists partner nations to build self-sufficient counter-trafficking skills, competencies, and capacity to defend the Homeland forward from the rising threats posed by global transnational illicit trafficking. It is important to emphasize that EUCOM does not seek to become the lead U.S. Government agency for combating organized crime. Rather, EUCOM and its JICTC provide support to U.S. agencies to help synchronize their counter-trafficking efforts in a collaborative, whole-of-government approach. JICTC's focus areas include: narcotics trafficking; terrorism; weapons trafficking (illicit weapons, as well as WMD); human trafficking; and threat financing.

DOD COUNTER-NARCOTICS ACTIVITIES

Question. DOD serves as the single lead agency for the detection and monitoring of aerial and maritime foreign shipments of drugs flowing toward the United States. On an annual basis, DOD's counter-narcotics (CN) program expends approximately $1.5 billion to support the Department's CN operations, including to build the capacity of U.S. Federal, State, and local law enforcement agencies, and certain foreign governments, and provide intelligence support on CN-related matters and a variety of other unique enabling capabilities. EUCOM's AOR is a receiving market for much of the world's illegal narcotics.

In your view, what is the appropriate role of DOD—and by extension EUCOM—in counterdrug efforts in the EUCOM AOR?

Answer. The appropriate DOD role in counterdrug efforts inside the EUCOM AOR is to contribute directly and meaningfully to the U.S. Interagency development of

international, comprehensive, synchronized, and proactive drug control strategies. Additionally, EUCOM must work with U.S. Country Teams to help build the capacity of partner-nations to detect, interdict, and prosecute transnational organized criminals before their activities adversely impact the United States or U.S. interests. Those interests include stemming the illicit revenues raised by the drug trade, revenue which poses a direct threat to U.S. interests and security in Afghanistan and along our Nation's southern borders.

Question. Given that the vast majority of illegal drugs arriving in Europe are not destined for the United States, should DOD invest resources in countering the flow of illegal drugs to or through Europe?

Answer. Yes. There is a clear financial and logistical illicit trafficking nexus in Europe. This nexus, rooted in the drug trade, sustains increasingly global illicit trafficking networks that pose a direct and growing threat to U.S. security and interests, for it is not only drugs that can move across these networks. For an extraordinarily modest investment, EUCOM and its Joint Interagency Counter Trafficking Center (JICTC) are playing a critical role in the forward defense of the United States from this growing 21st century threat. EUCOM's path-breaking work in this arena is playing a vital role in the support, facilitation, and synthesis of a variety of efforts among U.S. Government interagency and international partners to implement the National TOC Strategy, and take some degree of effective action against this multi-billion dollar security challenge. The alternative—providing no funding and eliminating this important work—will allow global illicit traffickers to continue working in and through Europe unchecked, with direct and indirect consequences for U.S. security efforts and interests.

BUILDING PARTNER CAPACITY WITHIN THE EUCOM AREA OF RESPONSIBILITY (AOR)

Question. In the past several years, Congress has provided a number of new authorities requiring the Departments of Defense and State to work collaboratively to provide security assistance to partner nations. These include the global train and equip authority ("section 1206") and the Global Security Contingency Fund.

In your view, what should be our strategic objectives in building the capacities of partner nations?

Answer. In my view, the principal strategic objective of building partner capacity is to be able to share more of the burden of protecting our vital national security interests with our allies and partners. This involves assisting our allies and partners so that they can participate in and/or lead multilateral military operations, contribute to regional stability, counter transnational threats, and provide for their own internal security. At EUCOM, our focus is shifting to preserving the partner nation capabilities that have been developed through a decade of combined operations in Iraq, Afghanistan, and Libya, as well as our building partner capacity efforts, to meet the challenges of a post-2014 environment.

Question. How would you define our strategic objectives for building the capacity of partner nations in the European Command area of responsibility and in what ways, if any, do those objectives differ from other geographic combatant commands?

Answer. The strategic objectives for building partner capacity in the EUCOM area of responsibility are defined in the Guidance for Employment of the Force. One of these strategic objectives is that U.S. allies and partners in the theater have the capability and capacity for regional security, to conduct military operations with the United States and NATO, and to contribute to operations worldwide. This objective is of special significance to the European theater because of NATO, and because the majority of countries in the theater are stable democracies with skilled, capable military forces across the joint spectrum. As a result, Europe is far more of a security provider than a security consumer. The foremost examples of this reality are in Afghanistan, where European allies and partners account for 92 percent of the non-U.S. forces in the International Security Assistance Force (ISAF); and in Libya where, within weeks, NATO quickly assumed leadership of the mission and conducted 75 percent of all sorties and 100 percent of maritime operations.

Question. What is the relationship of the global train and equip authority and the Global Security Contingency Fund to other security assistance authorities, such as DOD counternarcotics assistance and foreign military financing?

Answer. Extension of the global train and equip ("section 1206") authority, which is currently set to expire on September 30, 2014, is essential for EUCOM to enable Allies and partners to support NATO's post-ISAF train, advise, and assist mission in Afghanistan. The 1206 authority and the Global Security Contingency Fund complement other security assistance authorities. For example, section 1206 authority has enabled EUCOM to provide pre-deployment training and equipment to allies and partners deploying forces to Afghanistan. Prior to fiscal year 2010, EUCOM's

had minimal capability to provide this type of support to our allies and partners due to insufficient authorities and/or funding from other programs.

Question. What should be done to ensure that the global train and equip authority and the Global Security Contingency Fund do not duplicate the efforts of these other assistance programs?

Answer. A number of safeguards are already in place to avoid duplication of effort among the global train and equip authority, the Global Security Contingency Fund (GSCF), and other security assistance programs. First, DOD and State Department guidance on section 1206 and GSCF clearly identifies the purpose and scope of these programs. Second, proposals for these programs are fully coordinated within DOD and with the State Department. Third, under EUCOM's Theater Campaign Plan construct, we develop Country Cooperation Plans and work to align the appropriate resources and authorities to requirements down at the activity level. Fourth, program managers and authorities experts at EUCOM headquarters, the Joint Staff, and the Office of the Secretary of Defense work with our planners to ensure that we are using the right programs in the right circumstances, and are not duplicating efforts across programs.

NATO TRANSFORMATION

Question. What is your assessment of the role of Allied Command Transformation in effecting positive change among NATO member nations?

Answer. NATO Allied Command Transformation (ACT) makes a significant contribution to training, education, doctrine, and concept development across the Alliance.

NATO MEMBERS' SPENDING ON DEFENSE

Question. According to then-Secretary Gates, in 2011 only 5 of 28 NATO members, including the United States, met the Alliance target of spending at least 2 percent of GDP on defense.

What is your assessment of the impact on NATO of the failure of the majority of NATO allies to meet agreed targets for defense spending?

Answer. This is a political issue, and a decision for member states. The Secretary General recognizes the difficulty of delivering defense for the Alliance in times of economic austerity. The Smart Defence program, Connected Forces Initiative, and NATO 2020 aim to fill capability gaps, but are inadequate without sufficient spending on defense by NATO members.

Question. If confirmed, what steps would you take to encourage NATO allies to increase their defense spending and enhance the military capabilities that they can contribute to NATO operations?

Answer. If confirmed, I would see my interaction with NATO members at the strategic military level as a major tenet during my tenure as SACEUR. This interaction would include discussions on how we can improve military capabilities across the Alliance. It should be noted that although many NATO members are not currently meeting their mandated 2 percent of GDP for defense spending, this is not the only measure of a country's military capability. Some countries, such as the Netherlands, are developing specific niche BMD capabilities.

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Question. What are your views on U.S. accession to UNCLOS?

Answer. Like former Secretary Clinton, former Secretary Panetta, the Chairman and the Vice Chairman of the Joint Chiefs of Staff, the Chief of Naval Operations, the Commandant of the Coast Guard, the Commanders of U.S. Transportation Command, U.S. Northern Command, and U.S. Pacific Command, and the current Commander of U.S. European Command, I support U.S. accession to the U.N. Convention on the Law of the Sea (UNCLOS).

Question. From a national security standpoint, what do you see as the advantages and disadvantages to being a party to UNCLOS?

Answer. As former Secretary Panetta has testified, the Law of the Sea Convention provides a robust legal regime for global operations by U.S. Armed Forces. It codifies navigation and overflight rights and high seas freedoms that are necessary for the mobility of our forces. It is completely in line with, and supports, the U.S. Defense Strategic Guidance. To date, 165 states have ratified the convention, and I believe that it is in our national security interests to do the same. Our current nonparty status constrains our efforts to develop enduring maritime relationships with partner nations. It also inhibits our efforts to expand the Proliferation Security Initiative, and elevates the level of risk for our sailors as they undertake operations to preserve navigation rights and freedoms. In EUCOM's area of Arctic interest,

which is significant, the Law of the Sea Convention will strengthen our arguments for freedom of navigation through the Northern Sea Route and provide stronger moral standing for the United States in our extensive cooperative efforts with all of the Arctic states. We need to eliminate seams as much as possible when we operate in difficult circumstances in the maritime environment with our like-minded partners. The Law of the Sea Convention would allow us to do that.

QUALITY OF LIFE PROGRAMS FOR MILITARY FAMILIES

Question. Three of the top quality of life issues in the EUCOM AOR include predictable access to quality health care, including family member dental support; ensuring high-quality dependent education programs provided by the DOD Dependent Schools; and quality living accommodations for military families. Commanders in the EUCOM region have emphasized their support for and reliance on EUCOM resources to provide crucial morale programs, enhance retention, and foster esprit de corps.

What do you see as the most significant long-term challenges for EUCOM in preserving and enhancing the quality of life for assigned personnel while force redeployments to the United States proceed?

Answer. In a resource constrained environment, it is imperative to keep faith with, and maintain an enduring commitment to, our forces and their families, to include those stationed in Europe, by continuing our proven quality of life programs, even as we seek new and innovative ways to provide Force and Family Readiness support to those who choose to serve.

Question. If confirmed, what steps would you take to ensure the adequacy of support services for military families during the transition to ensure that vital support mechanisms, such as Department of Defense Schools, morale, welfare and recreation services, family housing, and commissary and exchange facilities continue to serve military personnel?

Answer. If confirmed, I will actively support the initiatives currently underway to upgrade and improve existing medical, educational, and recreational facilities, while continuing to develop and expand on partnerships with supporting agencies and services who can offer effective and efficient alternatives for the future. EUCOM Force and Family Readiness priorities clearly reflect those outlined in the President's 2011 report "Strengthening our Military Families." If confirmed, I will work with the Services and component commanders to ensure we remain steadfastly committed to those priorities.

SEXUAL ASSAULT PREVENTION AND RESPONSE IN EUCOM

Question. In recent years, the Department of Defense has developed comprehensive policies and procedures to improve the prevention of and response to incidents of sexual assaults, including providing appropriate resources and care for victims of sexual assault. Numerous cases of sexual assault and misconduct involving military personnel continue to be reported. Many victims and their advocates contend that they are victimized twice: first by attackers in their own ranks and then by unresponsive or inadequate investigations and emotional support for the victim.

Secretary Panetta has recently announced several new initiatives to curb sexual assaults in the military and to improve support for victims.

What is your assessment of the Secretary of Defense's recently announced initiatives, and, if confirmed, how would you implement them in EUCOM?

Answer. I support the Former Secretary's recent initiatives to combat sexual assault and think they demonstrate the Department's commitment to eradicating sexual assault from our ranks. These initiatives ensure commanders have the resources they need to investigate and prosecute sexual assault cases, and provide additional support for victims to ensure they are fully protected and receive the care they need. If confirmed, I will continue to ensure commanders have the resources they need to investigate accusations of sexual assault, provide care and support for victims and fairly adjudicate each case. Lastly, I will promote a climate that encourages reporting without fear and holds perpetrators accountable.

Question. What is your understanding of the resources and programs in place in EUCOM to offer victims of sexual assault the medical, psychological, investigative, and legal help that they need?

Answer. I am not aware of any shortfalls or deficiencies in command leadership, personnel, or training to prevent or respond to sexual assault in the EUCOM Area of Responsibility.

It is my understanding the entire EUCOM AOR has resources and programs in place to offer victims of sexual assault the medical, psychological, investigative, and legal help required. If confirmed, I will work with Service Component commanders

to ensure they continue to have appropriate resources and support to implement effective sexual assault prevention and response programs. In addition, I will ensure every measure is in place to support victims.

Question. What is your view of steps the command has taken to prevent sexual assaults in EUCOM?

Answer. The EUCOM leadership closely monitors command climate indicators and reports of sexual assault, and responds with effective command messages and directives that foster a zero tolerance environment for sexual assault. If confirmed, I will promote a climate that encourages reporting without fear and holds perpetrators appropriately accountable.

Question. What is your view of the adequacy of the training and resources in EUCOM to investigate and respond to allegations of sexual assault?

Answer. The Services recently enhanced their resources for investigating and responding to allegations of sexual assault. If confirmed, I will review the Command's sexual assault prevention and response program to evaluate its effectiveness and ensure adequate resources are available. I will also work with Service component commanders to ensure we continue to emphasize the importance of training and educating servicemembers on the program, their rights and the command's commitment to safeguard them from predatory behavior in the ranks.

Question. What is your view of the willingness and ability of military leaders to hold assailants accountable for their actions?

Answer. The Department's policy emphasizes the command's role in an effective response. Special training is provided to commanders, investigators, and prosecutors to ensure they are prepared to address incidents of sexual assault. Our policies seek to balance victim care and appropriate command action against offenders in order to build victim confidence to assist in investigations. As military leaders, we must be vigilant to our duties to hold those assailants accountable for their actions. I take this obligation very seriously.

Question. Do you consider the current sexual assault policies and procedures, particularly those on confidential reporting, to be effective?

Answer. Overall, the Department has put considerable effort into developing policies and procedures designed to address sexual assault. In fact, the department faces the same challenges that society faces in dealing with incidents of sexual assault—balancing care to victims with prosecuting offenders. Restricted reporting allows victims who wish to remain anonymous to come forward and obtain the support they need following an assault. I consider these policies and procedures to be effective.

Question. What problems, if any, are you aware of regarding the manner in which the confidential reporting procedures have been put into effect?

Answer. I am not aware of any problems with confidential reporting.

MENTAL HEALTH OF SERVICEMEMBERS AND STRESS ON THE FORCE

Question. The committee is concerned about the stress on military personnel resulting from lengthy and repeated deployments and their access to mental health care to deal with this increased stress. Increased suicide rates are clear reminders that servicemembers, particularly those who have been deployed multiple times, are under tremendous stress and need access to mental health care.

In your view, are there sufficient mental health assets in EUCOM to address the mental health needs of the military personnel and their families?

Answer. Across the EUCOM AOR, I understand there currently exists an identified shortage of mental health providers available to treat servicemembers and their families. The Service components have done much to improve this situation over the past 3 years and continue to push ongoing initiatives to close the gap. If confirmed, I will work with the Service components to ensure any remaining gap in behavioral health services is adequately addressed.

The Army, Navy, and Air Force medical facilities in Europe are actively involved in addressing the behavioral health needs of its beneficiaries. Some of the major efforts include:

Integrated Behavioral Health Consultants in Primary Care: Research has demonstrated that the primary health care setting is optimal for identifying behavioral health difficulties in the general population. This is specifically true for the identification of depression and post-traumatic stress disorder. By integrating behavioral health professionals into the primary care clinics, these issues are quickly identified and receive treatment or appropriate coordination and referral for further care by a specialized behavioral health clinic. These providers are also available to provide behavioral health consultation to the primary health care providers as well as provide behavioral

health educational modification interventions for patients with complicated conditions or low compliance with medical treatment. Moreover electronically secure communication to mental health services have been better marketed and implemented.

Community Outreach: USAFE and Army Installation Management Command-Europe adopted toll-free, confidential, anonymous, telephonic crisis hotline access for servicemembers, veterans, and family members in Europe to information, with Veterans Affairs counselors available 24/7 that performed over 500 direct crisis contact interventions in 2012. Other expansion efforts by Army, Navy and Air Force teams have included broadened mental health consultation in DOD Dependent Schools, and nearly 600 separate prevention events in 2012 aimed at 12,100 students that resulted in 230 students being enrolled in counseling sessions. More Military and Family Life Consultants have been hired, and overall closer linkages have been also fostered with Family Advocacy, and additional teamwork have succeeded with community organizations.

Additionally, the Army Medical Department in Europe is actively involved in addressing the behavioral health needs of its soldiers in two ways:

Embedded Behavioral Health (EBH) Teams: The Army directed the implementation of multi-disciplinary EBH for all operational units. This modality assigns an EBH team with each brigade-sized element, and empanels all battalion-sized unit soldiers to the same provider. Further, the EBH team is located within the brigade-sized elements' footprint. The Army Public Health Command conducted a number of evaluations of this model and found that it decreases the stigma associated with seeking behavioral health treatment and improves access to care, continuity of care, Commanders' satisfaction, and treatment outcomes. This initiative will continue to be rolled out through fiscal year 2016 to all operational units in U.S. Army Europe.

Behavioral Health Data Portal (BHDP): The Army directed the use of the BHDP with all Active Duty soldiers receiving treatment in outpatient behavior health clinics. The BHDP is a set of validated survey instruments that soldiers fill out at intake, and at follow-up appointments as appropriate. This initiative powerfully impacts soldier treatment in two important ways. First, the BHDP creates the ability to quantify treatment outcomes across the enterprise. Second, it displays for both the provider and the soldier evidence of improvement or lack of improvement, which can be addressed during treatment sessions. Research demonstrates the positive influence of incorporating evidence of patient progress into treatment.

Question. If confirmed, what actions will you take to address the mental health needs of military personnel and their families in EUCOM?

Answer. If confirmed, I will work with the component commanders to ensure continued adequate resourcing as well as emphasis on evidence-based mental health treatments proven to improve the mental health of our servicemembers. I will demand that leaders at all levels work to decrease the stigma associated with seeking mental health treatment, and work to increase access to mental health treatment for military personnel and their families.

Question. What is your assessment of suicide prevention programs and resources available to support these programs in EUCOM?

Answer. Through leadership, I will continue to support activities that reduce the stigma associated with seeking behavioral health treatment. A very successful technique is encouraging Senior leaders to reveal, as appropriate, their own positive interaction with behavioral health treatment and acknowledge that behavioral health issues can be a direct outcome of military service. I will emphasize the importance of AOR-wide Exceptional Family Member Program Family (EFMP) travel decisions. The identification and assessment of family members' behavioral health needs prior to PCS to EUCOM remains an important risk mitigation process. The EFMP family travel decision process: (a) supports family members' health overseas; (b) supports the servicemembers' ability to focus on his/her mission; and (c) reduces the likelihood of an "Early Return of Dependents" (ERD) to more robust behavioral health services in CONUS. I will also engage in strong, dynamic Command messaging that emphasizes behavioral health issues are treatable, and that the majority of servicemembers improve when they engage in behavioral health services and stick with treatment until completion.

It is also worth noting that our Army component within EUCOM, U.S. Army Europe, has fewer soldier suicides than Army posts of comparable size in the United States. There are good prevention programs at work within Europe, and I will con-

tinue to identify and expand those programs that work, while transitioning away from those that do not.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes, I do.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Answer. Yes, I do.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander, U.S. EUCOM and Supreme Allied Commander, Europe?

Answer. Yes, I do.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes, I do.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes, I do.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JEANNE SHAHEEN

NATO BURDEN-SHARING

1. Senator SHAHEEN. General Breedlove, the North Atlantic Treaty Organization (NATO) burden-sharing will continue to be a topic of interest for this committee and for the NATO alliance as a whole. While we do see some countries moving further away from their 2 percent commitments, there are some—like Estonia and Poland—who have placed a greater emphasis on defense spending in recent years. In your view, are the Europeans appropriately sharing the burden associated with NATO's ongoing transformation and its approach to 21st century threats?

General BREEDLOVE. We need to continue to encourage allies to meet the agreed commitment of a minimum of 2 percent of gross domestic product (GDP) spending on defense. Defense budgets in most countries have declined at a time when the alliance has undertaken its most demanding and significant mission ever in Afghanistan, and when the need for investment in future capabilities is essential. However, European NATO nations do recognize the global security challenges—we have seen this recently with the French led intervention into Mali as one example. NATO allies have taken steps to address the issues related to falling defense budgets with the announcement at the Chicago Summit in 2012 of a Defense Package and key initiatives such as Smart Defense and the Connected Forces Initiative. Alongside the 2 percent guideline, allies have agreed that at least 20 percent of defense expenditures should be devoted to major equipment spending. While only four other allies have met this goal, investment in major equipment by the non-U.S. allies has held steady at about $50 billion per year for the last decade.

2. Senator SHAHEEN. General Breedlove, do you believe the contributions from our European partners in NATO are adequate to implementing the alliance's Strategic Concept, as adopted at the 2010 Summit in Lisbon?

General BREEDLOVE. It is true that individual sovereign governments continue to make inwardly focused decisions on defense spending, in many cases not achieving the self-imposed NATO 2 percent GDP benchmark. However, our European partners still represent the second largest defense spending block (~$280 billion) in the world—after the United States (~$682 billion/year), but ahead of China (~$166 billion/year) and Russia (~$90 billion). Europe is still investing in defense, focused on contributing to NATO and preserving the expeditionary capabilities and interoper-

ability that has been developed over the past decade of combat operations with the United States.

I believe there are three capabilities that will be critical to NATO's success as we face 21st century threats: cyber, Special Forces, and unmanned reconnaissance platforms. NATO is increasingly using Centers of Excellence to develop and refine capabilities, notably the Cyber Center in Estonia. NATO realizes this capability will be the lynchpin for successful future operations and conflicts. The effective use of cyber defense may even lessen the chance of conflict if our allies' systems are more resilient to cyber attacks. Additionally, the NATO Special Operations Headquarters is up and running in their new facility across the street from my Headquarters. NATO nations are using this facility for coordination and in combination with the training facilities that are in place at Chievres Air Field a few kilometers away. Finally, NATO has also done an outstanding job with our AWACS program. The alliance is now pursuing the Alliance Ground Surveillance (AGS) system to enhance the alliance's ability to have persistent situational awareness.

European partners are also looking for more cooperative solutions to security problems. The Baltic Air Policing mission is a great example of the allies pooling resources to meet a requirement. The C–17 Heavy Airlift Wing in Hungary is another example of this cooperation. The alliance's collective approach to Ballistic Missile Defense makes this essential capability an achievable goal.

So, in spite of economic challenges, Europeans are still focused on defense and the support of the alliance, even if each is not currently meeting the 2 percent benchmark. They are demonstrating their commitment in areas such as cyber, Special Operations, intelligence, surveillance, and reconnaissance (ISR), and are showing a greater desire to cooperate using "Smart Defense".

3. Senator SHAHEEN. General Breedlove, will you commit to raising the burden-sharing issue and ensuring that it receives the proper attention from our European allies?

General BREEDLOVE. Yes. Based on NATO contribution goals and capability targets, most European NATO nations should do more. Non-U.S. NATO allies have considerable aggregate economic strength, with the combined total GDP similar to that of the United States. The problem is that under austerity budgets there is insufficient political will to invest in defense capabilities. I will encourage allies to increase their defense spending so they have the right forces and capabilities required to address the threats of the 21st century. Additionally, I will also ask non-NATO allies to invest in their own armed forces in terms of recruitment, retention, training, and equipping to be able to address the increasingly complex threats we face in common with the professional, highly-trained forces we need.

While I will do all I can to encourage better burden sharing with our European allies, I want to point out progress made thus far on burden sharing. From 2007–2009, nine NATO countries—United Kingdom, France, Spain, Denmark, Norway, Germany, Belgium, Luxembourg, and Greece—exceeded the United States in foreign assistance funding. In 2010, seven European countries—United Kingdom, France, Iceland, Germany, Netherlands, Denmark, and Norway—exceeded the U.S. funding contribution to U.N. peace operations in terms the amount contributed as a percentage of GDP. In 2011, four European NATO Nations (Luxembourg, France, United Kingdom, and Turkey) met or exceeded the 20 percent NATO guideline for defense spending on major equipment. Finally, in 2011, the average of all European NATO nations' spending on major equipment and R&D was 19 percent, as a percentage of defense expenditures. In conclusion, I will do everything in my power to ensure that our allies and partners are ready to meet the challenges of an increasingly complex world.

POLAND

4. Senator SHAHEEN. General Breedlove, the U.S. bilateral security relationship with Poland is crucial. We have seen an increased U.S. presence in Poland through military engagements and a new Patriot missile battery rotation. Can you reiterate for us why Poland is so important for the United States and for regional security?

General BREEDLOVE. Poland has consistently supported U.S. foreign policy, contributing troops to operations in Iraq and Afghanistan. Poland ranks fourth in total force contributions out of 49 partner nations.

Poland's economy is among the strongest in the EU, with 14.9 percent GDP growth since 2008 compared to -0.6 percent decline EU-wide. A constitutionally mandated defense budget of 1.95 percent GDP ensures Poland's defense expenditures grow in line with its economy. Its economic growth, vibrant democracy, demo-

graphic trends, and natural resources all point to a growing role for Poland in the 21st century.

Poland takes seriously its commitment to NATO and has also agreed to host the second U.S. missile defense interceptor site in the 2018 timeframe as part of the U.S. European Phased Adaptive Approach (EPAA) and NATO missile defense.

Poland has announced plans to spend approximately $10 billion to acquire modern integrated air and missile defense systems, which will be interoperable with NATO.

Poland has assumed a leadership position in Central Europe and continues to push for democratization efforts in the Ukraine and Belarus.

Note: The Patriot rotations to Poland ended in November 2012 with the activation of the Aviation Detachment. U.S. European Command (EUCOM) J5 and USAREUR are unaware of any current plans for a new Patriot rotation.

5. Senator SHAHEEN. General Breedlove, missile defense cooperation seems to be an important area of cooperation with Poland—and an area for possible further growth. We have completed the Ballistic Missile Defense (BMD) agreement as part of the EPAA. However, Poland also plans to spend millions of dollars on its own theater missile defense needs. In fact, the modernization of Poland's missile defense program has been identified as one of its top three priorities through 2022. This would seem to be a great opportunity for deeper U.S.-Poland cooperation and for the U.S. defense industry. If confirmed as EUCOM Commander, how will EUCOM assist the Polish Government in their effort to enhance their air and missile defense capability?

General BREEDLOVE. EUCOM participates in a bi-lateral Integrated Air and Missile Defense (IAMD) Working Group with the Polish Ministry of Defense. The primary goal of this working group is to assist in identification of Polish operational requirements leading to selection and development of a Polish national IAMD System compatible with EPAA and interoperable with the developing NATO BMD systems.

U.S. policy, as described in the 2010 Ballistic Missile Defense Review, is to continue to strongly encourage additional allied contributions to NATO Missile Defense.

6. Senator SHAHEEN. General Breedlove, will you work to ensure that the Polish national air and missile defense system is interoperable with NATO's missile defense system?

General BREEDLOVE. Yes. EUCOM continues to advocate for development of a Polish national Integrated Air and Missile Defense system that is both compatible with the EPAA and fully interoperable with the developing NATO BMD systems.

KOSOVO-SERBIA

7. Senator SHAHEEN. General Breedlove, over the last year, we have seen some progress on Serbia-Kosovo relations. However, tensions remain high and miscalculation could result in negative consequences and the possibility of further bloodshed. It is critical that we maintain a focus on this important region so as not to lose the gains we've fought so hard for over the last decade and a half. Can you give us your assessment of the security situation in Kosovo and the need to maintain a troop presence in KFOR [the NATO implementation force in Kosovo] in the coming years?

General BREEDLOVE. I am cautiously optimistic that recent political progress can return rule of law to the disputed Northern Kosovo region. However, I expect periods of civil unrest throughout the long and difficult process of restoring Pristina's authority. In Northern Kosovo, the parallel government is closely connected to organized crime, and has much to lose if and when rule of law and border control is reestablished. U.S. presence in KFOR is vital to maintain KFOR credibility with Kosovo institutions and multi-ethnic populations.

GEORGIA

8. Senator SHAHEEN. General Breedlove, Georgia was promised future NATO membership at the Bucharest Summit; however, since then, the path forward for Georgia has been uncertain. I believe Georgia still has reforms to undertake before it should be considered a NATO member; however, it is important that we offer a clear path forward for them. What is your view on the important role Georgia has played in the fight in Afghanistan?

General BREEDLOVE. Georgia has been a stalwart supporter of NATO operations in Afghanistan, providing eleven infantry battalions to Regional Command-Southwest since 2010, with each battalion comprising approximately 750 soldiers. Georgia

is currently the largest per capita and non-NATO troop contributor to ISAF. In the fall of 2012, Georgia nearly doubled its troop contribution, and now deploys two infantry battalions simultaneously. These Georgian units make up half the infantry force in Helmand Province. They operate without caveats, and have committed these battalions to the ISAF mission through November 2014.

Georgia has suffered 19 soldiers killed and 129 wounded in action. Through it all, reports coming back from Helmand speak of the Georgian's professionalism, bravery, and commitment.

Despite its losses, Georgia stands by the United States and NATO in our efforts in Afghanistan and has already made offers to NATO's post-2014 mission, including combat forces and training and equipment for the Afghan National Security Forces (ANSF). The Georgian Government has also pledged $1.5 million for the first 3 years of the transition period to support the ANSF.

9. Senator SHAHEEN. General Breedlove, how important is it that we remain engaged with the new government in Georgia—particularly with respect to its NATO membership goals?

General BREEDLOVE. It is very important.

The United States has recognized the first successful democratic and peaceful transition of power in Georgia's history. EUCOM will continue our current enhanced security cooperation engagements with the new government based on mutually agreed priorities just as we have done in the past. The new Georgian military leadership has already demonstrated through words and actions, its continued desire for institutional reform and increased transparency.

Through its contributions to missions in Kosovo, Iraq, and Afghanistan, Georgia has demonstrated its value as a coalition partner and future member of NATO. We will continue to work with the new government on critical capacity building and inter-operability projects. To that end, Georgia has one of the most robust Foreign Military Financing programs in EUCOM.

We also continue to move forward on the six engagement areas President Obama and President Saakashvili agreed to in January 2012, which will help the Georgians improve their national defense capabilities. Those are:

- Operational air surveillance/air defense training and education
- Coastal surveillance training and education
- Tactical level train-the-trainer instruction for NCOs and Junior Officers
- Brigade command and staff training and education
- Defensive combat engineer training and education
- Utility helicopter aviation training support

NATO–RUSSIA MISSILE DEFENSE

10. Senator SHAHEEN. General Breedlove, do you anticipate that missile defense could be an area for possible cooperation with the Russians?

General BREEDLOVE. Yes. Missile Defense is one of the six areas of cooperation that NATO pursues with the Russian Federation in the framework of the NATO-Russia Council.

Although there was progress made in the joint analysis of mutual regional threats, progress on NATO-Russia missile defense cooperation remains slow and difficult. Positions on the overarching political issues are entrenched and continue to impede development of the two main strands of practical cooperation, the Joint Analysis for a framework for missile defense cooperation and the resumption of Theatre Missile Defense (TMD) cooperation.

11. Senator SHAHEEN. General Breedlove, specifically, what kinds of cooperative efforts on missile defense are possible and could result in mutual security benefits for NATO and/or Russia?

General BREEDLOVE. In addition to the efforts mentioned in answer to question #10, the NATO-Russia Council (NRC) Missile Defense Working Group has had initial discussions on the two new initiatives proposed in NATO's Chicago declaration establishing joint missile defense centers and developing a transparency regime. However, Russia has rejected development of proposed joint missile defense centers until the political matters of principle are resolved and has indicated that it prefers to hear a detailed NATO proposal on a possible improvement to transparency before engaging.

NATO-RUSSIA RELATIONS

12. Senator SHAHEEN. General Breedlove, what is your goal—should you be confirmed—with respect to the future of the NATO-Russia relationship?

General BREEDLOVE. Since 1991, Russia has been a partner of the North Atlantic Treaty Organization. At times our partnership and cooperation is robust and beneficial to the alliance. In the Balkans, from 1996 to 2003, Russian soldiers conducted joint operations with NATO forces. In 2006 and 2007, Russia deployed ships to the Mediterranean Sea as part of the NATO Operation Active Endeavor, and today we are cooperating in the Gulf of Aden countering piracy. In Afghanistan, we are developing mechanisms for logistic support to the ANSF, while regionally we are cooperating with Russia to develop capacity in the counter narcotics realm. Most recently, during the NATO Foreign Ministerial, the NATO Russia Council agreed to intensify their work together on Afghan National Air Force Aviation training. With these successes, there too have been significant challenges such as missile defense and conventional arms control, which still affect the relationship today.

The NRC is where the 28 allies and Russia meet as equals in a format of 29 nations. This forum provides the framework for consultations on current security issues and practical cooperation in a wide range of areas of common interest.

The NRC is where nations determine the level of military cooperation and develop the NATO-Russia Work Plan. Currently, there are six specific areas of cooperation; Logistics, Combating Terrorism, Search and Rescue at Sea, Counter Piracy, Military Academic Exchanges, and Theater Missile Defense.

We will continue to look for new areas of cooperation which support NATO objectives, develop the capacity for joint action, and which promote operator-to-operator engagement. These efforts will contribute to improving trust as well as create reciprocal transparency and predictability, with the aim of contributing to the establishment of a common space of peace, security, and stability.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

DEFENSE OF ISRAEL AND IRANIAN NUCLEAR PROGRAM

13. Senator INHOFE. General Breedlove, President Obama has repeatedly stated that allowing Iran to acquire a nuclear weapon is unacceptable and must be prevented. Most recently during his trip to Israel the President said, "We will do what is necessary to prevent Iran from getting the world's worst weapons." If the President determines military action is required to stop Iran's acquisition of a nuclear weapon, EUCOM will undoubtedly play a key role in any operation. Do you agree with the President that a nuclear-armed Iran is unacceptable and must be prevented?

General BREEDLOVE. I support the President's policy as stated. Having said that, I also agree with the President and Prime Minister Netanyahu that the preference is to resolve this situation diplomatically. In any case, given the levels of unprecedented coordination and consultation between EUCOM, other U.S. combatant commands, and the Israeli military along with partner nations, EUCOM is prepared to play a key role in any operation.

14. Senator INHOFE. General Breedlove, do you agree with the President that the use of U.S. military force may be necessary to prevent Iran from acquiring a nuclear weapon?

General BREEDLOVE. I agree with the President. When it comes to preventing Iran from acquiring a nuclear weapon, no options should be taken off the table, to include the use of military force. I support the President's position on resolving this issue diplomatically, though Iran should have no doubt about the resolve of the United States and EUCOM's preparedness to be a key player for any contingency should the need arise.

15. Senator INHOFE. General Breedlove, if confirmed, will you ensure the forces under your command are prepared to carry out contingency plans, as ordered by the President, to confront Iran's nuclear program?

General BREEDLOVE. Yes.

16. Senator INHOFE. General Breedlove, do you agree that the United States must maintain a credible threat of the use of force against Iran and that a public conversation that downplays the threat of force is counterproductive and actually raises the potential that force may need to be used?

General BREEDLOVE. The U.S. military must always be prepared to support U.S. policy goals for any contingency whether it be against Iran or any other threat to U.S. security and national interests. EUCOM is postured to maintain a credible threat of the use of force and is prepared to play a key and supporting role in the region when directed.

17. Senator INHOFE. General Breedlove, the United States and Israel hosted the largest ever joint military drill between the two countries this past October. The drill, called Austere Challenge, hosted over 3,500 U.S. personnel in Israel and had been planned for more than 2 years as part of a longstanding agreement between EUCOM and the Israel Defense Force to regularly hold bilateral training exercises regularly. If confirmed, will you support continued joint exercises with our ally, Israel?

General BREEDLOVE. Yes, EUCOM and the Israel Defense Force have a longstanding relationship and combined exercise program that includes seven semi-annual, annual, and biennial exercises: Juniper Cobra, Juniper Falcon, Juniper Stallion, Noble Dina, Noble Melinda, Noble Rose, Noble Shirley, and Reliant Mermaid.

18. Senator INHOFE. General Breedlove, what tangible benefits does the United States derive from these joint exercises with Israel?

General BREEDLOVE. The strategic partner relationship the United States and Israel maintain in the Middle East is vital to stability in the entire region. Tensions throughout the Levant have been on the increase for the last year. EUCOM stands by its valued strategic partnership with Israel and will continue to improve on the bilateral cooperation between the two nations. Combined air defense training exercises are designed to maintain the interoperability between the United States and the Israel Defense Forces (IDF). While driven by the overall situation in the Middle East, joint U.S./IDF exercises do not relate to an individual incident or development. As part of our mission to build partnership capacity, bilateral exercises such as Austere Challenge are conducted on a routine basis. These exercises focus on improving only defensive capabilities, not offensive.

19. Senator INHOFE. General Breedlove, from the Austere Challenge Exercise, what areas do we need to work on to be ready to help defend Israel?

General BREEDLOVE. Following Austere Challenge 12 (AC12), the largest exercise with the Israelis to date, the next logical step is to now maintain the cooperative military capabilities between our two nations. EUCOM's next exercise with the Israel Defense Force is Juniper Cobra 14 (JC14), currently in the early design stage. JC14 will be designed to sustain the level of interoperability established by Austere Challenge 12.

Specific AC12 Lessons Learned/areas to work on and proposed solutions include:

- 6.5 Software. Patriot Post-Deployment Build 6.5 software anomalies were observed in AC12 (debris showing as false targets). EUCOM is working with the Program Office in order to gain Lower Tier Project Office verification.
- Increased Interoperable and Distributed Training. Due to personnel rotations, frequent and robust training is required between the combined U.S.-Israeli team. In addition to the biannual Juniper Cobra exercise, EUCOM is exploring, with the assistance of the Missile Defense Agency, options for distributed monthly and/or quarterly training.

20. Senator INHOFE. General Breedlove, what do you think of the Iron Dome system employed by Israel when the terrorist organization Hamas fired over 1,500 rockets and missiles at the Israeli population in November 2012?

General BREEDLOVE. Iron Dome is Israel's newest operational missile defense system. These Iron Dome batteries provide Israeli population centers, within range of Gaza rockets, with a persistent defensive capability that does not exist with systems such as the Patriot or Arrow missile defense systems. To date, official Israeli reports on Iron Dome weapon system effectiveness show that the system performed very well in combat operations. After the November 2012 conflict, Israeli officials placed the overall system's success rate at 84 percent.

21. Senator INHOFE. General Breedlove, what is your overall assessment of our missile defense cooperation with Israel?

General BREEDLOVE. [Deleted].

ISRAEL, TURKEY, AND REGIONAL STABILITY

22. Senator INHOFE. General Breedlove, over the last few years, Turkey has sought to exclude Israel from joint exercises with the United States and NATO. Do you agree Israel's participation in joint exercises with NATO is beneficial?

General BREEDLOVE. I absolutely agree with the statement that Israel's participation in exercises with NATO is beneficial. I have been concerned by the impact on NATO partnership cooperation activities of Turkey's bilateral dispute with Israel. Israel engages with NATO in the framework of the Mediterranean Dialogue. The Mediterranean Dialogue is one of the few security cooperation venues in the world where Israel can engage in constructive activities with Arab states. Besides Israel and Turkey, the other six members all come from the Arab world (Algeria, Egypt, Jordan, Morocco, Mauritania, and Tunisia). In this sense, NATO serves as a platform which can foster better understanding of issues through such initiatives as the NATO Regional Cooperation Course at the NATO Defense College which has seen attendance by Israeli, Turkish, American, and other NATO officers and diplomats to jointly study security challenges together. Now that Israel and Turkey are working constructively towards resolution of the dispute, I am cautiously hopeful that the resumption of Israel-NATO cooperation will soon extend across the full range of NATO activities that help states within the region address common regional challenges.

23. Senator INHOFE. General Breedlove, should the U.S. military participate in exercises with Turkey if it demands Israel be excluded?

General BREEDLOVE. The improvement of Israeli-Turkish relations is in the best interests of the United States, Israel, Turkey, and the region. EUCOM should stand ready to facilitate those activities that rapidly restore the strength of their relationship including exercises that involve both Turkey and Israel.

24. Senator INHOFE. General Breedlove, what is your assessment of Prime Minister Erdogan's regional ambitions?

General BREEDLOVE. Prime Minister Erdogan's domestic security considerations shape his regional outlook. Turkey's conflict with the Kurdistan Workers' Party is a case in point. This conflict has spanned 3 decades and cost over 40,000 lives. Recently, there has been some progress toward opening a dialogue that may signal a reduction in violence in that struggle, though it is too early to give a clear assessment. But we are supportive of this effort. PM Erdogan appreciates that Turkish power within the region is on the rise, but that Turkey will gain more through economic cooperation with neighbors than through a more aggressive foreign policy. Turkey's economy has outperformed regional economies over the last decade, but Turkey remains dependant on natural gas imports that drive their cooperation with regional exporters, including Russia and Iraq. In the event of some regional exigency, PM Erdogan will remain sensitive to perceptions of Turkey acting unilaterally and generally takes the position that Turkey should act as a part of a coalition.

25. Senator INHOFE. General Breedlove, do you think Turkey's cooperation with EUCOM and NATO on Syria has been adequate?

General BREEDLOVE. As Syria's northern neighbor, Turkey understands the threat, takes it seriously, and is engaged with the international community for support. Turkey is a strong and reliable ally of both the United States and NATO in an unstable region. In response to the Syrian threat, Turkey has requested and welcomed cooperation in a number of areas including combined staff planning and the deployment of Patriot Missiles to defend the Syrian border region. In January, NATO deployed six Patriot Batteries to Turkey's southern border to augment Turkey's air defenses. The United States, Germany, and the Netherlands each contributed two Patriot Batteries to this effort. Over the past year, EUCOM has worked with Turkey to support and enhance its capabilities to respond to various Syrian threats. Several of these efforts have been in support of broader Department of Defense (DOD) and Department of State initiatives, such as counter- and non-proliferation. It is important to note that Turkey is currently home to over 250,000 Syrian refugees, has lost two Air Force pilots to Syrian air defenses, and has sustained multiple cross-border indirect fire incidents due to the Syrian crisis.

26. Senator INHOFE. General Breedlove, what plans does EUCOM or NATO have to secure chemical weapons in Syria if Assad falls and security of Syrian chemical weapons deteriorates to the point where proliferation is possible, if not likely?

General BREEDLOVE. Proliferation of chemical weapons is a very serious matter that could undermine regional stability. Since Syria is in the area of responsibility

of the U.S. Central Command (CENTCOM), I respectfully request this question be referred to that command.

As with U.S. and international involvement in Libya in 2011, a resolution from the U.N. Security Council and agreement among the alliance's 28 members is necessary before NATO assumes a military role in Syria. NATO is prepared, if called upon, to be engaged.

Several NATO countries are working on individual contingency plans for possible military action in Syria. Within individual member countries, discussion regarding options including lethal support, no-fly zones, and arms embargoes are being considered.

That said, given that Israel and Turkey border Syria, EUCOM planners are fully integrated and synchronized with CENTCOM efforts and maintain a strong relationship with our NATO allies.

COUNTER PIRACY

27. Senator INHOFE. General Breedlove, NATO has had success in anti-piracy operations off the Horn of Africa. With expanding oil discoveries in the Atlantic Ocean off of the coast of Western Africa, and drug trafficking that runs from South America through that same area to Europe, do you see the potential need for an anti-piracy mission off of the west coast of Africa? If so, do you envision a potential counter-piracy mission off of the west coast of Africa as a U.S. force, a NATO force, or some combination?

General BREEDLOVE. As a preliminary matter, the Gulf of Guinea is neither in EUCOM nor NATO's Area of Responsibility. I understand that AFRICOM is successfully working with West African nations to assist in the development of their maritime capabilities in order to improve safety and security in the Gulf of Guinea. I believe AFRICOM is in a better position to assess whether Gulf of Guinea states may require additional support.

That said, each region is faced with its own unique root causes of piracy; each will require unique solutions. The strategic environment and imperatives which led to NATO's involvement in the current counter-piracy mission are quite different from that off the coast of West Africa. NATO's mission to counter maritime piracy began in 2008 with the request from the United Nations to provide escorts to U.N. World Food Program vessels transiting through dangerous waters to deliver humanitarian aid to Somalia.

In addition to the threat piracy posed to humanitarian efforts in Africa, there was an internationally recognized threat to the safety of vital sea lines of communication and economic interests off the Horn of Africa and in the Gulf of Aden. This included risks to the safety of one of the busiest and most important maritime routes in the world—the gateway to and from the Suez Canal.

Countering piracy requires a mix of maritime security capabilities, use of best practices by the commercial shipping industry, and rule of law ashore. NATO continues to contribute to international counter-piracy efforts in full accordance with the relevant U.N. Security Council Resolutions relating to Somali-based piracy and with the consent of Somali authorities.

An increase in piracy and maritime crime in the Gulf of Guinea is of growing concern to the maritime community, but lies outside the current area of operations for NATO vessels. Where the counter-piracy mission off the coast of Somalia, a failed state, required an international response, the Gulf of Guinea is lined with sovereign, functioning nations. The United Nations and others have called for nations of West Africa to develop a comprehensive regional anti-piracy strategy for the Gulf of Guinea.

MALI

28. Senator INHOFE. General Breedlove, what type and quantity of air support has been provided to the French in Mali?

General BREEDLOVE. To date, EUCOM's air support to the French has been primarily aerial refueling and airborne ISR. Three KC–135 aircraft were deployed to Spain to provide tanker support to French strike aircraft. One E–8 was deployed to Spain to provide ISR in support of French operations in Mali, and two additional KC–135 aircraft were deployed to support the E–8 ISR missions. To sustain ISR collection, approximately 30 EUCOM personnel were deployed to Niger to support MQ–1 missions. Additionally, EUCOM postured C–130 aircraft to provide strategic inter-theater and intra-theater airlift to AFRICOM, France, and other troop contributing nations from Europe and Africa.

29. Senator INHOFE. General Breedlove, is our extensive support to the French in Mali being leveraged to increase our strategic access to bases, e.g. lily pad bases, in western Africa?

General BREEDLOVE. Respectfully request this question be directed at U.S. Africa Command (AFRICOM). EUCOM's role in supporting French operations in Mali was mainly support to AFRICOM's direct operational support to the French. The French military operations in Africa are providing both a great opportunity to improve our bilateral relationship with France and encouraging the kind of out-of-area capability and initiative that makes France such a valuable U.S. ally. France genuinely appreciates the support we provide and I am sure our combined activities will contribute to expanded access within the region.

30. Senator INHOFE. General Breedlove, with the drawdown of forces in Afghanistan, do you anticipate that we will be able to get more ISR support into Africa given the large number of terrorist threats, such as the Lord's Resistance Army and Joseph Kony, al Qaeda in the Islamic Maghreb, and al Shabaab?

General BREEDLOVE. I respectfully request this question be directed to the U.S. Africa Command.

AFGHANISTAN

31. Senator INHOFE. General Breedlove, what key lessons do you think we must learn from the precipitous draw-down of U.S. troops from Iraq that can be applied to our draw-down in Afghanistan?

General BREEDLOVE. Logistically, the drawdown in Afghanistan presents a different set of challenges than the drawdown in Iraq. While the Iraq drawdown was aided by seaport access and several air hubs, the drawdown in Afghanistan will rely more upon land and air transport. I will work with the alliance to synchronize our several—national redeployment efforts to achieve all available efficiencies—in some cases, finding economies and savings together that we could not achieve separately.

ISAF's primary task has changed from leading a population-centric counter-insurgency campaign to providing Security Force Assistance to the ANSF, as they assume the lead for providing their national security. The key missions of our post-2014 military presence will be focused on training, advising, and assisting ANSF; targeting counterterrorism missions against al Qaeda and its affiliates; and protecting U.S. forces and citizens.

32. Senator INHOFE. General Breedlove, what key capabilities must we maintain in post-2014 Afghanistan?

General BREEDLOVE. Ultimately, Afghans must be able to secure and stabilize their country themselves. Our objective is to develop the capability for Afghans to assume these tasks. Achieving this objective requires a comprehensive program which trains, mentors and advises the ANSF through army and police advisory teams and within the NATO Training Mission-Afghanistan (NTM–A). NTM–A brings together both NATO and national training efforts to develop professional, capable and self-sustaining ANSF.

In parallel with the training and mentoring efforts, ISAF troops are implementing a phased process to facilitate the transfer of full security responsibility to Afghan security forces as their capabilities improve, in keeping with the end of 2014 transition timeline.

The training, advising, and assisting of the ANSF will continue after transition is complete at the end of 2014, when the ISAF mission will end.

NATO has agreed to lead a post-2014 mission focused on continued support to the development of ANSF capacity. Allies and my NATO military staff are currently going through an in-depth review to determine what assets and capabilities will be required post-2014 to maintain the momentum of ANSF development and sustain the progress we have already made. We have not yet reached the point of formally defining the number of forces and required capabilities.

33. Senator INHOFE. General Breedlove, NATO has been transformed by the expeditionary requirements in Afghanistan. After 2014, what will be the driving force to maintain those hard-earned skills and further evolve NATO to be able to meet 21st century threats?

General BREEDLOVE. Alliance forces, along with many non-NATO contributing nations in Afghanistan, have created a synergy of effort and network of lasting partnerships that will benefit our Nation and the alliance long after these deployed forces return home. Lessons learned from 20 years of NATO-led operations, with in-

tegrated, multinational command structures and forces of the many nations working alongside each other day after day, have both enhanced our military interoperability and strengthened the mutual confidence of our forces.

After 2014, NATO is expected to shift its emphasis from operational engagement to operational preparedness. This means NATO will need to remain capable of performing its core tasks—described in its Strategic Concept and of maintaining its forces at a high level of readiness. To help achieve this, allied leaders have set out the goal of "NATO Forces 2020": modern, tightly connected forces that are properly equipped, trained, exercised and led.

The Connected Forces Initiative (CFI) will help ensure that allies can communicate effectively, practice together, and validate and certify their ability to do so. The main requirements of CFI are to maintain NATO's readiness and combat effectiveness through expanded education and training, increased exercises, and better use of technology.

NATO exercises will cover the full spectrum of intensity, promote interoperability and also compensate for the reduced operational experience of forces working together. NATO will build a robust exercise and training program that will underpin the alliance's interoperability in the future. High-intensity, large-scale exercises will provide the demanding scenarios necessary for NATO to retain its "fighting edge." Defense Ministers in February 2013 agreed that the alliance should hold a major live exercise in 2015 and will draw up a comprehensive program of training and exercises for the period 2015–2020.

The NATO Response Force will also play an important role in this context by providing a vehicle both to demonstrate operational readiness and serve as a "test bed" for alliance transformation. It provides a collective approach with a ready, integrated, deployable, effective and efficient military response, through which to show alliance resolve, solidarity, and commitment.

STRATEGIC BENEFITS OF ENGAGEMENT WITH EUROPE

34. Senator INHOFE. General Breedlove, as I said in my opening statement, if recent history is any indicator, any operations we do in Northern Africa and the Middle East will be with Europe and from Europe. Strategic access to key geostrategic terrain as we saw in Libya, and interoperability as we see by the almost 30,000 European troops in Afghanistan, seem compelling reasons to remain engaged in Europe despite today's significant resource constraints. Why do you think we should remain engaged with Europe in light of today's severe budget cuts?

General BREEDLOVE. Our Nation must take care—even as we grapple with significant economic challenges and chart the necessary strategic reorientations—to protect, preserve, and continue evolving our extraordinary partnership with Europe. There are five salient reasons for this. First, Europe is home to most of the world's progressive democracies; nations with which we share the fundamental values that are a critical element in building effective coalitions. Second, with a GDP of $19 trillion—a quarter of the world's economy—and approximately $4 trillion in annual trade with the United States, Europe is key to the U.S. and global economies. Third, the European theater remains critical geostrategic terrain, providing the United States with the global access it needs to conduct worldwide operations and crisis response. Fourth, Europe is the backdrop for NATO, history's most successful and effective alliance, and a vital partner for dealing with the challenges of the 21st century. Fifth, Europe is today a security exporter, possessing many of the most highly trained and technologically advanced militaries in the world. No other region possesses a comparable pool of capable and willing partners able to conduct global operations with the United States.

The United States must remain engaged with Europe because it is a vital enabler for U.S. global reach. The coming decade will be a dynamic one, highlighted by increasing regional challenges and strategically overall U.S. primacy in global affairs would be diminished if we do not remain engaged with Europe. By remaining engaged, EUCOM will maintain relationships and expeditionary capabilities within European militaries that will continue to directly benefit American strategic interests and successfully defend the Homeland forward.

35. Senator INHOFE. General Breedlove, what is the impact of a smaller footprint and reduced resources in Europe on U.S. influence within the NATO organization?

General BREEDLOVE. Despite a smaller footprint and reduced resources, the United States remains the leader of the alliance. Our commitment to a strategic partnership with Europe and global capabilities still provide the unquestioned guarantees of North American and European security. However, preserving U.S. influ-

ence while NATO resets in a post-ISAF environment will require a careful and nuanced approach. In particular, consistency in our messaging and our actions will be an important means of ensuring we retain the trust and confidence of our European allies and partners. This is especially true with regard to the posture of U.S. forces in Europe, our pledge to reinvigorate our participation in the NATO Response Force and rotate battalion task forces to Europe, and our engagement activities with allies and partners. In addition, we will have to find efficiencies through closer collaboration with NATO. For instance, we will have to look for opportunities to do national training exercises in a multi-national NATO framework and better harmonize our bilateral assistance with NATO efforts. Such measures can ensure that the US retains its leadership of NATO even with reduced resources in Europe.

36. Senator INHOFE. General Breedlove, as the percentage of GDP that NATO nations are spending on defense drops from the goal of 2 percent towards an inadequate 1 percent, how do we ensure that Europe will continue to shoulder its share of the global security burden?

General BREEDLOVE. While the European economic crisis continues to drive reduced military spending and force structure decisions among European nations, collectively, our European allies and partners still represent the second largest defense spending block (~$280 billion) in the world (NATO 13 April 2012 Press Release "Financial and Economic Data Relating to NATO Defence" (PR/CP(2012)047–REV1)—ahead of China (~$130 billion/year) and Russia (~$64 billion) (Stockholm International Peace Research Institute, Military Expenditure Database, http://milexdata.sipri.org). So, while it is true that governments continue to make inwardly focused decisions on defense spending—in many cases not achieving the self-imposed NATO 2 percent GDP benchmark—our European allies are still investing in defense, focused on contributing to NATO and preserving the expeditionary capabilities and interoperability that have been developed over the past decade of combat operations with the United States. However, it is of concern that the fiscal environment is driving key allies to undertake decisions that will have a material impact on their capabilities, forces, and ability to conduct future contingency operations. Given the persistent economic challenges and forecasts, our critical European allies and partners will continue to grapple in the coming years to maintain a full suite of interoperable capabilities and a sufficiently-sized, ready force to participate in global contingency operations. We must continue to engage, train, and exercise routinely with these allies and partners to influence and assist them in maintaining readiness and interoperability with U.S. forces. One of the ways we can ensure our allies and partners will be able to continue to shoulder their share of the global security burden is for U.S. forces to participate in combined and joint exercises, and utilize the U.S. Joint Multinational Training Command (Grafenwoehr and Hohenfels), which will build and sustain interoperability among themselves and with U.S. forces.

37. Senator INHOFE. General Breedlove, is the 1206 security assistance program still useful to EUCOM and your current mission?

General BREEDLOVE. Yes. The section 1206 program remains essential to EUCOM's ability to support a successful ISAF transition in 2014 and the post-ISAF train, advise, and assist mission in Afghanistan. European allies and partners remain committed to deploying forces to Afghanistan in 2014 and beyond. The 1206 program enables us to provide willing allies (the NATO accessions of 1999 and 2004) and partners with the specialized equipment and training they need to operate safely and effectively in Afghanistan.

38. Senator INHOFE. General Breedlove, what tangible results have you seen from the significant 1206 investment made over the years?

General BREEDLOVE. The investment of 1206 funding in Europe has produced significant results in the form of deployments of additional ally/partner nation forces to Afghanistan and enhancements in the operational effectiveness, safety, and interoperability of those deployed forces. Examples of supported deployments include nine battalion rotations of Georgian forces to RC-Southwest to support U.S. Marine Corps' forces; Security Force Assistance Teams from Albania and Croatia training ANSF; and contributions of Special Operations Forces from Poland, Romania, Hungary, and the Czech Republic. Perhaps most importantly, the 1206 program has built an enduring NATO-interoperable, expeditionary capability among willing allies and partners that will be available to support future operations.

NUCLEAR WEAPONS REDUCTIONS

39. Senator INHOFE. General Breedlove, prospects for cooperation with Russia on missile defense seem dim. In your opinion, what will it take for Russia to cooperate with the United States on missile defense?

General BREEDLOVE. The Russian distrust of the EPAA stems from their perception that EPAA is a threat to their strategic nuclear deterrent force. In my opinion, our best chance for success is engaging in information sharing and greater transparency measures so that they better understand our approach.

40. Senator INHOFE. General Breedlove, will the administration reduce nuclear weapons in Europe due to budget cuts or as a concession to Russia for a nuclear arms reduction deal?

General BREEDLOVE. NATO and the United States have repeatedly affirmed that U.S. nuclear weapons based in Europe are vital to alliance security and cohesion. The NATO Deterrence and Defense Posture Review, released last year and briefed at the Chicago Summit, states that nuclear weapons are a core component of NATO's overall capabilities for deterrence and defense alongside conventional and missile defense forces. The report also states that as long as nuclear weapons exist, NATO will remain a nuclear alliance. Until the President and NATO both agree on reducing or removing U.S nuclear weapons from Europe, they will remain based there.

41. Senator INHOFE. General Breedlove, what is your assessment of how NATO and the Europeans would react to reductions of nuclear weapons in Europe with or without reciprocal Russian actions?

General BREEDLOVE. My assessment is that they would not react favorably to reductions not agreed to by NATO. The United States and NATO currently agree that U.S. nuclear weapons are a core component of NATO's capabilities for deterrence and defense. Without consultation with and concurrence from NATO on reductions of U.S. nuclear weapons based in Europe, they will remain based there at current strength.

42. Senator INHOFE. General Breedlove, the administration said it seeks to reduce tactical nuclear weapons in any future arms discussions with Russia, but Russia has established the condition that all U.S. tactical nuclear weapons must be removed from Europe. What is your position on whether the United States can or should remove tactical nuclear weapons from Europe in exchange for reductions in Russian weapons?

General BREEDLOVE. We support the administration's policy of basing tactical nuclear weapons in Europe in support of NATO and will continue to support that policy until directed otherwise by the President. Negotiations with Russia and/or NATO to remove U.S. tactical nuclear weapons from Europe are outside our purview.

43. Senator INHOFE. General Breedlove, what is NATO's position?

General BREEDLOVE. (Please see response to question #41). The Strategic Concept reconfirmed that as long as there are nuclear weapons in the world, NATO will remain a nuclear alliance. Deterrence, based on an appropriate mix of nuclear and conventional capabilities, remains a core element of NATO's strategy.

The Deterrence and Defense Posture Review of May 2012 has shown that the alliance's nuclear force posture currently meets the criteria for an effective deterrence and defense posture.

NATO's reduced reliance on nuclear forces has been manifested in steady and very significant reductions in the number of systems, overall weapon numbers and readiness levels since the end of the Cold War.

If there were to be a reduction in nuclear forces, allies agree that the North Atlantic Council (NAC) will task the appropriate committees to develop concepts that allow NATO to reduce its reliance on non-strategic nuclear weapons based in Europe. Additionally, the NAC would delineate what NATO would expect to see in the way or reciprocal Russian actions to allow for significant reductions in forward-based non-strategic nuclear weapons assigned to NATO.

The allies look forward to continuing to develop and exchange transparency and confidence building ideas with the Russia Federation in the NATO-Russia Council, with the goal of developing detailed proposals on and increasing mutual understanding of NATO's and Russia's non-strategic nuclear force postures in Europe. NATO is prepared to consider further reducing its requirement for non-strategic nuclear weapons assigned to the alliance in the context of reciprocal steps by Russia.

In addition, allies support and encourage the United States and the Russian Federation to continue their mutual efforts to promote strategic stability, enhance transparency, and further reduce their nuclear weapons.

44. Senator INHOFE. General Breedlove, has your command, or any other component of the U.S. Government that you know of, examined the feasibility of verifying Russian compliance with an agreement to reduce tactical nuclear weapons?

General BREEDLOVE. Not that I am aware of. We welcome continued efforts to secure an agreement with the Russian Federation that would increase transparency on the size and composition of its tactical nuclear arsenal. The administration is working to initiate, in consultation with NATO allies, negotiations with the Russian Federation on an agreement to secure and reduce tactical nuclear weapon stockpiles of the United States and the Russian Federation in a verifiable manner.

ARTICLE 60 MODIFICATIONS

45. Senator INHOFE. General Breedlove, commanders in the military are given great responsibility, literally over life and death. Decisions they make send men and women into battle where they may die or be severely wounded. This special trust and confidence is given to no other position in our Government. In line with this responsibility, commanders are given the autonomy to discipline, train, and reward their units so that they can establish a cohesive, mission ready unit capable of fighting and winning the Nation's wars. While we trust you with our sons' and daughters' lives, the proposed modifications to Article 60 of the Uniform Code of Military Justice (UCMJ) seem to suggest that we do not trust your discretion when it comes to UCMJ offenses. Do you, as a commander, consider the UCMJ as it is currently structured, to be a viable tool to help you maintain and enhance the cohesiveness and fighting capabilities of your combat units?

General BREEDLOVE. Yes. I believe the UCMJ, as currently structured, provides a tried and true military justice system that works fairly, ensures due process, maintains good order and discipline, and is accountable on and off the battlefield.

The independent authority of the commander to choose a particular course of action and/or disposition is balanced against a deliberate and robust procedural, clemency and appellate framework that provides an accused or convicted servicemember maximum due process rights. The comprehensive range of punitive options provides an effective deterrent against the commission of criminal misconduct, which strengthens unit morale, cohesiveness, and discipline. Current Service policies assist victims and witnesses through the military justice process to ensure all members are treated fairly and appropriately.

The military justice system operates effectively while maintaining the confidence of the force. Of course, part of the trust and confidence in our system is the fact that there is ongoing scrutiny and periodic updates to reflect our changing law and military structure.

46. Senator INHOFE. General Breedlove, have you seen any evidence that commanders are abusing their discretion as the convening authority to adjust sentencing?

General BREEDLOVE. I have seen no evidence that commanders are abusing their discretion as convening authorities to adjust sentencing. In my experience, commanders take this responsibility very seriously.

The fact that I am not aware of any abuse of discretion by convening authorities in adjusting sentencing does not mean there is no benefit in the Department's current scrutiny of the process. In fact, it is actions such as the Secretary's current review of sentencing authorities and the Department's record of making changes when warranted that ensures the continued trust in our laws.

47. Senator INHOFE. General Breedlove, the Secretary of Defense has announced that he intends to recommend changes to the UCMJ. How would the proposed changes to the UCMJ impact your effectiveness as a commander?

General BREEDLOVE. I am aware of and appreciate the Secretary of Defense's open mind and continued close scrutiny to maintain the value of the UCMJ as the most effective, fair, and protective military justice system.

I believe that any change or limitation in the authority or discretion of a convening authority requires careful thought to avoid unintended consequences to the effective administration of military justice. At a minimum, the fair and efficient administration of military justice requires convening authorities to retain the ability to conduct pretrial negotiations, and where appropriate, enter into pretrial agree-

ments that provide limitations on adjudged punishments in exchange for guilty pleas.

The UCMJ is one of the things that makes the U.S. military great. I believe the intent of the Secretary's changes is, in part, to preserve the fairness, transparency, and appropriateness of convening authority actions. This is the very heart of the public trust in this system.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

BENGHAZI

48. Senator CHAMBLISS. General Breedlove, the attack in Benghazi, Libya, on September 11, 2012, highlighted several failures in our Nation's ability to respond effectively and timely to situations that threaten the lives of our citizens and interests within the region. You had command authority over the EUCOM-assigned air forces tasked with supporting the U.S. Africa Command (AFRICOM) area of responsibility. Could you describe in detail, the timeline and sequence of events for U.S. Air Forces, Europe in response to the Benghazi attack that resulted in the deaths of four Americans, to include U.S. Ambassador Chris Stevens?

General BREEDLOVE. The timeline below reflects the response to the Benghazi incident from the air component perspective. The timeline includes the U.S. Air Forces in Europe and the U.S. Air Forces Africa response from the time of the actual Benghazi incident.

Tuesday, September 11, 2012
GMT // EET

1942 // 2142	**Incident starts at the facility in Benghazi.**
1959 // 2159	**An unarmed, unmanned, surveillance aircraft is directed to reposition overhead the Benghazi facility.**
2111 // 2311	**Diverted surveillance aircraft arrives on station over Benghazi facility.**

Wednesday, September 12, 2012
GMT // EET

0132 // 0332	**USAFE Battle Watch receives notification from AFRICOM Joint Operations Center (JOC) that the consulate in Benghazi has been attacked. AFRICOM JOC reports the US Ambassador as Missing.**
0200 // 0400	**USAFE cancels all pre-planned airlift missions for potential retasking. USAFE recalls all C-130J airlift aircrew, waives crew rest, and places maximum number of crews available on 3-hour alert. Aircraft are re-configured, defensive measures loaded, and fueled to support airlift of SOF and FAST in support of Libya operations.**

Wednesday, September 12, 2012 (cont.)
GMT // EET

0300 // 0500	**Second, unmanned, unarmed surveillance aircraft is directed to relieve the initial assets still over Benghazi.**
0405 // 0605	**AFRICOM requests a TRANSCOM C-17 aircraft on CENTCOM Aeromedical alert in Germany to prepare to deploy to Libya to evacuate Americans.**
~0430//0630	**USAFE AIR OPERATIONS CENTER (AOC) receives update on Benghazi situation from AFRICOM and is queried about providing fighter aircraft for Libya support. Close Air Support planners recalled to AOC.**
~0440//0640	**USAFE/AFAF Staff directs AOC to have USAFE Fighter Wing (Italy) to prepare 6 F-16s for Libya operations/support.**
0509 // 0709	**USAFE C-130J (HERKY 803) departs Ramstein, Germany to support movement of EUCOM special operations force and equipment from Stuttgart, Germany to NAS Sigonella, Italy.**
0611 // 0811	**USAFE C-130J (HERKY 656) departs Ramstein, Germany to support movement of USMC FAST platoon and associated equipment from NAS Rota, Spain to Tripoli, Libya.**
0742 // 0942	**USAFE C-130J departs (HERKY 655) Spangdahlem, Germany for movement of USMC FAST platoon and associated equipment from NAS Rota, Spain to Tripoli, Libya.**
0900 // 1100	**USAFE Battle Staff stood up and began conducting 24-hour operations.**
1108 // 1308	**USAFE/CV provides COMUSAFE's written guidance for USAFE fighter generation and heightened alert status: Italy – 4 fighter aircraft generated with 2 on alert; Germany – 4 fighter aircraft generated with 2 on alert; United Kingdom – 4 fighter aircraft generated, 2 on alert.**
1114 // 1314	**USAFE C-130J (HERKY 858) departs Ramstein, Germany to support movement of EUCOM special operations force and equipment from Stuttgart, Germany to NAS Sigonella, Italy.**
1120 // 1320	**USAFE C-130J (LION 435) departs Ramstein, Germany en route Tripoli, Libya as back-up to C-17 evacuation mission (with 3-person airfield security team).**

Wednesday, September 12, 2012 (cont.)
GMT // EET

1214 // 1414	**TRANSCOM Aeromedical Evacuation Alert (ISO CENTCOM Alert) C-17 departs Ramstein, Germany en route to Tripoli, Libya to evacuate Americans.**
1635//1835	**USAFE C-130Js (HERKY 803 ATA 1110Z / HERKY /858 ATA 1635Z) carrying EUCOM special operations forces, and associated equipment, arrive at an intermediate staging base in southern Europe.**
1717 // 1917	**C-17 departs Tripoli en route Ramstein, Germany, with American personnel and the remains of Ambassador Stevens, Sean Smith, Tyrone Woods, and Glen Doherty.**
1757//1957	**EUCOM special operations force, and associated equipment, arrives at an intermediate staging base in southern Europe.**
1802//2002	**USAFE C-130Js (HERKY 656 ATA 1802Z / HERKY 655 ATA 1855Z) carrying the FAST platoon and associated equipment, arrives in Tripoli.**
2019 // 2219	**Repatriation C-17 arrives in Ramstein, Germany.**

49. Senator CHAMBLISS. General Breedlove, if confirmed, what changes to force structure and alert posture in Europe are necessary to respond more effectively to a future Benghazi-like event?

General BREEDLOVE. I am satisfied with EUCOM's actions with regard to our alert forces post-Benghazi. I intend to continue the ongoing efforts to adapt and refine EUCOM forces and alert postures which will enable us to effectively and expeditiously respond to the increasingly dangerous global security atmosphere characterized as the "new normal".

In the last 6 months, EUCOM has worked aggressively to provide scalable, rapidly deployable, special operations and security forces to protect and preserve U.S. personnel and facilities in the event of regional unrest. These forces maintain sufficient depth and flexibility to deliver a variety of pre- and post-crisis response options in both the EUCOM and AFRICOM areas of responsibility (AORs). EUCOM coordinates weekly with the Joint Staff and AFRICOM to evaluate potential indications and warnings, and adjusts force postures if required. To date, EUCOM has modified force structure and alert posture 14 times in response to changing strategic events.

Currently, EUCOM continues its efforts to transform the post-Benghazi response force construct into a flexible and scalable set of options. We continue to provide basing and access to AFRICOM response forces, and we are significantly increasing those capabilities within our theater. EUCOM recently coordinated with Spain to host U.S. Marine Corps forces to support AFRICOM crisis response missions, and we are already receiving the first wave of marines. We are in the process of transferring additional security teams and combat enablers to AFRICOM before 01 June 2013. EUCOM's U.S. Army component has developed a scalable contingency force with robust augmentation capabilities for rapid deployment anywhere in the EUCOM theater. This new contingency response force will be ready for employment prior to 01 June 2013.

As we look to the future, EUCOM will continue to collaborate with the Joint Staff, adjacent combatant commands, and U.S. Government agencies to review threats, intelligence products, and other indications/warnings that would potentially require crisis response forces. We will continue to mitigate risk by maintaining adaptive force structure and alert posture within our own forces, and request assistance where required. Finally, we will continue our efforts to build and preserve existing strategic partnerships which are vital in providing basing and access. These efforts are crucial to facilitating rapid response of U.S. forces and enablers.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

RUSSIA RESET

50. Senator AYOTTE. General Breedlove, is the Putin Government in full compliance with all existing arms control agreements with the United States?

General BREEDLOVE. Since EUCOM does not participate in the verification process for arms control treaties, I would refer you to the President's annual report, submitted through the Department of State, on "Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments" required by section 403 of the Arms Control and Disarmament Act, as amended (22 U.S.C 2593a).

SANCTIONS ON IRAN

51. Senator AYOTTE. General Breedlove, would you agree that Iran's missile development program and effort to acquire a nuclear weapons capability threaten not only U.S. national security, but also the national security of our allies in Israel and Europe?

General BREEDLOVE. I do agree with that assessment.

52. Senator AYOTTE. General Breedlove, do you share President Obama's assessment that U.S. and international sanctions should be utilized to the fullest extent to persuade Iran to halt its nuclear weapons program?

General BREEDLOVE. I do.

53. Senator AYOTTE. General Breedlove, the United States has implemented full sanctions against Iran Air and Mahan Air, but the European Commission has not implemented full sanctions. These airlines have facilitated the illicit activities of the Islamic Revolutionary Guard Corps (IRGC) through their transport of IRGC operatives, arms shipments, and funds. Additionally, these two airlines have ferried weapons from Iran to Bashar al Assad's regime in Syria. These shipments have enabled Assad to continue his slaughter of the Syrian people. Are you aware of the activities of Iran Air and Mahan Air?

General BREEDLOVE. I am aware that in October 2011, the U.S. Department of Treasury designated the Iranian commercial airline Mahan Air as a specially designated terrorist entity pursuant to E.O. 13224 for providing financial, material, and technological support to the Islamic Revolutionary Guard Corps-Qods Force (IRGC–QF). IRGC–QF uses Mahan Air to ship arms, transfer funds, and ferry personnel. Mahan Air also has provided transportation services to Lebanese Hezbollah, transporting personnel, weapons, and goods on behalf of Hezbollah.

I am also aware that Iran Air was designated in June 2011 pursuant to E.O. 13382 for providing support and services to Iran's Ministry of Defense Armed Forces Logistics, Iran's Aerospace Industries Organization, and the IRGC. Iran Air has transported rockets and missiles via passenger aircraft, and IRGC officers occasionally take control of Iran Air flights carrying sensitive IRGC-related cargo.

In September 2012, Treasury identified as blocked property 117 aircraft operated by Iran Air, Mahan Air, or Yas Air (another designated Iranian cargo airline) to disrupt the flow of weapons and communications equipment to the Syrian regime. Iran has used Iran Air and Mahan Air flights between Tehran and Damascus to send military and crowd control equipment to the Syrian regime, in coordination with Lebanese Hizballah. Iran has used deceptive measures when shipping illicit materials to Syria, by using a combination of passenger and cargo flights and declaring illicit cargo as humanitarian and other licit goods.

The EU has not implemented full sanctions on Iran Air or Mahan Air, but many Western European airports refuse Iran Air refueling services, forcing Iran Air to terminate several European routes.

54. Senator AYOTTE. General Breedlove, are you aware that some of the international destinations of these airlines include European cities?

General BREEDLOVE. Yes. Although Iran Air has terminated several European routes due to some Western European airports refusing refueling services, I am aware that as of April 2013, Iran Air still flies to European destinations in Austria, Azerbaijan, Denmark, France, Italy, Germany, Netherlands, Sweden, Turkey, and the UK. I am also aware that Mahan Air still has routes to European destinations in Cyprus, Germany, and Turkey.

55. Senator AYOTTE. General Breedlove, if confirmed, will you work with the State Department to encourage our European allies to increase even further their sanctions against Iran?

General BREEDLOVE. I will. At the same time, I will make sure that I am supporting the State Department's lead and remaining strictly within my role as a military leader.

56. Senator AYOTTE. General Breedlove, will you look specifically at this issue related to Iran Air and Mahan Air?

General BREEDLOVE. I will look specifically at Iran and Mahan Air, and will continue EUCOM engagement with U.S. intelligence and interagency partners on this issue, to monitor the illicit activities of Iran Air and Mahan Air as well as other Iranian airlines that facilitate Iran's illicit activities.

VALUE OF U.S. MILITARY FORCES IN EUROPE

57. Senator AYOTTE. General Breedlove, in light of the rebalance to Asia and our Nation's budget crisis, how would you respond to those who argue that the United States can't afford to maintain a significant U.S. military presence in Europe and should dramatically reduce or even eliminate the U.S. military presence there?

General BREEDLOVE. We recognize the challenges of the fiscal environment and, in accordance with the Defense Strategic Guidance, continue to consolidate our installations and seek additional efficiencies in U.S. overseas posture while maintaining the necessary capacity to meet our mission requirements.

Why Europe? First, Europe is home to most of the world's liberal democracies, with which we share fundamental values, a critical element to building coalitions. Second, Europe's importance to the U.S. and global economy cannot be overstated. Its $19.2 trillion total gross domestic product accounts for approximately 25 percent of the global economy with $3.9 trillion in annual trade between the United States and Europe. Third, the European theater represents critical strategic terrain, providing the global access needed for rapid crisis response by four U.S. combatant commanders. Fourth, the EUCOM theater is home to NATO, history's most successful alliance and essential to our ability to meet the challenges of the 21st century. Fifth, Europe is a security provider vice consumer, contributing over 50,000 personnel to NATO and U.N. operations worldwide and spending approximately $280 billion on defense (second only to the United States and well ahead of China and Russia). No other region possesses a comparable pool of willing and capable allies and partners for the United States for conducting global operations.

We will continue to advocate for a deliberate and balanced approach to posture in Europe to ensure that future changes meet minimum requirements to conduct U.S. contingency operations, support U.S. global strategic access, and meet our NATO commitments.

58. Senator AYOTTE. General Breedlove, from the perspective of U.S. interests, what is the value of retaining a significant U.S. military presence in Europe?

General BREEDLOVE. DOD's strategic approach to defense posture is to maintain a forward posture that promotes U.S. strategic interests by being either essential to U.S. security, or providing geopolitical advantages, such as stronger bilateral or multilateral political, economic, or cultural ties. This inclination to maintain a forward presence is further supported by the following principles:

(1) First, in an era of resource constraints, the United States cannot effectively manage global security challenges on its own. The presence of U.S. military forces overseas can be a powerful catalyst for promoting multilateral approaches and regional security architectures that serve both U.S. and partner states' interests.
(2) Second, the long-term presence of U.S. forces abroad reassures allies and partners of our commitment to mutual security relationships, generates enduring trust and goodwill with host nations, and increases regional and cultural expertise in the force. The United States cannot simply "surge" trust and relationships on demand.
(3) Third, our defense posture must balance the benefits of an overseas presence that assures allies and partners of our commitments, with the need for flexibility to respond to contingencies, emerging threats, and global security needs in distant theaters. These are not mutually exclusive aims. In fact, reducing U.S. presence in a region to increase flexibility for global deployments may have a perverse effect; it may weaken U.S. relationships with host nations and lessen their willingness to receive surge U.S. forces during a crisis.

Forces stationed overseas provide greater utility by 'doing' almost everything CONUS based forces 'do' except contribute to a local community's economic viability. However, these overseas forces also demonstrate U.S. commitment to our allies; assure, deter, and dissuade; provide increased flexibility and responsiveness; enhance U.S. access into and through the European theater; help justify the U.S. leadership role in NATO; provide multi-national training opportunities; offer exposure to and awareness of culture differences; and reduce stress on the rotational force by being on-station.

TURKEY

59. Senator AYOTTE. General Breedlove, how do you assess Turkey's role in NATO?

General BREEDLOVE. Turkey, with the second largest body of military manpower, after that of the United States, has been a steadfast ally and member of NATO since 1952. Turkey has been a major provider of forces and capabilities for NATO-led operations and has made substantial contributions to the NATO Response Force.

Its strategic geographic position on the alliance's southern flank supports NATO interests in the Black Sea and Eastern Mediterranean regions. In addition to access to sites for forward deployment in support of U.S. and alliance operations, Turkey has hosted a variety of NATO military headquarters since 1952. Today, it is host to the only Land Component headquarters in NATO's integrated military Command Structure in Izmir. Turkey, additionally, serves as the framework nation for a NATO Rapid Deployable Corps (NRDC) headquarters in Istanbul, which could be deployed on short notice in support of alliance operations. Turkey sponsors a NATO-accredited Center of Excellence for Defense against Terrorism in Ankara as well as a Partnership for Peace Training Center, which was established in an effort to contribute to the training and interoperability efforts of NATO's partner nations. Turkey is also host to an AN/TPY–2 early warning radar which is an essential component of Phase 1 of the EPAA to Missile Defense and an integral part of NATO's Missile Defense architecture. This radar serves as a U.S. contribution to NATO Missile Defense, as agreed at the 2010 Lisbon Summit.

60. Senator AYOTTE. General Breedlove, what has been Turkey's role in Afghanistan?

General BREEDLOVE. In the words of William Holbrooke at the NATO Defense Ministers meeting, "I can think of no other country in the ISAF alliance that has a role that is more important than Turkey's in terms of operations in Afghanistan." Today, Turkey has a wide ranging and critical role in Afghanistan. This is in part due to the rich and enduring relationship that Turkey established with the newly independent Afghanistan in 1921, and which Turkey has maintained largely uninterrupted for decades. Turkey clearly plays an enduring and critical part, both as a NATO member with a troop contingent in ISAF, but also in a broader sense through its engagement in international cooperation and development with projects focused on alleviating conditions which are systemic drivers of conflict. In these areas, Turkey has focused on education, health, and infrastructure development to improve the Afghan quality of life. Within the NATO context, Turkey has commanded Regional Command-Capital three times. Turkey has also provided the NATO Senior Civilian Representative in Afghanistan twice. It has contributed two Provincial Reconstruction teams and today has more than 1,000 troops deployed as part of ISAF. Turkey's role will remain critical in the future precisely because of its unique place in the Muslim world, its longstanding NATO membership, and its historical and sustained connection with Afghanistan.

61. Senator AYOTTE. General Breedlove, can you give me an update on our military relationship with Turkey?

General BREEDLOVE. The bilateral military relationship with Turkey is strong and coordination has improved over the last year. Events in Syria, though tragic, have provided opportunities for closer cooperation in prudent planning in which our military staffs are working directly with one another. Turkey has also been a valuable ally that has been instrumental in the expansion of the EPAA to missile defense by hosting a radar installation at Kürecik. Despite today's hard fiscal realities, both nations' militaries are preserving optimum opportunities for engagement and exchanges that help us to share common experiences and understand one another's priorities and objectives. Turkey's involvement in security cooperation is as deep as their operational commitment. Turkey spent $8.5 billion on Foreign Military Sales with the United States last year. This is a very high level of spending, but it is tend-

ing to decrease as Turkey establishes more domestic ability to produce its own equipment and weapons systems. Turkey manages International Military Education and Training (IMET) very efficiently, covering all expenses for their students and applying IMET funds only to the cost of educating their servicemembers. As a result, Turkey sent almost 400 students to American military schools and programs under the IMET program last year, more than any other ally or partner.

62. Senator AYOTTE. General Breedlove, what is the relationship between Turkey and Iran?

General BREEDLOVE. The Turkey-Iran relationship is multifaceted including issues of energy, trade, cultural, and politico-security cooperation. Iran is Turkey's second largest supplier of natural gas and Ankara relies on Iranian oil for its own consumption. Turkey and Iran also have a shared concern with Kurdish separatism—to include some limited intelligence sharing and joint security operations—and a common interest in avoiding another wide-scale military confrontation in the region. However, opposing positions on Syria (Ankara supports the Opposition while Tehran supports the Regime), Turkey hosting the NATO ballistic missile defense radar, and Turkey's adherence to U.S.-European Union sanctions on Iran has resulted in some chilling of ties.

63. Senator AYOTTE. General Breedlove, how does Turkey view Iran's nuclear program?

General BREEDLOVE. Ankara continues its public support for Tehran's nuclear ambitions, which Turkey views as Iran's right to seek peaceful nuclear technology, and disagrees with sanctions as a means to force Tehran into compliance. However, Ankara has said it does not support Tehran possessing nuclear weapons. Ankara will use its influence with Tehran to pressure acceptance to the offer from the International Atomic Energy Agency (IAEA) under which Tehran would transfer all of its 20 percent-enriched uranium (which lies at the dividing line between low-enriched uranium and highly-enriched uranium) to a third country under IAEA custody. While Ankara has not officially adopted U.S.-European Union sanctions as policy, it recognizes its responsibility to comply.

With respect to Turkey's reaction to a strike on Iranian nuclear facilities, analyses indicate that Turkey would react harshly against any military strike against Iranian nuclear facilities as Ankara has consistently opposed, both publicly and privately, military action against Iran. Officially, the Turkish military is also opposed to a strike, believing the consequences would be "disastrous," and a broad consensus of Turkish intellectuals view a nuclear-armed Iran as the second worst outcome for the region, behind an attack against Iran's nuclear facilities.

64. Senator AYOTTE. General Breedlove, how do you believe Turkey would respond if Iran acquires a nuclear weapons capability?

General BREEDLOVE. Ankara has repeatedly stated it will not accept any neighbor possessing any weapons that it does not possess, particularly nuclear weaponry. However, Turkey is unlikely to take any unilateral action against Iran absent provocation. Ankara will likely demand proof of claims—beyond assertions by Israeli officials—that Tehran has developed nuclear weapons capability. If Ankara accepts the evidence as substantiating the claims, we expect the reaction to be measured based on Tehran's stance. At present, Turkey relies heavily on Iranian oil and gas for Turkey's own consumption; until there is a reliable and affordable alternative source, Ankara will be hard pressed to risk damaging energy relations.

- Ankara would likely issue public statements condemning the development of nuclear weapons and would highlight the additional instability to the region.
- Ankara would likely recall its Ambassador to Tehran for "consultations," but would not completely sever diplomatic relations. Expelling Iranian officials is also a possible option, but would likely only impact lower secretarial positions.
- Ankara would probably support a United Nations Security Council/General Assembly resolution condemning the activity.
- Militarily, we would not expect to see any shifting of Turkish forces or equipment to the shared border with Iran. However, Ankara may seek additional NATO assurances of protection given Turkey's hosting of the ballistic missile defense radar.
- Ankara may create its own sanctions targeting existing bilateral relations such as limits on gold imports, or further reducing imports of oil.

65. Senator AYOTTE. General Breedlove, what is your assessment of the current relationship between Turkey and Israel?

General BREEDLOVE. Turkish-Israeli relations have been strained for several years, declining since at least 2009 and stressed further following the deaths of nine Turkish citizens resulting from Israel's May 2010 interdiction of the Turkish M/V MAVI MARMARA. Since Israel's extension of the apology to Turkey for the incident, the two countries have entered into a discussion on the exchange of Defense Attaches. Any further progress at this time is likely to depend on the outcome of the reparations discussions. A draft compensation agreement was reached between the two countries on May 7, 2013, but a formal settlement has not yet been reached.

66. Senator AYOTTE. General Breedlove, how important is the bilateral relationship between Turkey and Israel?

General BREEDLOVE. A strong bilateral relationship between Turkey and Israel is key to advancing stability in the region and could provide more support for reinvigorating the Middle East peace process. For NATO and the United States, warm relations between Turkey and Israel also open the door for more NATO-Israel engagement-which Turkey has the ability to veto at the present time. From the U.S. perspective, a strong relationship between two allies removes roadblocks to advancing U.S. policies in the region and restarting some suspended multilateral military training opportunities.

EUROPEAN DEFENSE SPENDING

67. Senator AYOTTE. General Breedlove, NATO countries agree to spend at least 2 percent of their GDP on defense. Yet, many European countries do not honor this commitment. For example, Spain has averaged 1.1 percent defense spending over the last few years. How does this low defense spending in many European countries impact their military capabilities, as well as their ability to operate effectively with U.S. forces?

General BREEDLOVE. The continued European focus on austerity measures in response to the economic crisis has forced painful military spending decisions on many countries. Collectively, our European allies and partners still represent the second largest defense spending block (~$280 billion) in the world—ahead of China (~$130 billion/year) and Russia (~$64 billion). So, while it is true that governments continue to make tough choices on defense spending, our European allies are still contributing to NATO and attempting to preserve the expeditionary capabilities and interoperability that have been developed over the past decade of combat operations. Despite limited resourcing, European partners have made other significant contributions to security. In 2010, seven European countries (United Kingdom (1.54 percent), France (1.36 percent), Iceland (1.22 percent), Germany (1.2 percent), Netherlands (1.17 percent), Denmark (1.15 percent), and Norway (1.04 percent)) exceeded the U.S. funding contribution to U.N. peace operations by percent of GDP (which was .97 percent). I am concerned about the future military capabilities of our allies and partners given current levels of defense spending. A disproportionate amount of the spending cuts are from research, development and acquisition. These impacts not only effect current readiness, but potentially create a growing capability gap which will only be partially offset by NATO Smart Defense and European pooling and sharing efforts. This is a real challenge that will require serious effort and attention to address over the next few years. Since the Europeans represent our most reliable and capable security partners, it has a profound impact on our ability to address challenges as we also contend with reduced defense spending. In terms of European forces operating effectively alongside the United States, I am slightly more optimistic. While we will face a capability and capacity gap, there is real potential to maintain interoperable forces through the NATO Connected Forces Initiative. If we invest the time and resources to exercise and train with our allies and partners, I am confident we can preserve our hard won interoperability gains earned from 10 years of shared sacrifice in places like Afghanistan. The U.S. Joint Multinational Readiness Center (Hohenfels) and Joint Multinational Training Center (Grafenwoehr), and the U.S. Air Force Warrior Preparation Center (Miesenbach) will be crucial to this effort.

68. Senator AYOTTE. General Breedlove, what role could you play in encouraging our defense partners to devote more of their resources to defense spending?

General BREEDLOVE. In both my capacities as Supreme Allied Commander Europe and as Commander, EUCOM, I have a responsibility and active interest to ensure that our most reliable, capable and willing partners are prepared and ready to ad-

dress the full range of 21st century challenges. The decision to devote more resources to defense spending will be a political one. But the role I can play, as part of a network of defense professionals, is to inform the political debate by identifying the requirements and the risks imposed by a failure to adequately invest in defense. Using both offices, I will engage with key leaders to argue for holding the line on defense spending, push within NATO to support the acquisition of critical capabilities, and ensure that the EUCOM steady state engagement and country cooperation plans focus on encouraging the appropriate resources are devoted to building the required capabilities. Additionally, as NATO nations begin to develop efficiencies through Smart Defense, it will be crucial to ensure these efficiencies are reinvested in defense and not simply used to justify further defense budget cuts. Finally, through key leader engagements, supporting regional approaches, and building and resourcing capabilities, I can help make the right arguments to support European Defense Chiefs and Ministers in order to sway political leaders to continue to invest in defense. In this capacity, I will also respectfully ask Members of Congress to continue to engage with European and Canadian counterparts through such mechanisms as the NATO Parliamentary Assembly to also help influence our partners and allies to make responsible decisions involving their security and examine alternative approaches to austerity in order to ensure their economic future.

PERSONNEL

69. Senator AYOTTE. General Breedlove, to what extent does EUCOM rely on DOD civilians and contractors to fulfill EUCOM's responsibilities?

General BREEDLOVE. Within the EUCOM headquarters, civilians and contractors make up nearly 55 percent of the assigned strength. They are an integral part of the command that provide invaluable contributions daily in support of the EUCOM mission.

70. Senator AYOTTE. General Breedlove, how has sequestration affected the civilian contractors and DOD civilians working at EUCOM, and how has that affected EUCOM's ability to perform its missions?

General BREEDLOVE. The effects of sequestration are many and are substantial. Currently, EUCOM has had to enforce a civilian hiring freeze which has severely hindered the command's ability to recruit and fill vacancies. Additionally, the command's ability to augment exercise and contingency operations with approving overtime for civilians and contractors has been eliminated. The effects throughout the command with respect to employee satisfaction and morale have also been significant as employees are distracted by the concern over stability, job security, and potential financial hardship.

71. Senator AYOTTE. General Breedlove, to what extent does EUCOM utilize personnel from its Reserve component to support EUCOM's work?

General BREEDLOVE. EUCOM currently has 1,066 Reserve component positions with reservists assigned. These personnel are mobilization assets who support EUCOM during their 2 weeks of Annual Training each year. Additionally, EUCOM augments the Active Duty staff with reservists on 1 year Active Duty orders. There are 135 Reserve component personnel at the EUCOM headquarters and the Joint Analysis Center on 1 year Active Duty orders.

72. Senator AYOTTE. General Breedlove, is the use of Reserve personnel the most cost efficient method to support surges in demand for personnel at EUCOM and to make up for temporary reductions in the civilian and contractor workforce at EUCOM, such as those caused by sequestration?

General BREEDLOVE. Reserve component personnel provide a valued resource in terms of experience and depth when augmenting the EUCOM staff during surge or contingency operations. Many Reserve component personnel have expertise currently not resident on the staff and are effective stop-gap measures for temporary surges and limited contingencies, or until Active component personnel can be obtained.

73. Senator AYOTTE. General Breedlove, is annual training in Europe for EUCOM reservists critical to maintaining their proficiency and ability to seamlessly integrate into EUCOM's staff?

General BREEDLOVE. Yes. The training value that our reservists receive when conducting Annual Training in Europe cannot be replicated in CONUS. Virtual means of staying "connected" across the Atlantic with the headquarters are useful tools—

especially throughout the year, but by themselves do not provide the required level of proficiency in EUCOM HQs operations. Staff process training can only be fully addressed when in situ, making them fully capable in times of crises and support.

74. Senator AYOTTE. General Breedlove, will EUCOM continue to facilitate annual training in Europe for EUCOM reservists and utilize them as a cost-efficient means to cope with fluctuating personnel demands so that EUCOM can fulfill its vital national security-related missions?

General BREEDLOVE. EUCOM will continue to facilitate that training. Annual training in Europe for our reservists is an enabler for the command and provides a key capability that can be employed in contingency and surge operations.

EUCOM will also continue to use reservists to meet its fluctuating personnel demands.

[The nomination reference of Gen. Philip M. Breedlove, USAF, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
April 8, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment in the U.S. Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be General.

Gen. Philip M. Breedlove, USAF, 5587.

[The biographical sketch of Gen. Philip M. Breedlove, USAF, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF GEN. PHILIP M. BREEDLOVE, USAF

Gen. Philip M. Breedlove is Commander, U.S. Air Forces in Europe; Commander, U.S. Air Forces Africa; Commander, Air Component Command, Ramstein; and Director, Joint Air Power Competence Centre, Kalkar, Germany. He is responsible for Air Force activities, conducted through 3rd Air Force, in an area of operations covering more than 19 million square miles. This area includes 105 countries in Europe, Africa, Asia and the Middle East, and the Arctic and Atlantic oceans, and possesses more than a quarter of the world's population and generates more than a quarter of the world's gross domestic product.

General Breedlove was raised in Forest Park, GA, and was commissioned in 1977 as a distinguished graduate of Georgia Tech's ROTC program. He has been assigned to numerous operational, command and staff positions, and has completed nine overseas tours, including two remote tours. He has commanded a fighter squadron, an operations group, three fighter wings, and a numbered air force. Additionally, he has served as operations officer in the Pacific Command Division on the Joint Staff; executive officer to the Commander of Headquarters Air Combat Command; the senior military assistant to the Secretary of the Air Force; and Vice Director for Strategic Plans and Policy on the Joint Staff.

Prior to assuming his current position, General Breedlove served Vice Chief of Staff of the U.S. Air Force, Washington, DC. As Vice Chief, he presided over the Air Staff and served as a member of the Joint Chiefs of Staff Requirements Oversight Council and Deputy Advisory Working Group. He assisted the Chief of Staff with organizing, training, and equipping of 680,000 Active Duty, Guard, Reserve and civilian forces serving in the United States and overseas. General Breedlove has flown combat missions in Operation Joint Forge/Joint Guardian. He is a command pilot with 3,500 flying hours, primarily in the F–16.

Education:

1977 - Bachelor's degree in civil engineering, Georgia Institute of Technology.

1982 - Distinguished graduate, Squadron Officer School, Maxwell Air Force Base (AFB), AL.

1991 - Distinguished graduate, Air Command and Staff College, Maxwell Air Force Base, AL.

1991 - Master of Science degree in aeronautical technology, Arizona State University.

1995 - Master's degree in national security studies, National War College, Fort Lesley J. McNair, Washington, DC.

2002 - Fellow, Massachusetts Institute of Technology Seminar XXI, Washington, DC.

Assignments:

From	To	Assignment
March 1978	March 1979	Student, undergraduate pilot training, Williams AFB, AZ.
March 1979	August 1979	Pilot instructor training, Randolph AFB, TX.
August 1979	January 1983	T–37 instructor pilot, evaluation flight examiner and runway supervisory unit controller, Williams AFB, AZ.
January 1983	September 1983	F–16 student pilot, MacDill AFB, FL.
September 1983	January 1985	F–16 aircraft commander and instructor pilot, 614th Tactical Fighter Squadron, Torrejon AB, Spain.
January 1985	March 1987	Air liaison officer, 602nd Air Support Operations Group, Kitzingen AB, West Germany.
March 1987	January 1988	F–16 pilot, 526th Tactical Fighter Squadron, Ramstein AB, West Germany.
January 1988	August 1988	Chief of Flight Safety, 316th Air Division, Ramstein AB, West Germany.
August 1988	August 1990	F–16 flight commander, then assistant operations officer, 512th Tactical Fighter Squadron, Ramstein AB, Germany.
August 1990	July 1991	Student, Air Command and Staff College, Maxwell AFB, AL.
July 1991	May 1993	Chief of Air Operations, United Nations Command and Republic of Korea/U.S. Combined Forces Command, Yongsan Army Garrison, South Korea.
May 1993	July 1994	Commander, 80th Fighter Squadron, Kunsan AB, South Korea.
July 1994	June 1995	Student, National War College, Fort Lesley J. McNair, Washington, DC.
June 1995	July 1997	Operations officer, U.S. Pacific Command Division, Joint Staff, the Pentagon, Washington, DC.
July 1997	June 1999	Commander, 27th Operations Group, Cannon AFB, NM.
June 1999	May 2000	Executive officer to the Commander, Headquarters Air Combat Command, Langley AFB, VA.
May 2000	May 2001	Commander, 8th Fighter Wing, Kunsan AB, South Korea.
June 2001	June 2002	Senior military assistant to the Secretary of the Air Force, Headquarters U.S. Air Force, Washington, DC.
June 2002	June 2004	Commander, 56th Fighter Wing, Luke AFB, AZ.
June 2004	June 2005	Commander, 31st Fighter Wing, Aviano AB, Italy.
June 2005	October 2006	Vice Commander, 16th Air Force, Ramstein AB, Germany.
October 2006	July 2008	Vice Director for Strategic Plans and Policy, Joint Staff, the Pentagon, Washington, DC.
July 2008	August 2009	Commander, 3rd Air Force, Ramstein AB, Germany.
August 2009	January 2011	Deputy Chief of Staff for Operations, Plans and Requirements, Headquarters U.S. Air Force, Washington, DC.
January 2011	July 2012	Vice Chief of Staff of the U.S. Air Force, Washington, DC.
July 2012	present	Commander, U.S. Air Forces in Europe; Commander, U.S. Air Forces in Africa; Commander, Air Component Command, Ramstein Air Base, Germany; and Director, Joint Air Power Competency Center, Ramstein.

Summary of joint assignments:

From	To	Assignment
July 1991	May 1993	Chief of Air Operations, United Nations Command and Republic of Korea/U.S. Combined Forces Command, Yongsan Army Garrison, South Korea, as a major.
June 1995	July 1997	Operations officer, U.S. Pacific Command Division, Joint Staff, the Pentagon, Washington, DC, as a lieutenant colonel.
October 2006	July 2008	Vice Director for Strategic Plans and Policy, Joint Staff, the Pentagon, Washington, DC, as a major general.

Flight information:

Rating: Command pilot
Flight hours: More than 3,500
Aircraft flown: F–16, T–37, and C–21

Major awards and decorations:
Distinguished Service Medal
Defense Superior Service Medal
Legion of Merit with three oak leaf clusters
Defense Meritorious Service Medal with two oak leaf clusters
Meritorious Service Medal with three oak leaf clusters
Aerial Achievement Medal

Effective dates of promotion:
Second Lieutenant, June 1, 1977
First Lieutenant, Dec. 10, 1979
Captain, Dec. 10, 1981
Major, Nov. 1, 1988
Lieutenant Colonel, June 1, 1993
Colonel, Jan. 1, 1998
Brigadier General, Oct. 1, 2003
Major General, June 23, 2006
Lieutenant General, July 21, 2008
General, Jan. 14, 2011

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Gen. Philip M. Breedlove, USAF, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Philip M. Breedlove.

2. **Position to which nominated:**
Commander, U.S. European Command Supreme Allied Commander, Europe.

3. **Date of nomination:**
April 8, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**

September 21, 1955; Atlanta, GA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Cynthia Sue Breedlove (maiden name: Thompson).

7. **Names and ages of children:**
Samantha Leigh Tromly, 26.
Rebecca Nichole Breedlove, 23.
Daniel Jesse Breedlove, 18.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.

I have no advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

I currently hold no positions as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business, enterprise, education, or other institution.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

I am a board member on the Advisory Board of the School of Civil and Environmental Engineering, Georgia Institute of Technology.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

I currently hold no scholarships, fellowships, honorary society memberships, or have received any other special recognition for outstanding service or achievements other than those listed on the service record.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

If confirmed, I agree to appear and testify upon request before any duly constituted committee of the Senate.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?

I agree to provide my personal views, if asked, before any duly constituted committee of Congress even if my views differ from the administration in power.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

PHILIP M. BREEDLOVE.

This 15th day of February, 2013.

[The nomination of Gen. Philip M. Breedlove, USAF, was reported to the Senate by Chairman Levin on April 17, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on April 18, 2013.]

NOMINATIONS OF GEN MARTIN E. DEMPSEY, USA, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND REAPPOINTMENT AS CHAIRMAN OF THE JOINT CHIEFS OF STAFF; AND ADM JAMES A. WINNEFELD, JR., USN, FOR REAPPOINTMENT TO THE GRADE OF ADMIRAL AND REAPPOINTMENT AS VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

THURSDAY, JULY 18, 2013

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:36 a.m. in room SH–216, Hart Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, Nelson, McCaskill, Hagan, Shaheen, Gillibrand, Blumenthal, Donnelly, Kaine, King, Inhofe, McCain, Sessions, Chambliss, Wicker, Ayotte, and Graham.

Committee staff members present: Peter K. Levine, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Richard W. Fieldhouse, professional staff member; Michael J. Kuiken, professional staff member; Gerald J. Leeling, general counsel; Mariah K. McNamara, special assistant to the staff director; William G.P. Monahan, counsel; Michael J. Noblet, professional staff member; Roy F. Phillips, professional staff member; Russell L. Shaffer, counsel; and William K. Sutey, professional staff member.

Minority staff members present: John A. Bonsell, minority staff director; Daniel C. Adams, minority associate counsel; Adam J. Barker, professional staff member; Steven M. Barney, minority counsel; William S. Castle, minority general counsel; Samantha L. Clark, minority associate counsel; Allen M. Edwards, professional staff member; Thomas W. Goffus, professional staff member; Ambrose R. Hock, professional staff member; Anthony J. Lazarski, professional staff member; Daniel A. Lerner, professional staff member; Lucian L. Niemeyer, professional staff member; and Robert M. Soofer, professional staff member.

Staff assistants present: Lauren M. Gillis and Daniel J. Harder.

Committee members' assistants present: Carolyn Chuhta, assistant to Senator Reed; Jeff Fatora, assistant to Senator Nelson; Jason Rauch, assistant to Senator McCaskill; Brian Nagle, assistant to Senator Hagan; Mara Boggs, assistant to Senator Manchin; Patrick Day, assistant to Senator Shaheen; Moran Banai and Brooke Jamison, assistants to Senator Gillibrand; Ethan Saxon, assistant to Senator Blumenthal; Marta McLellan Ross, assistant to Senator Donnelly; Nick Ikeda, assistant to Senator Hirono; Karen Courington, assistant to Senator Kaine; Jim Catella and Steve Smith, assistants to Senator King; Christian Brose, assistant to Senator McCain; Lenwood Landrum, assistant to Senator Sessions; Todd Harmer, assistant to Senator Chambliss; Joseph Lai, assistant to Senator Wicker; Brad Bowman, assistant to Senator Ayotte; and Craig Abele, assistant to Senator Graham.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody.

The committee meets this morning to consider the nominations of General Martin Dempsey and Admiral James Winnefeld, both of whom have been nominated to continue in their current positions: General Dempsey as Chairman of the Joint Chiefs of Staff and Admiral Winnefeld as Vice Chairman of the Joint Chiefs of Staff. Thank you both for your service and for your willingness to continue to serve in these positions of huge responsibility.

I would also like to welcome and to thank your family members, some of whom are with us here this morning. Our military families, as you well know, are a vital part of the overall success and well-being of our Armed Forces, and we appreciate greatly their unwavering support and their many sacrifices, usually during the course of long military careers. During your opening remarks, please feel free to reintroduce your family members to our committee.

The foremost duty of the leadership positions to which General Dempsey and Admiral Winnefeld have been renominated is to ensure that our service men and women have what they need to win wars, to succeed in their missions, and to secure peace. Our nominees have carried out their duties with energy and with commitment. It is a testament to the quality of their service that the President has nominated them to continue in their positions.

I have had frequent occasions to seek the views of General Dempsey and Admiral Winnefeld over the years in both public and private settings. Even on those few occasions when I have disagreed with their assessments and recommendations, I have found their positions to be thoughtful and well reasoned.

If confirmed, our nominees will face a series of continuing challenges.

In Syria, Assad is using airstrikes, missiles, helicopters, tanks, and artillery to attack the Syrian people. He is targeting civilians in residential neighborhoods, in marketplaces, in schools, and in places of worship. He has used chemical weapons against the insurgents. He is increasingly relying on foreign fighters from Iran and Hezbollah to sustain his grip on power. To date, his actions have killed more than 100,000 Syrians, led more than a million to flee the country, forced more than 4 million more to become inter-

nally displaced, leveled entire villages and neighborhoods, and motivated the Syrian people to rise up against him.

I look forward to hearing the nominees' views on the steps that might be taken to increase the military pressure on Assad in support of the administration's goal of convincing the Assad regime and its supporters, including Russia, that the current military momentum towards the regime cannot last in the face of a major insurgency that has the support of both the Syrian people and an international coalition and that a political settlement that transitions Syria to a post-Assad regime that is inclusive of and protective of all elements of the Syrian society is the only solution.

In Afghanistan, while the campaign is on track to transition responsibility for the country's security from coalition forces to the Afghan security forces, and U.S. and coalition forces continue to draw down over the next year and a half, significant challenges remain to secure the hard-fought gains. Among those challenges is putting the U.S.-Afghanistan strategic partnership on a sound footing for the long term, including through the conclusion of a bilateral status of forces agreement to ensure that our troops have the legal protections necessary for any post-2014 U.S. military presence in Afghanistan. Recent statements by President Karzai have complicated negotiation of such an agreement, and I will be interested in what our witnesses have to say about the prospects for a successful negotiation, as well as what the status is of the efforts in Afghanistan militarily.

In mid-March of this year, Secretary Hagel responded to North Korea's provocative behavior by announcing a series of steps to improve our Homeland missile defense capability, including the planned deployment of 14 additional ground-based interceptors in Alaska by 2014.

On July 5, our ground-based midcourse defense system had a flight test failure. This test failure, along with an earlier failure, reinforces the need to pursue a "fly-before-you-buy" approach which demonstrates through realistic flight tests that the system will work as intended before deploying any additional inceptors. I would welcome our witnesses' comments on that issue as well.

The National Defense Authorization Act that we will bring to the Senate floor includes provisions that give the Secretary of Defense greater flexibility to transfer detainees from Guantanamo Bay, Cuba (GTMO). I will be interested in our witnesses' views on these proposed changes in our defense authorization bill.

Lastly, but far from leastly, we must confront the growing challenge of sequestration. All of the things that our military needs to do, responding to regional crises, maintaining readiness, training and equipping our forces, taking care of our servicemembers and their families, depend upon appropriate levels of funding. The damaging effect that sequestration is already having and will continue to have unless addressed, remedied, and reversed—that damaging effect on the readiness of our military must be addressed and addressed in a way that protects the vitality of our forces.

It is against the backdrop of these and many more challenges, both foreign and domestic, that we consider these two very important nominations.

Again, we welcome both of you today. We look forward to your testimony.

I now call on Senator Inhofe.

STATEMENT OF SENATOR JAMES M. INHOFE

Senator INHOFE. Thank you, Mr. Chairman. As I mentioned to you, we have another hearing simultaneously with this one, two floors up, so I will be going back and forth.

Over the last 4 years, our military has suffered a steep and damaging drop in capabilities and readiness. This administration has cut nearly $600 billion already from the defense budget, reduced end strength by more than 100,000 personnel, reduced the size of the naval fleet, and cut hundreds of Air Force combat aircraft. Training and reset accounts have been gutted and modernization programs are being starved of resources. On the horizon is the addition of $500 billion in cuts if we are unable to find a solution for the sequestration, which you know, is kind of ridiculous. When you tell normal people that we have 18 percent of our budget is the military budget, and yet we are taking 50 percent of the cuts, it is totally unreasonable. It lets you know the priorities of this administration.

The longer we allow our force to deteriorate, the harder and more expensive it will be to repair and rebuild.

Earlier this year, Chairman Levin and I sent a letter to Secretary Hagel requesting a detailed plan on how the Department would allocate the additional $52 billion in sequester cuts slated for fiscal year 2014. The response we received was woefully light on details but made clear that further cuts in fiscal year 2014 will significantly amplify the pain our military is already enduring.

Admiral Winnefeld, you were asked earlier this year about the impact of the budget cuts on the military, and you responded. I have to say it was a very courageous response. I am quoting now. "There could be, for the first time in my career, instances where we may be asked to respond to a crisis and we will have to say that we cannot." Admiral, I feel that we are well on our way to this unthinkable reality.

Recently, the Department of Defense (DOD) has undertaken actions internally to address some critical readiness issues, including the resumption of flight operations for the Air Force after many squadrons—I believe 16—had been grounded for over 3 months. While this development is welcome news, I remain concerned over the vital training and maintenance activities, the services that remain curtailed, and nearly 700,000 DOD civilians are still being furloughed. What I find most concerning, however, is that much of this pain has been unnecessary and could have been avoided all along.

Earlier this year, I introduced a bill that would have provided for the Department with flexibility to allocate the sequester cuts in a way that minimizes risk. At that time, all the Chiefs agreed it would be still devastating, but not as devastating. When we come back and put our squadrons in flying status—again, I am going to conduct my own test on this, on how much more it costs now to retrain, get people back up in proficiency than it would have, had we just stayed with it.

Our actions at home do not occur in a vacuum. Around the world, we are seeing the effects of declining military capability and the absence of American leadership. From the Middle East to the Asia-Pacific, our adversaries are emboldened and there are growing doubts about the United States among our allies.

I raise these issues today because I am deeply concerned by the current state of our military. As our military is experiencing an unprecedented deterioration of readiness and capabilities, I ask our witnesses what advice they are giving the President on these matters.

General Dempsey, at what point will you advise the President that the defense cuts will result in the dire scenario you laid out before our committee in February? You said, "If ever the force is so degraded and so unready, and then we're asked to use it, it would be immoral."

General Dempsey, you also warned in testimony to this committee that further defense cuts will, "severely limit our ability to implement our defense strategy. It will put the Nation at greater risk of coercion, and it will break faith with the men and women in uniform." The Service Chiefs are already talking about combat forces and capabilities that are starting to hollow out. We had a discussion about this. Are we hollowing out, or are we already a hollow force?

I am afraid to remind you of the comments from the Director of National Intelligence, James Clapper, who stated earlier this year, "In almost 50 years in intelligence, I don't remember that we've had a more diverse array of threats and crisis situations around the world to deal with than we have today."

That is our problem, Mr. Chairman, and that is why we are having this hearing today.

Chairman LEVIN. Thank you very much, Senator Inhofe.

Let me call upon you, Chairman Dempsey. Welcome.

STATEMENT OF GEN MARTIN E. DEMPSEY, USA, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND REAPPOINTMENT AS CHAIRMAN OF THE JOINT CHIEFS OF STAFF

General DEMPSEY. Thank you, Mr. Chairman, Ranking Member Inhofe, distinguished Senators. I am honored to appear before you today on this 18th day of July as the 18th Chairman of the Joint Chiefs of Staff. I am also thankful, thankful for the confidence placed in me 2 years ago, for the continued confidence of our commander in chief and the Secretary of Defense, and for the privilege of serving alongside Admiral Sandy Winnefeld and the Joint Chiefs of Staff.

Of course, I am also very thankful for the unwavering love and support and tireless service in her own way of my wife, Deanie, who is seated behind me, not to mention our three children and our seven grandchildren. Yes, that is plus four since my confirmation hearing 2 years ago, with one more due any day now to make it a total of eight.

Chairman LEVIN. I am sure if it were allowed you would, for that reason alone, love to be appointed a third time. [Laughter.]

General DEMPSEY. I do not know. Actually quite the opposite. I would like to spend some time with them when the opportunity arises.

I also want to mention I notice that my nephew Michael Dempsey, who is a student at Wake Forest University and home for the summer, has joined us today. We are awful proud of him as well.

But more than anything else, I am thankful for the opportunity to defend our Nation alongside the men and women who wear its cloth. When I witness their courage and their skill, I am very much reminded of the inscription that is on the Private Soldier Monument called "Old Simon" at Antietam Battlefield that goes like this, "Not for themselves but for their country."

It is on their behalf and in that spirit that I am here today. My only purpose is to be worthy of their service every day and in every decision, to strengthen the relationship of trust that the American Armed Forces has with the American people, to meet our sacred obligation to keep our Nation immune from coercion.

We cannot take this relationship for granted. Historic transitions are testing our ability to meet our obligations. We are in the midst of a difficult fiscal correction to restore the economic foundation of power. We are also transitioning from war to an even more uncertain and dangerous security landscape.

Even as the dollars are in decline, risk is on the rise. If we do not manage these transitions well, our military power will become less credible. We will foreclose options and we will leave gaps in our security.

It does not have to be that way. We can and we must lead through these transitions. We have it within us to stay strong as a global leader and as a reliable ally. We can make our military more affordable without making our Nation less secure. To do this, we need to get at least four things right.

First, we need to get our strategy right. This means aligning our aims with our abilities. Strategy is nothing if it is not about setting priorities. Even as we rebalance to the Asia-Pacific region, we still have to defend the Homeland from cyber, terrorist, and missile attack, achieve our objectives in Afghanistan, deter provocation on the Korean Peninsula, assure and assist allies across the globe, set a more responsive posture for a new normal of combustible violence. As we respond to new contingencies, we must come to terms with the risks and costs to these existing obligations. We may have to do less, but we should never do it less well.

Second, we need to get our force right. This means keeping our military ready and balanced. So far, we are getting it wrong. We have already lost readiness that will take more time and additional cost to restore. We are already out of balance due to the magnitude and the mechanism—not to mention the steep descent—of budget cuts. But it is not too late to recover. Remove the budget uncertainty. Slow down the drawdown. Help us make seemingly intractable institutional reforms. If we do this, we can build a joint force to meet the Nation's needs for a price that the Nation is able and willing to pay.

Third, we need to get our people right. This means strengthening our profession while keeping faith with the military family. Ours

is an uncommon profession, one that must value character as much as competence, that rests on a foundation of learning and leadership, that advances equal and ethical treatment for all its members, and that allows no quarter for sexual violence in all of its destructive forms. We also keep faith by making sure that our sons and daughters always go to war with the best training, the best leadership, and the best equipment. If we get this wrong, we will not get anything else right.

Finally, we need to get our relationships right. This means staying connected to our allies and, most importantly, to our fellow Americans. Now is the defining moment in our Nation's relationship with its September 11 veterans. This generation is a national asset. They are ready to contribute in their communities. They need opportunities, handshakes, not handouts.

In the end, all relationships rest on trust. Two years ago, I offered this image at my confirmation hearing to illustrate the vein of trust that must run from our men and women in uniform on the front lines back here and right back to our communities, our families, and the American people.

[The information referred to follows:]

See attached photo.



General DEMPSEY. Today, it is still all about trust. Reconfirmation is at its base a reaffirmation of trust. I am humbled by the opportunity, and I will continue to work to earn it every day. I know you expect it and I know our men and women in uniform deserve it.

I would like to say one other thing before passing it back to you, Mr. Chairman. I am very careful not to presume confirmation, and

in that spirit and not knowing when my last opportunity will be to appear before this body, I would like to thank you for your leadership of this committee and your support of America's men and women in uniform, as well as the two ranking members, Senator Inhofe, Senator McCain, with whom I have had the privilege of working for the last 2 years.

Chairman LEVIN. Thank you.

General DEMPSEY. Thank you and I look forward to your questions.

Chairman LEVIN. Thank you.

Admiral?

STATEMENT OF ADM JAMES A. WINNEFELD, JR., USN, FOR REAPPOINTMENT TO THE GRADE OF ADMIRAL AND REAPPOINTMENT AS VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

Admiral WINNEFELD. Good morning, Chairman Levin and Ranking Member Inhofe and other distinguished members of the Committee on Armed Services.

I am also honored to appear before the committee this morning and to do so along with my friend and colleague and boss, General Marty Dempsey.

The military is a family business, and I am pleased to have with me today my wonderful wife, Mary, who has been such a supportive partner. She is behind me in the joint purple outfit. She has also been a tireless advocate for military families and wounded warriors and their caregivers, which has been a great comfort to know that I have such a willing partner to do this sort of work.

My sons, James and Jonathan, would have been with us also today, but they are both at athletic tournaments, one at a State baseball championship tournament and the other at a golf tournament. But they remind me every day of the importance of honorable service.

It has been my privilege to serve the Nation as Vice Chairman for the past 2 years, and I am honored to have been asked by the President to serve another term.

If reconfirmed, I will continue to provide independent and objective advice to the Chairman, the Secretary of Defense, and the President on the shape, readiness, health, and use of the military instrument of power and to keep this committee informed and to give my best effort within the three portfolios of policy, investment, and people.

In a world growing more rather than less dangerous, at the same time we face considerable financial pressure, there are plenty of challenges in the three portfolios I just listed.

In the area of policy, we have been grappling with a host of threats to our national security interests around the world, in Afghanistan, in Iran, on the Korean Peninsula, with the continuing evolution of al Qaeda and its affiliates, in the aftermath of the Arab Awakening in Libya, Syria, Egypt, and other nations, and within the increasingly complex cyber domain.

In the investment portfolio, I was first confirmed by the Senate for this job on the same day the Budget Control Act (BCA) was enacted, and we continue to cope with the financial challenges in the

wake of that act that are quietly eroding our readiness to defend our Nation and have so impacted our ability to plan for tomorrow.

To the people portfolio, we are doing our best to manage the enormous uncertainty to which our military and civilian members and their families are being exposed during this budget crisis.

We are also expending considerable effort to ensure we are properly caring for our wounded, ill, and injured members and their families, as well as finding every lever we can to eliminate the pernicious insider threat of sexual assault.

These are only a few of the challenges we face, and much remains to be done in all three of these portfolios.

If confirmed, I look forward to continuing to serve our great Nation in uniform and pledge to work with this committee on the difficult choices required to achieve a capable and strategically shaped force that can keep America safe and our interests secure.

Allow me to close by saying how deeply grateful I am for the energy all the members of this committee and your able staff bring to these issues and for your longstanding support for our men and women in uniform and our civilians.

I look forward to taking your questions.

Chairman LEVIN. Thank you very much, Admiral.

Let me now ask you both the standard questions which we ask of our military nominees.

Have you adhered to applicable laws and regulations governing conflicts of interest?

General DEMPSEY. Yes, sir, I have.

Admiral WINNEFELD. Yes, sir.

Chairman LEVIN. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

General DEMPSEY. Yes, sir.

Admiral WINNEFELD. I do.

Chairman LEVIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

General DEMPSEY. No.

Admiral WINNEFELD. No, sir.

Chairman LEVIN. Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record and hearings?

General DEMPSEY. I will.

Admiral WINNEFELD. Yes, sir.

Chairman LEVIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

General DEMPSEY. Yes, sir.

Admiral WINNEFELD. Yes, sir.

Chairman LEVIN. Will those witnesses be protected from reprisal for their testimony or briefings?

General DEMPSEY. They will.

Admiral WINNEFELD. Yes, sir.

Chairman LEVIN. Do you agree, if confirmed, to appear and testify upon request before this committee?

General DEMPSEY. Yes, sir.

Admiral WINNEFELD. Yes, sir.

Chairman LEVIN. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

General DEMPSEY. Yes, sir.

Admiral WINNEFELD. Yes, sir.

Chairman LEVIN. Thank you.

Okay. We are going to have a 7-minute first round of questions.

General, do you support finding additional ways to increase the military pressure on Assad?

General DEMPSEY. Senator, first, let me say that I am well aware of the human suffering and the tragedy unfolding in Syria and the effect that it is having not just inside Syria but on the region.

To your question about courses of action going forward, I support very strongly a whole-of-government approach that applies all the instruments of national power.

As for the military instrument of power, we have prepared options and articulated risks and opportunity costs to put additional pressure on the Assad regime.

Chairman LEVIN. Does the administration support additional training and equipping of the opposition?

General DEMPSEY. The administration has a governmental approach to the increased capability of the opposition.

Chairman LEVIN. Does that include training and equipping militarily?

General DEMPSEY. Not through the Department of Defense.

Chairman LEVIN. Through other means, whether it might be other countries?

General DEMPSEY. Yes.

Chairman LEVIN. On Afghanistan, are the security forces of Afghanistan on track to be fully in charge of securing Afghanistan by December 2014 when the North Atlantic Treaty Organization (NATO) combat mission ends?

General DEMPSEY. They are. General Dunford assesses that he will achieve his campaign objectives in developing the Afghan security forces. Now, he does also acknowledge there are some potential gaps that he will have better clarity on after this fighting season.

Chairman LEVIN. But he is basically on track?

General DEMPSEY. Yes, sir.

Chairman LEVIN. Now, I am not going to ask you what advice you have given to the President on the residual force which might remain, assuming there is an agreement with the Afghans, after December 2014. I am not going to ask you what the advice is because that is advice you give confidentially to the President, and he has a right to your confidential advice.

My question, however, is the following. Have you given the President your advice relative to the size of the residual force?

General DEMPSEY. I have, sir. We have provided several options. As the Joint Chiefs, we have made a recommendation on the size and we have also expressed our view on when that announcement would best meet the campaign objectives.

Chairman LEVIN. Now, would you agree that legal protections for our troops, which would be provided for if we can reach a bilateral

security agreement with Afghanistan, are essential to any long-term U.S. troop presence in Afghanistan?

General DEMPSEY. I do believe that.

Chairman LEVIN. So any presence after December 2014 is dependent upon working out a bilateral agreement with the Afghans?

General DEMPSEY. That is right, sir.

Chairman LEVIN. I hope President Karzai is listening to that answer.

General DEMPSEY. I will travel over there on Friday night, sir, and have a planned office call with him.

Chairman LEVIN. I hope that you would make that clear, and also I believe that our committee—and I will not speak for others directly. If anyone does not feel this way, they will speak for themselves. But I think it is essential that he understand that there has to be a bilateral agreement that protects our troops for there to be a residual presence. I happen to favor a residual presence, by the way.

General DEMPSEY. As do we.

Chairman LEVIN. I happen to favor giving confidence to the Afghans that there is going to be continuing relations. But I do not want to just be silent in the face of what I consider to be President Karzai's unwise—a number of his comments which are very unwise in terms of whether or not he wants a residual presence or not. He sometimes acts like he does not want a residual presence even though it is very clear to me that the Afghan people do and so does he, but he wants it on his terms, and it cannot just be on his terms. It has to be on a mutually agreed basis. Would you agree with that?

General DEMPSEY. I do, sir. I also, though, would point out that our relationship and our interests in Afghanistan run deeper than just President Karzai.

Chairman LEVIN. Of course. There is going to be an election next year, and I think you can also pass along to President Karzai that his assurances that he is not going to be a candidate in that election but that there will be an election are something that the committee members, I think probably most of whom have met with him, take seriously. Those statements of his matter to us.

Now, on the Guantanamo issue, we have in our National Defense Authorization Bill language which would give greater flexibility to the Department of Defense to transfer Guantanamo detainees to the United States for detention and trial, if it is determined to be in the U.S. national interest and if public safety concerns are addressed, to streamline the authority of the Secretary of Defense to transfer Guantanamo detainees to foreign countries. Do you support those provisions?

General DEMPSEY. Senator, what I support as the senior military leader of the Armed Forces of the United States is that we must have an option to detain prisoners. We cannot expect young men and women on the battlefield to have a single option which would be simply to kill. We must have a capture and detain option. I support anything that will assure me that those young men and women will have that option.

Chairman LEVIN. Assuming that they have that assurance that there are a place or places——

General DEMPSEY. That is correct, sir.

Chairman LEVIN.—then given that qualification, one which I share, by the way, do you then support the language of the bill?

General DEMPSEY. I would have to see the bill. But if you are asking me has Guantanamo, the facility, tarnished the image of the United States globally, I think it has. Therefore, I would welcome any other solution.

Chairman LEVIN. On missile defense, we have had an assessment from Lieutenant General Richard Formica, a letter providing the assessment that investing in additional sensor and discrimination capability for our Homeland missile defense would be a more cost effective and less expensive near-term Homeland missile defense option than deploying an east coast missile defense site, particularly since there is no current military requirement to deploy an east coast site.

Do you agree with those assessments of Vice Admiral James Syring and General Formica? Do you agree that additional analysis is needed to determine whether it would be necessary to deploy an additional missile defense site in the United States in the future?

General DEMPSEY. I would like to ask the Vice Chairman who works that to comment—but I will say I absolutely agree we should do the analysis before we make a decision on how best to meet that capability requirement.

Chairman LEVIN. I am glad you gave me an opportunity to ask Admiral Winnefeld.

General DEMPSEY. I have been looking for an opportunity, Senator. [Laughter.]

Chairman LEVIN. Well, so have I. Thank you for giving me that opportunity. Admiral?

Admiral WINNEFELD. Chairman Levin, the way I have put it is I would spend my next dollar on missile defense on the sensor discrimination that you described. There is an oft-quoted saying in the U.S. military, "quantity has a quality all its own". In this case, quality has a quantity all its own. If you can get better discrimination, you can have a better firing doctrine that would help you there.

I also think it is wise that we are doing the environmental impact statements (EIS) for a potential east coast site. As we watch the threat develop—and we are going to have to be very cognizant of that because it could develop quickly—it may become necessary to actually put into place a second site. We will play that as we have to.

Chairman LEVIN. But when you say we should do the EIS, you mean before making a commitment to a site, that you complete those assessments?

Admiral WINNEFELD. Yes, sir. I think we are planning on doing the EISs in the relatively near term, and I think they will be done naturally probably before there is a need to actually make a decision to go with an east coast site. But I also want to state we need to be cautious and very cognizant of where the trajectory is of the threat.

Chairman LEVIN. When you say they will be done naturally, you think they should be done?

Admiral WINNEFELD. They will be done. They should be done. I agree with doing them as a hedge, as part of our hedge strategy that we have always considered having an east coast site, just as a part of the hedge strategy with putting more interceptors——

Chairman LEVIN. I am just trying to get a clear answer. Do you believe they should be done before the decision is made as to whether any site is selected?

Admiral WINNEFELD. Yes, sir, I think so.

Chairman LEVIN. I have gone over my time. I apologize to my colleagues and call upon Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

In my opening statement, I quoted each one of you, and they are very strong quotes, particularly the one stating "If ever the force is so degraded and so unready, and then we're asked to use it, it would be immoral." Then General Dempsey, you add, "There could be for the first time in my career instances where we may be asked to respond to a crisis and we will have to say that we cannot." Then, of course, we saw that James Clapper said that there has never been a time in our history—and he has been around for 40 years—when the threats are so great and diverse as they are today.

Do you agree with that?

General DEMPSEY. I do, Senator. There are probably fewer existential threats to the Nation, but there are far more ways that middle-weight states, non-state actors, and violent extremist groups can reach out and touch us.

Senator INHOFE. Do you agree with that, Admiral?

Admiral WINNEFELD. Yes, sir. I would say that there are two definitions of a hollow force. One is the force is larger than the readiness money you have to keep it ready, and that is the more complex definition. The simple one is something that looks really good on the outside but it is rotten in the middle.

Senator INHOFE. Yes. I was not talking about the hollow force. I was talking about the threats that are out there.

I look back wistfully at the days of the Cold War. Things were predictable back then. Now, you have entities out there, like Iran, that our intelligence says are going to have a weapon and the capability of a delivery system. That is what he is talking about. I think it is a scary thing.

You both believe that. Have you shared this with the President?

General DEMPSEY. Yes, we have briefed the President.

Senator INHOFE. So he knows this?

General DEMPSEY. Yes, sir.

Senator INHOFE. Yet, he continues with his approach.

Let me ask you a question about GTMO. You said you would welcome any other solution. I have often looked at GTMO as one of the few good deals we have in this country that we have had since 1904. Rent is $4,000 a year I think it is, Mr. Chairman, and they do not collect it half the time. Yet, when you say we welcome any other solution, what other solution? Is there a solution out there that would not entail bringing these people into our continental United States? Either one of you.

General DEMPSEY. I have seen the analysis done of any number of solutions, but there has not been any consensus on which one

to pursue. I simply want to align myself with those who say we have to have a detention solution.

Senator INHOFE. No, I agree. We have to have a detention. We have something there that is ready-made. I understand that a lot of the people in the Middle East do not like it. It has given us a bad reputation in some areas. But, I believe that we need to think of America first.

I can recall 4 years ago when the President came out talking about these alternatives that they had. They had sites in the United States. One was in Oklahoma. I went down there and I talked to a young lady. She was in charge of our prison down there. She had had several tours in GTMO, and she said, "What is the matter with them up there? Don't they know that we have this?" It is ready-made.

I have to say this because this is a great frustration to me. Yes, we have language that is pretty good language in the bill, but nonetheless—I will just ask one last question on that.

Can you think of anything that would not entail incarceration or movement into the United States? Right now off the top of your head.

Admiral WINNEFELD. I do not have an easy answer to that one, Senator.

One thing I would mention is just a little more flexibility I think would be useful to us. I will give you an example. We have a moral obligation to take good medical care of these detainees. Because we cannot move them outside of GTMO, we have to build very state-of-the-art medical facilities.

Senator INHOFE. I have seen it.

Admiral WINNEFELD. It would be great to be able to move them briefly back and forth to the United States if they need medical treatment and send them back. That is the kind of flexibility I mean.

Senator INHOFE. Okay, that is fine.

Admiral WINNEFELD. I know that is different from what you are talking about.

Senator INHOFE. We have that. There is not a person up here who has not been down there more than once. One of the big problems they have with the detainees down there is they are overweight, and they are eating better than they have ever eaten in their lives. They have better medical attention. They have tests run that they never even heard of before. I think we are meeting that.

On April 9, when we stop the flying—I have talked to each one of you about this, but I think we need to get something on the record. I have an aviation background, and I do not think you have to have that to know that you have to keep your proficiency up. That was 3 months ago, April 9. Now, I applaud the decision to now get back in and start retraining.

I mentioned in my opening statement that I was going to conduct a study as to how much more it costs us to go through the retraining that we are going to have to go through right now than if we had never made the decision back on April 9.

Have you already done that, or do you have any information in terms of how much more it is going to cost now than if we had not done it to start with?

Admiral WINNEFELD. I think it is a good question, and I think we can easily get that for you for the record in terms of cost.

What I can tell you is that if you take one of these squadrons that has not been flying at all, it is going to take anywhere from 1 to 3 months for them to bring their proficiency back up just in basic airmanship skills, taking off and landing and that sort of thing, and then probably another 3 months beyond that to get their combat skills back. I think of it more in terms of time, but there is a cost dimension and we can get you that.

Senator INHOFE. Yes, but time, would you not agree, equals risk at the time we need these? We had some of them who came right out of school right around April 9. They are going to go back and almost start from the beginning now. If we do not have the capability of taking care of the needs as they come up, I believe that that translates into a risk that I am not willing to take if I can do anything about it.

[The information referred to follows:]

As of today, there are 18 squadrons in the Air Force still flying at reduced levels of readiness. An additional 7,000 flying hours at a cost of $116 million above the President's 2014 budget request and 3–6 months would be necessary to bring these remaining 18 squadrons from current (lower than Basic Mission Capable) flying rates back to pre-sequester mission status (Combat Mission Ready flying rates).

Prior to sequestration, a substantial number of Air Force squadrons were already operating at lower than optimal goals due to previous Budget Control Act (BCA) reductions and the effects of long-term high operations tempo. On 9 April, a total of 31 squadrons were stood down, including 13 combat-coded (fighter, bomber, and Airborne Warning and Control System) units and 18 institutional units (Weapons School, Aggressors, Thunderbirds, etc.). Through efficiencies and the $208 million from the Department of Defense reprogramming request, the Air Force was able to shift funds and increase the flying rates of the 13 combat coded units back to Combat Mission Ready (CMR) rates for the remainder of fiscal year 2013. It will take 3–6 months at this CMR rate before these squadrons return to pre-sequestration mission ready rates. The efficiencies and reprogramming also allowed the remaining 18 institutional units to resume flying, albeit lower than Basic Mission Capable rates.

The Air Force will continue to have readiness challenges due to the BCA and sequestration, beyond the units that were stood down. To bring all Air Force flying squadrons back to full mission readiness goals needed to meet Defense Strategic Guidance requirements, it would take approximately 2 years, an additional $3.2 billion per year in fiscal year 2014 and fiscal year 2015, and a reduction in current deployment tempo (e.g. deploy-to-dwell at 1:3 or better).

General DEMPSEY. Senator, could I add?

Senator INHOFE. Sure.

General DEMPSEY. What we are seeing is that we are going to end up with two problems over time if sequestration remains in effect. The immediate problem for the next several years will be readiness because we will not be able to find the money we need to achieve the level of sequestration cuts without dramatically impacting our readiness. Then as the force becomes smaller, you can restore readiness because you are dealing with a smaller force, but I think too small. So it goes too far too fast.

Senator INHOFE. Yes, I understand that. The proficiency of a smaller number of units can be greater but you are still dealing with a smaller number of units. When we have the diverse threats that we have right now, to me that is not a very good idea, not that you can do anything about it, but right now that is a problem.

The last question, because my time is up, would be, Admiral, I appreciate the fact that you used the word "immoral". Given the

current path of readiness in the Armed Forces, in your professional judgment when will the commander in chief be at a point of making immoral decisions?

Admiral WINNEFELD. I do not think I was the one who used the term "immoral".

But I think we are keeping the White House closely informed as to the outcome of the Strategic Choices and Management Review. That includes both capability, capacity, and readiness of the force. They are aware of those results and I am sure that they are going to factor that into their decisionmaking on the rest of the budget issues that are in play. Hopefully, we will be able to find a good resolution that will allow us to go forward with being able to plan for the future.

Senator INHOFE. I appreciate both of you. We have to let the people know that we have a real serious problem here, and I think this hearing is our opportunity to do that.

I apologize in attributing a quote to you. I guess it was General Dempsey who made that quote.

General DEMPSEY. Yes, it was, sir.

Let me assure you that if the Nation is threatened, we will go. But that is the point. We will go and we may not be ready to go. So it would depend on the nature of the conflict in which we were asked to participate. If it is an existential threat to the Nation and we send them, there is no immorality in that. But if this were some other contingency and we were asking young men and women to go not ready and we had a choice to do that——

Senator INHOFE. That is where the immorality issue comes in.

General DEMPSEY. That is right.

Senator INHOFE. I appreciate that very much and I agree with you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

Senator Blumenthal?

Senator BLUMENTHAL. Thank you, Mr. Chairman.

I join in thanking both of you for your service over many, many years.

General Dempsey, you and I have discussed briefly the purchase of helicopters for the Afghan armed services, the purchase of Russian MI–17s from the export agency controlled by Russia that is now selling arms to Syria and a country that is still harboring, providing refuge to Edward Snowden. We discussed the reasons for that sale. Very graciously, you suggested you would look into the possibility of either ending that sale, which will result in helicopters right now, according to the Inspector General for Afghanistan, sitting on the runways of Afghanistan because they lack pilots to fly them and they lack people trained to maintain or repair them.

I wonder whether there is something we can do either to stop those sales, purchases subsidized by American taxpayers, provided by American taxpayers to a supposed ally that still does not have a status of forces agreement with us that will enable us to continue providing aid to them. I think in connection with that question, what additional kinds of resources we should consider stopping if there is no status of forces agreement?

General DEMPSEY. Senator, on the MI–17s, I support continuing on the path we are on to get the Afghans as capable as possible by the end of 2014, and that will require us to stay committed to that fleet of MI–17s. There is no way we could transition at this point and put them in anything other than that airframe.

What I suggested to you is that if we can achieve a lasting, enduring relationship with them and if they live up to their end of the deal and we live to our end of the deal, we will be investing in them through foreign military sales for some time. There is a likely point where we could transition them to U.S.-built aircraft. But in the interim period, we cannot. I should not say we cannot. It would be my recommendation that we stay the course with the existing program.

Senator BLUMENTHAL. Is that interest sufficient, do you think, to justify the national security waiver under the legislation that is currently included in the National Defense Authorization Act (NDAA)?

General DEMPSEY. I do, sir.

Senator BLUMENTHAL. What would have to change for those helicopters to be purchased from an American manufacturer such as Sikorsky or any of the others that are more than capable of providing better aircraft to the Afghans?

General DEMPSEY. We actually have experience in making that transition in Iraq where we have initially outfitted them with Soviet aircraft and are now making the transition to an American airframe. It starts with training and long lead time procurements. But that effort is unlikely to begin until we establish a bilateral security agreement.

Senator BLUMENTHAL. Admiral Winnefeld, I was at a briefing recently that you gave, an excellent briefing, on threats to our Navy. I wonder if you could comment, to the extent you are able, on the importance of the *Ohio*-class replacement in terms of nuclear deterrence, the importance of continuing with that program, and any possible jeopardy that might be impacted as a result of sequester.

Admiral WINNEFELD. Senator, we of course remain committed to the triad. We believe that is the right approach for nuclear deterrence for this country, and of course, the fleet ballistic missile submarines are an absolutely essential element of that triad. It is the most survivable element that we have. It is a very reliable platform, a very reliable missile that goes with it. We are very committed to the next class coming down the line.

I think we have delayed it about as far as we can. We need to now—and we are getting into the requirements and design of this missile-carrying submarine. Again, we are just committed to the program. It is terribly important that we get this right.

We are going to try to control the costs on it. We are going to try to make this, like all the programs we are working right now, from the beginning a successful acquisition program. I know that the Under Secretary of Defense for Acquisition, Technology, and Logistics (AT&L) and Sean Stackley with the Navy and the Chief of Naval Operations himself are all committed to making this a successful program.

Senator BLUMENTHAL. You would agree, would you not, that this program really has to be spared any impact as a result of sequester? It is so vital to our national security.

Admiral WINNEFELD. I would agree with that, yes, sir.

Senator BLUMENTHAL. General Dempsey, I wonder if I could move to a personnel issue that I know, because of your personal commitment to the well-being of our troops, is of great interest to you, the electronic medical record system which still is incompatible—the Department of Defense medical records system with the Department of Veterans Affairs (VA) record system—despite questions that I and others have asked repeatedly under this Secretary of Defense and the previous one. I remain concerned, to put it mildly, with the fact that interoperability still is a goal not a reality. I wonder if you could comment on what can be done to increase the pace of making those two systems compatible. I had thought originally that they would be one system. A billion dollars has been spent on making them one system.

General DEMPSEY. Thank you, sir.

I share your concern. I can also assure you that Secretary Hagel who has a background in the Veterans Administration shares it. He has taken a decision to move the responsibility, the program management, into AT&L where it will, I think you will see, be much better managed.

We have done other things. For example, agreed to certify as complete medical records that pass from Active Duty into the Veterans Administration, which then relieves the burden of them having to do continual research to figure out if the record is complete.

That is the path we are on, but your oversight and interest in it will be an important part of achieving it.

Senator BLUMENTHAL. Thank you.

My time has expired. But I, again, want to thank you both for your extraordinary service and just to reiterate, General Dempsey, I remain unhappy, very strongly unhappy, with our current position and posture vis-a-vis those MI–17s and I am not going to let the issue go. With all due respect, I understand your position. Thank you very much for being so forthright in your answers.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Blumenthal.

Senator McCain?

Senator MCCAIN. Thank you, Mr. Chairman.

I must tell both the witnesses at the onset I am very concerned about the role you have played over the last 2 years, your view of your role as the chief advisors to the President on national security, and the state of the world over the last 2 years since you have come to hold the office you hold.

General Dempsey and Admiral Winnefeld, do you believe the continued costs and risks of our inaction in Syria are now worse for our national security interests than the costs and risks associated with limited military action?

General DEMPSEY. Senator, as we have discussed——

Senator MCCAIN. I would like to know an answer rather than a filibuster. I have 6 minutes and 10 seconds.

General DEMPSEY. I assure you, Senator, I will not filibuster.

This is a regional issue. I would say that the issue in Syria is we are at greater risk because of the emergence of violent extremist organizations, as is Iraq.

Senator MCCAIN. You are not answering the question, General. Do you believe the continued costs and risks of our inaction in Syria are now worse for our national security interests than the costs and risks associated with limited military action?

General DEMPSEY. With all due respect, Senator, you are asking me to agree that we have been inactive, and we have not been inactive.

Senator MCCAIN. We have not been inactive?

General DEMPSEY. That is correct.

Senator MCCAIN. This, again, gives validity to my concern because, obviously, we may not have been inactive, but any observer knows that Bashar al-Assad is prevailing on the battlefield. Over 100,000 people have been killed. Hezbollah is there. The situation is much more dire than it was 2 years ago when you and Admiral Winnefeld came to office.

So your answer is that we have not been inactive?

General DEMPSEY. That is correct. We have not used direct military strengths, but we have not been inactive.

Senator MCCAIN. I will ask you for the third time. Do you believe that we should take military action? Which has greater risk? Our continued, limited action or significant action such as the establishment of a no-fly zone and arming the rebels with the weapons they need, which they have not been getting, General, I know. I know perhaps better than you because I have been there. Which do you think is a greater cost? The action that we are taking now, which has had no effect on the battlefield equation, or doing nothing?

General DEMPSEY. Senator, I am in favor of building a moderate opposition and supporting it. The question of whether to support it with direct kinetic strikes is a decision for our elected officials, not for the senior military leader of the Nation.

Senator MCCAIN. This goes back to my concern about your role as Chairman of the Joint Chiefs.

General DEMPSEY. I understand.

Senator MCCAIN. The Chairman of the Joint Chiefs is supposed to provide the best advice he can as far as our overall national security is concerned. That is why you are the sole military advisor.

You testified this February you had advised the President to arm vetted units of the Syrian opposition. In April, you testified you no longer supported the position. Now we read in published reports that the administration has decided to arm the Syrian opposition units.

How do we account for those pirouettes?

General DEMPSEY. I would not accept the term "pirouette," sir. I would accept the term that we have adapted our approach based on what we know of the opposition. If you recall, in the beginning of the year there was a period where it was pretty evident that the extremist groups were prevailing inside the opposition. So I have not been wavering——

Senator MCCAIN. Is your position that the extremist groups are prevailing inside the opposition?

General DEMPSEY. You asked me about February. In February, I had that concern.

Senator MCCAIN. So that is your answer to why in February you advised the President to arm them? In April, you said that we should not, and then now, obviously, we are arming the rebels. Do you support that policy?

General DEMPSEY. I support the building of a moderate opposition and including building its military capability.

Senator MCCAIN. Here is an example of my concern. You told CNN on July 8, "the war in Syria is not a simple matter of stopping the fight by the introduction of any particular U.S. capability. It seems to me that we need to understand what the peace will look like before we start the war." The war has been going on, General Dempsey, to over 100,000 people killed. We did not start the war and we would not be starting a war. We would be trying to stop a massacre that is going on. We would try to stop the Hezbollah with thousands of troops. We would try to stop the fact that the Russians continue to supply heavily Bashar al Assad's forces and what would be a great triumph for Iran in the entire region. But you say it seems to me we need to understand what the peace will look like before we start the war. Do you think we ought to see how we could stop the war by intervening and stopping the massacre?

General DEMPSEY. Senator, would you agree that we have recent experience where until we understood how the country would continue to govern and that institutions of governance would not fail, that actually situations can be made worse by the introduction of military force?

Senator MCCAIN. Actually, General Dempsey, you and I went through this in 2006 in Iraq when I said that it was not succeeding and that we had to have a surge and that only a surge could succeed in reversing the tide of battle. You disagreed with me way back then. I think history shows that those of us who supported the surge were right and people like you who did not think we needed a surge were wrong.

I guess my question to you is, is it in any way a good outcome for this situation on the battlefield to continue as it is with obviously Bashar al-Assad prevailing and a great victory for Iran and continued slaughter of thousands and thousands of people, the destabilization of Jordan, the destabilization of Lebanon, and what is clearly erupting into a regional conflict? Is that your answer?

General DEMPSEY. Senator, somehow you have me portrayed as the one who is holding back from our use of military force inside of Syria.

Senator MCCAIN. No, I am not saying that, General. I am saying what your advice and counsel is to the President of the United States, and your views are very important because that is your job.

General DEMPSEY. It is. I have given those views to the President. We have given him options. Members of this committee have been briefed on them in a classified setting. We have articulated the risks. The decision on whether to use force is the decision of our elected officials.

Senator MCCAIN. The chairman just asked you if you would give your personal opinion to the committee if asked. You said yes. I am asking for your opinion.

General DEMPSEY. About the use of kinetic strikes? That issue is under deliberation inside of our agencies of Government, and it would be inappropriate for me to try to influence the decision with me rendering an opinion in public about what kind of force we should use.

Senator MCCAIN. So your answer to the chairman's question about giving your personal view is circumscribed by decisions that are still being made?

General DEMPSEY. I will rather let this committee know what my recommendations are at the appropriate time. Yes, sir.

Senator MCCAIN. When might that be?

General DEMPSEY. Sir, if the administration and the Government decides to use military force, we have provided a variety of options, and you know that.

Senator MCCAIN. Well, if it is your position that you do not provide your personal views to the committee when asked, only under certain circumstances, then you have just contradicted what I have known this committee to operate under for the last 30 years.

I thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator Donnelly?

Senator DONNELLY. Thank you, Mr. Chairman, and thank you, General. Thank you, Admiral.

I want to get back to Syria in a second.

But, first, I want to ask you, General Dempsey. In regards to mental health services for our servicemembers, one of the things that has recently happened is that at Camp Lejeune, they were reduced by about 50 appointments per month because of the sequestration. I was wondering if you know if there has been any increase in suicide or suicide attempts since sequestration took effect.

General DEMPSEY. I do not have that data readily available, Senator. It is a good question. We are aware of some of the reduction in services. I can take that for the record.

Senator DONNELLY. Okay, great.

[The information referred to follows:]

While it is difficult for the Department to track a direct effect of sequestration on suicide events or attempts, one thing is certain, the Department has witnessed a decline in the total number of suicide events during calendar year 2013 as compared to calendar year 2011 and calendar year 2012. The latest suicide report from the Armed Forces Medical Examiner's Office (week ending July 14, 2013) stated that year-to-date 2013 there have been a total of 156 confirmed and suspected suicides. This number, while unacceptably high, indicates 45 fewer suicide events compared to 2012 and 8 fewer than in 2011. We're cautiously optimistic that our extensive efforts may be showing results, and we must continue to keep our eye on the ball following through on prevention efforts to ensure these numbers continue to decrease. The Department will continue its collaboration efforts with the Department of Veterans Affairs, other Federal agencies, nongovernmental organizations, and academia to share an understanding of key risk factors associated with suicide, collaborate on a national strategy, and develop best practices in suicide prevention.

Since the date civilian furloughs officially began (on/about July 8, 2013), there have been seven new cases of suicide events. While there has been a decrease in the number of services provided due to sequestration, the number of suicides has not increased. Suicide remains a highly complex issue with many facets contributing to a servicemember's choice to commit this act. Personal/dispositional factors, contextual factors, clinical health factors, historical factors, and even deployment fac-

tors can all contribute as stressors linked to suicide events and in some cases a lack of services may not be at issue at all. While sequestration will force the department to make tough decisions, suicide prevention is of vital importance and will remain a top priority for our leaders.

Senator DONNELLY. The follow-up on that would be, are there efforts in place right now to try to minimize the effect on mental health since it has such a dramatic effect on our servicemembers?

General DEMPSEY. There are any number of efforts, and it has the attention of not only the Department but also the Joint Chiefs. Admiral Winnefeld himself chairs a meeting with the Vice Chiefs of the Services. We meet in the tank. We are concerned because although we have prioritized care for wounded warriors, families, and mental health services in the face of declining resources, how that is implemented in the field can sometimes be missed. We are alert to it.

Senator DONNELLY. Okay.

I was in Afghanistan a few months ago and met with our commanders. At the time, we were on all of our metrics. We were right where we wanted to be as we head toward the end of 2014. Admiral and General, are we still meeting the plan that we had laid out? Are we still being able to hold the towns that we have started to hold? Are we able to turn the Taliban back? Is the plan moving along on schedule? Is it going faster or slower? Are we meeting the numbers we were hoping to meet as we head toward the end of 2014?

General DEMPSEY. I will start and see if the Vice wants to add anything.

Besides speaking with General Dunford on a weekly basis and visiting him about quarterly, I also reach out to as many other people as I can possibly reach out to who can give us other views. Yesterday we had a woman from the Congressional Research Service who had actually spent the last 5 months traveling around Afghanistan visiting with civilian and military leaders, mostly Afghans. Her report aligned with General Dunford's assessment that we can achieve our military campaign objectives on the timeline that is currently established.

Senator DONNELLY. I appreciate the update because if we are able to stay on that program, then the Afghan forces have a chance to make this work.

To get back to Syria that Senator McCain was talking about, if conditions do not change, does it look to you, as it looks to many, that in the near future Daraa could also fall to the Assad Government as well?

General DEMPSEY. Actually the chairman asked——

Senator DONNELLY. I apologize. I had to step out.

General DEMPSEY. No, no, sir. I was just reflecting on the fact that there are many people concerned about Daraa. I met on Saturday with King Abdullah from Jordan, and I will be visiting him next week and his leaders as well. We have military contingency planning ongoing both back here, but also inside Jordan. So, yes, we are concerned about Daraa.

The conflict tends to ebb and flow. That kind of conflict will always ebb and flow. We are watching and making sure that we

would have options available to the national command authority if necessary.

Senator DONNELLY. What steps, short of a limited no-fly zone, could have the kind of effect that could slow down the Assad forces?

General DEMPSEY. Let me pass that to the Vice because he just did some significant work on this in preparation for his hearing on Tuesday.

Admiral WINNEFELD. Senator, there are a whole range of options that are out there.

Senator DONNELLY. The reason I asked that is because I know there is a whole range of options, but as you look at everything, the rebel forces are being moved from almost everywhere they are located. So we have options but the ball seems to be heading the other way.

Admiral WINNEFELD. I would not want to get into any Intelligence Community judgments or anything classified in an unclassified hearing. But I think as commonly known, where the opposition is most on the run right now is in the central and western part of Syria around al-Qusayr, which they have lost, around Homs, which is a very difficult situation for them right now. That also happens to be the most important place other than Damascus itself probably for the Syrian regime to regain control of because that represents the pathway from Damascus into their traditional homeland near the coast. So they really want that back.

I believe personally—and it is only my personal judgment—that if the regime is successful in that area, they will next move north to Aleppo, which is the largest city in Syria. It is their commercial center. I do not think they are going to go down to Daraa yet, but we have to watch. We have to maintain vigilance and discern where this thing is headed.

Senator DONNELLY. Then whether it is Aleppo or Daraa, and I know there are contingencies, but to not take action is to take action and is determinative of what happens. I think there is a concern as to how long does this go on before the momentum becomes irreversible.

Admiral WINNEFELD. We are ready to act if we are called upon to act. I think the current track that is being pursued by the administration is a diplomatic track. All manner of other options have been discussed and are continually under discussion, and I would not want to get out in front of the President or anybody else on what choices he might make.

Senator DONNELLY. In effect, you are waiting to hear at this point.

Admiral WINNEFELD. As we should be. We are ready, providing every possible option we can in case we are called upon to exercise the use of force, which we believe is a political decision.

Senator DONNELLY. In regards to the rebel forces, as you look at them right now, General and Admiral, we have been concerned about al Nusra and their activities. Do you see the al Nusra piece growing stronger than the moderate piece? How do you see this moving on a day-to-day basis?

General DEMPSEY. There was a period back in April that Senator McCain referred where I was very concerned that the al Nusra

front, Ahrar al-Sham, and others—there are hundreds of different groups that shift allegiances and alliances on the opposition side, and it makes it very challenging to determine what we are really looking at there. The Intelligence Community is hard at it. I am hard at it. We are hard at it with our regional partners. There was a period of time when I was fearful that the extremist element, the jihadist Salafist side of the opposition was gaining considerable strength.

Of late, through some efforts that we have made to convince our allies to avoid creating a problem by empowering some of these groups, we have had some success at that. We have also had some success in identifying more clearly a part of the opposition that could be built and trained not only militarily. This is the point I really want to make sure resonates. This opposition has to not only be prepared militarily, but it has to be prepared if it achieves a position of governance inside of Syria. Otherwise, the situation will deteriorate even further.

Senator DONNELLY. General, Admiral, thank you for your service.

Mr. Chairman?

Chairman LEVIN. Thank you very much, Senator Donnelly.

Now, before I call on Senator Wicker, Senator Inhofe has a very brief comment.

Senator INHOFE. Just a brief clarification. I was told by my staff when I came back that I might have been misunderstood in my comments about GTMO. I am arguably the strongest supporter of opening it up, using it to its fullest capacity not just for incarceration but for trials. The language is in the bill. Mr. Chairman, I appreciate your good faith efforts in the language that was in there, but I am against the language that is in the NDAA.

Thank you for giving me the opportunity to state that.

Chairman LEVIN. Thank you, Senator Inhofe.

Senator Wicker?

Senator WICKER. Thank you, Mr. Chairman.

General Dempsey, welcome back.

Let us talk about the situation in Egypt. There has been disagreement in Washington about the wisdom of continuing to provide assistance to the Egyptian military in light of recent events there. When I look at Egypt, I do not see very many Jeffersonian Democrats, but I believe the Egyptian military has acted with great professionalism and restraint throughout the 3 years of difficult transition since the 2011 ouster of Hosni Mubarak.

I believe one of the primary reasons there has not been far more bloodshed and suffering during this time of transition is the support the United States has provided to Egypt through foreign military sales and military-to-military cooperation.

In light of recent events, some have called for the end of these programs. Let me tell you how I feel about this and our commitments under the Camp David Accords and then I will let you respond.

First, we must maintain the strength of this relationship to enable us to assist and influence Egypt's military leaders.

Second, the United States would be shortsighted to overlook the return on investment we get from the Egyptian military, for example, Suez Canal transits for our carrier battle groups, intelligence

cooperation, counterterrorism cooperation. These are examples of the benefits we derive from this relationship.

Third, the Egyptian military has played a stabilizing role during Egypt's transition.

Fourth, our commitments under the Camp David Accords have yielded sustainable peace between Israel and Egypt. We must acknowledge Israeli Prime Minister Netanyahu's statement this weekend on Face the Nation that the Camp David Accords have been, "The cornerstone of peace between us and our neighbors, and it has also been the cornerstone of stability in the Middle East."

General Dempsey, do you agree with me regarding the importance of military-to-military relationships as enablers of U.S. foreign policy?

General DEMPSEY. I do, Senator.

Senator WICKER. Do you agree with me that we should continue to maintain and foster the strength of the U.S.-Egyptian military relationship?

General DEMPSEY. I do. If our Government decides that they have to take some action based on existing legal frameworks and restrictions, I would recommend that we find a way to restore those as quickly as possible even if it meant conditioning them some way. But I very strongly believe we have to maintain our contact with the Egyptian armed forces.

Senator WICKER. Do you have any reason to believe, as some have feared and as some fear now, that weapons and equipment that we provide to the Egyptians or that we have provided in the past have been used or will be used or would be used in ways that might eventually endanger the U.S. military or civilian personnel or U.S. interests?

General DEMPSEY. There is no indication at this point, Senator, that that would be a concern.

Senator WICKER. In your opinion, was the elected Government of Mohamed Morsi moving toward a dictatorship?

General DEMPSEY. If I could, I would like to use this opportunity to express my conversations with my counterpart. I can tell you they very strongly believe that.

Senator WICKER. Okay. Let me ask you then, before I move on to another topic. I made some pretty emphatic statements. Would you like to elaborate? I will give you an opportunity to elaborate on what you have said about the relationship that we have had and the assistance and the sales that we have had with the Egyptian military.

General DEMPSEY. Thank you. My own personal experience with it goes back to when I commanded U.S. Central Command (CENTCOM) in 2008, and I can tell you that they are a very strong partner of the United States, a very key nation in the region. As you put it yourself, we enjoy preferential passage in the Suez, dynamic overflight. They have committed to the Camp David Accords. The Israeli military considers the Egyptian military a strong partner. In my personal experience, which goes back now about 5 years, they are worth the investment.

Senator WICKER. Now, with regard to Syria, the chairman talked in his opening statement about a post-Assad solution, the negotiated solution. Do you agree that unless the momentum shifts—

and I think Senator Donnelly was concerned about this also—back toward the rebels, there is hardly any chance for that sort of solution that the chairman seeks and is hoping for?

General DEMPSEY. Yes, I agree. I think as the momentum ebbs and flows, each side feels itself more compelled or less compelled to seek a negotiated settlement. Sure.

Senator WICKER. If I can, I think you answered a question from the chairman about ways in which military support could be gotten to the rebels, and I think he asked about enabling other governments to support the military efforts if we are unable politically or unwilling to do so. Do you remember that question?

General DEMPSEY. I do.

Senator WICKER. Can you elaborate at all, or is that something you just do not feel comfortable talking about?

General DEMPSEY. No. I am comfortable talking about the commitment to improve the capabilities of the opposition. There are any number of ways to do it directly.

Senator WICKER. The military capability?

General DEMPSEY. That is correct.

But you have also heard me say it is not just about improving or enhancing their military capability.

Senator WICKER. I understand that, but that is what my question is about.

General DEMPSEY. Yes, sir.

Of course, other nations as well. There is a significant diplomatic effort to bundle our efforts together into something that will increase the pace at which their capability could be increased.

Senator WICKER. Could you elaborate as to who these allies might be that are a little more willing?

General DEMPSEY. I would rather do that in a classified setting, Senator.

Senator WICKER. Okay.

Thank you very much, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Wicker.

Senator Reed is going to yield momentarily to another Senator who is next in line who I believe is Senator Gillibrand. Senator Reed is going to yield just for one turn.

Senator GILLIBRAND. Okay, thank you. Thank you, Mr. Chairman.

Thank you both for your public service, for your dedication, for all that you do for our military and for our Nation.

I would like to first focus and continue the conversation on Syria.

I have grave concerns over the broader regional security in the Middle East, particularly when we are seeing the continued influx of jihadi and Hezbollah fighters into Syria. I want to talk a little bit about what this means for Syria's neighbor.

Obviously, with Hezbollah in Lebanon, Iran has been able to have an influence at Israel's border. Will Iran be able to do the same with regard to Syria in your estimation? What can we do to prevent both a jihadi haven, as well as a stronghold for Iran through Hezbollah in Syria?

General DEMPSEY. I will take this and then if the Vice Chairman wants to add because we have been—it will not surprise you to know—deeply involved in this issue collaboratively.

First of all, you are exactly right to think of this as a regional issue, Senator. I would add that Iran is not just a challenge to the United States in its nuclear aspirations but also through its surrogates, its proxies, its arm sales. They are trying to foment a sectarian conflict that runs from Beirut to Damascus to Baghdad. The approach to that, the strategy that would underpin our efforts should be regional, therefore, which means we need to increase our support of the Lebanese armed forces on one side, of the Iraqi armed forces on the other, and of our Jordanian and Turkish partners on the northern and southern flank.

Senator GILLIBRAND. With regard to the broader question on Iran specifically, I have heard both cautious optimism and grave concern about the election of Rohani as the new President. What is your assessment of the impact of the election? Do you expect his election to change Iran's nuclear policy or its international policies? What is your initial assessment?

Admiral WINNEFELD. First of all, I reflect back on former Secretary Gates' oft-quoted remark of he is looking for the elusive Iranian moderate. Rohani does have a reputation for being a moderate. He has made some moderate statements since he has been elected, but he is not in office yet. There are those of us who have the opinion he is going to struggle a little bit against a very conservative central government leadership led by the Supreme Leader that may prevent him from, if he wants to be a moderate, becoming one.

I think the real watchword here is prudence. It makes sense to potentially reach out to him, see where he is coming from, but not to do so naively. I do not think anybody is going to do that. I think we are in a good position here. But it is an interesting development. Nobody really expected him to be elected, at the same time again the elusive Iranian moderate. We need to maintain the pressure that we are maintaining on the regime and make it very clear to them what our objectives are, number one, that they not develop a nuclear weapon.

Senator GILLIBRAND. Thank you.

Turning now to cyber, both of you have testified that you believe that cyber is a growing threat and a serious concern for our military and for our national security and for our economy. We have been working on a bipartisan basis on a bill called The Cyber Warrior Act—Senator Vitter and Senator Blunt are leading the charge for the Republican side—in order to create a National Guard unit that is dedicated solely to cyber defense of our Nation as a way to get some of our best and bravest from the private sector who are dedicated to the military and the defense of this country to be able to use their talents more efficiently, in a more cost efficient manner as well.

Can I have your opinions on what the impact of creating these units would be with their dual status and whether that would be in the end better for our defense and for growing this talent in house?

General DEMPSEY. I will go first. Again, this is one where the Vice has also been deeply involved.

First of all, you have our commitment to seek to figure out what are the various roles in all the components of our military and all

the branches of Service. Without making a firm commitment right now on that particular approach, I will say that each of the Service Chiefs is taking a look at it under the advice of our U.S. Cyber Command Commander and U.S. Strategic Command Commander.

By the way, you say it is a growing concern. It is here right now. There is urgency to this and I think you understand that.

We would have to understand what the cyber role would be for a guardsman. There really would be no role in a title 2 authority. There is no title 2 authority for cyber. It is really title 10.

But go ahead, Sandy.

Admiral WINNEFELD. I would say it has been an interesting idea that we have looked at and we are committed to looking at. We are growing our cyber force by a considerable number. It is probably the only part of our force that is going to grow under current budget conditions.

We need this new force to do a number of things for us, principally to help us defend our own networks inside the Department of Defense to help defend the Nation against cyber attacks. Obviously, law enforcement, Department of Homeland Security (DHS) have the lead there, but we play an important role in assisting them.

Then there is the potential for offensive cyber operations in support of a combatant commander if we end up finding ourselves in a war.

Where the National Guard fits into those three niches is something we need to study and look at. We are short of money. It is going to cost a lot to develop this capability in the Guard, and it is not there all the time for us. Then again, I think you make a fair point that there is expertise out there to tap on.

Senator GILLIBRAND. That we want to have.

Admiral WINNEFELD. I just think we need to look very closely, very soberly at whether this makes sense financially.

Senator GILLIBRAND. I would like to work with you both on this issue.

We have, obviously, been spending a lot of time on sexual assault in the military. It is something everyone cares deeply about solving. One of the things I want to get your thoughts on the military has had a change of position on its view towards Article 60, that we can actually take Article 60 authority outside the chain of command and still maintain good order and discipline, still maintain command climate, command control.

Why do you think removing Article 30 would be different in any way? Because I would imagine that second legal decision would not have a differing impact than removing Article 60.

General DEMPSEY. The approach to Article 60 was because we had put in place over time in our judicial system other mechanisms, military judges and prosecutors, and an appeal process that allowed us to consider changing the authorities of a convening authority to change a ruling after the fact. But that is, it seems to us, different than taking the actual offense out of the Uniform Code of Military Justice (UCMJ).

Do you want to add anything to that?

Admiral WINNEFELD. I think the most important thing to me is to make sure that there is an active deterrent out there that some-

body who is contemplating sexual assault knows that they are going to be caught, that they are going to be prosecuted, and if they are prosecuted, they are going to be punished. It is the same thing that has worked in the drug world for us and the like. It is our strong view that the commander is responsible for that.

Senator GILLIBRAND. But I would argue that the commander is still responsible for that because keeping in a number of the articles like Article 134, other articles that are general crimes, you are still fundamentally responsible for command climate, good order, and discipline. For any type of infraction of any part of the UCMJ, the commander is responsible for. You have to set the climate where this assault and rape is not going to happen where they can not be retaliated against and where they will report.

Admiral WINNEFELD. I could not agree more.

Senator GILLIBRAND. The only difference is the legal judgment, that weighing of evidence and facts, will now be done by a trained objective military prosecutor.

Admiral WINNEFELD. I would like to give you a couple of numbers on what the Army has discovered recently, peeling back the numbers on what a so-called objective observer might end up with.

The Army has looked back over the last 2 years and has found 35 cases where a civilian district attorney (DA) refused to take a sexual assault case—refused to take the case. The chain of command in the military insisted that the case be taken inside the military chain of command. Of those 35 cases, there are 14 out there that are not yet resolved. They are still in the court system. There are actually 49. Of the 35 complete, 25 resulted in a court martial conviction. That is a 71 percent conviction rate. The civilian rate is around 18 to 22 percent. So of those 71 percent that were convicted, 24 of the 25 got punitive discharges. They are doing prison time.

If the Army had not taken those 49 cases and the 35 where we have achieved a conviction, those people would be walking the street right now. The victims would not have had the resolution that they deserved in this case. This was done inside the chain of command, the chain of command insisting that a prosecution be pursued, and it was pursued successfully. I worry that if we turn this over to somebody else, whether it is a civilian DA or a nonentity in the military, that they are going to make the same kind of decisions that those civilian prosecutors made. I worry that we are going to have fewer prosecutions if we take it outside the chain of command.

Senator GILLIBRAND. We want prosecutions that are going to result in guilty verdicts, and weighing these kinds of evidence is very difficult. That is why being trained to know what kind of cases you can bring forward and win is so important.

But, moreover, you may have helped a handful of victims. We are still having 23,000 victims who do not feel the system is strong enough, objective enough, and transparent enough to even report. If we are going to address the 23,000 cases as opposed to the handful where a judgment of a commander might have helped, we need to change the system.

My time has expired.

General DEMPSEY. By the way, thanks, Senator. I hope you know we actually embrace this discussion.

Senator GILLIBRAND. Thank you for your service and thoughtfulness.

Chairman LEVIN. Thank you, Senator Gillibrand.

Senator Ayotte?

Senator AYOTTE. Thank you, Mr. Chairman.

I want to thank both of you for being here and your families for your distinguished service to our country.

General Dempsey, I want to thank you for your recent visit to New Hampshire. It really meant a lot to our men and women in uniform, and they said to me after that it really said so much about your leadership to go hear from those on the ground. Also at our shipyard, our civilian workforce—they deeply appreciated it. So thank you.

Yesterday I was deeply troubled by a report that came out from the Government Accountability Office (GAO) about the Joint Prisoner of War/Missing in Action (POW/MIA) Accounting Command (JPAC), and that report actually said that unfortunately the leadership weaknesses and fragmented organizational structure is undermining the important function of JPAC. Of course, with more than 83,000 of our country's heroes remaining missing or unaccounted for from past conflicts, including 49 from New Hampshire for Vietnam and Korea, I believe we have a moral obligation to those we have left behind.

This follows up a recent Associated Press (AP) report that found that an internal study that was done at DOD found that this effort, JPAC, was so inept, mismanaged, and wasteful that it risked descending from dysfunction to total failure. There were allegations that this internal study had been suppressed by DOD.

General Dempsey, what are we going to do about this and how are we going to make sure that we fulfill our responsibility to those who have served our country and have been left behind so that they understand that they are not forgotten?

General DEMPSEY. First, Senator, thanks for the hospitality last week. I assure you I always get more than I give on those visits to soldiers, sailors, airmen, and marines, coast guardsmen, and all the components.

This is a new report to us as well. I can tell you, though, that the Secretary of Defense, while on travel, called me up to make sure that I had been made aware of it and to tell me that when he got back and when I complete this process of hearings and office calls, that he wants to get to the bottom of it.

I mean, it is so new, but it is so discouraging and moving rapidly toward disgraceful. I assure you we will get at it.

We have a new commander out there, and I can also tell you that he is seized with this as well.

Senator AYOTTE. I have written the chairman and I hope that we could have, with the full committee, a hearing on this because I believe it is that important to get to the bottom of some of the issues that have been raised by this GAO report and the internal report.

I would like to ask you, Chairman Dempsey, the chairman and the ranking member of this committee wrote to Secretary Hagel on May 2, 2013. We have heard testimony both in the Readiness and

Management Support Subcommittee and every subcommittee within this committee about the impacts of sequestration. In that letter, the chairman asked you to produce, or the Department of Defense to produce, a package of reductions for the fiscal year 2014 defense budget that would be the most workable approach for meeting the $52 billion in reductions required by sequestration under the BCA.

We did receive a response recently from Secretary Hagel, but it does not really answer our question on the specifics.

Have you put together a contingency plan for the $52 billion in reductions required by sequestration in 2014?

General DEMPSEY. The Services, having received their fiscal guidance about 2 weeks ago, are preparing that contingency right now. It will be a contingency that addresses both the President's budget submission and also the sequestration.

Senator AYOTTE. We had asked for this in July. Can you give me a commitment as to when will this be produced to us, this committee, so that we can understand the impacts of sequestration and we can also share it with our colleagues about what it really means in terms of the impact of the readiness of our forces?

Admiral WINNEFELD. I can probably help.

General DEMPSEY. Yes, go ahead.

Admiral WINNEFELD. It is a very fair question. The answer that came back was the first contours of what the fiscal year 2014 execution would look like under those conditions.

It is important for us to keep in mind that there are about five things the Service planners, budget planners, are having to go through right now. They are going through what 2014 is going to look like under the conditions that were asked for in the letter. They are finalizing what 2014 execution would look like under the President's budget. They are also having to develop two or three different scenarios for the fiscal year 2015 to 2019 budget. These people are furloughed 1 day a week. So it is a little tough to produce fine detail of that quickly. But the Services have been given the task and they will have an execution plan before the first of October and you will have it.

Senator AYOTTE. We need it sooner. Let me just say that you can do all the planning you want for the President's budget, but it is pie in the sky right now. The reality is that the law is the sequestration, and until the American people understand and everyone here understands what the real impact of that is, that is why I am hoping that you will make that the priority.

I know I do not have that much time, but I want to ask you, the Chairman and the Vice Chairman, about Russia. In particular, I saw a recent report that Russia is in violation of the Intermediate Range Nuclear Forces Treaty. Is that true?

Admiral WINNEFELD. That is something that we cannot address in an unclassified hearing, but I would be happy to get into a discussion with you in a more classified setting, the point being that we have very good verification methods in place. We watch this very closely. We believe that they are in compliance with the Strategic Arms Reduction Treaty (START), and I need to leave it at that in this setting.

Senator AYOTTE. Okay. I will follow up because I am not asking about the START treaty.

Admiral WINNEFELD. I understand.

[The information referred to follows:]

The administration is prepared to brief the Senator on the issues relating to the question.

Senator AYOTTE. The reason that I am asking this is because here is where we are with Russia, a postmortem conviction of Sergei Magnitsky—the human rights case—who was, of course, tortured and killed for bringing out corruption within the government. To put it in your face with the United States, they have not ruled out granting asylum to Edward Snowden. Just today there was a report that one of Putin's chief opponents, Navalny, a candidate for the mayor of Moscow, was convicted. It really reeks of using the judicial system for Putin to punish his opponents.

When I look at that context, one thing that concerns me is that our posture with Russia—if they are in violation of their treaty obligations, that is an important issue.

One final question, Admiral. The President recently announced that he would be considering further reductions to our nuclear arsenal. Do you believe that we should do that unilaterally?

Admiral WINNEFELD. Senator, the advice that we have given to the President is that we not do that unilaterally, that we do it as part of a negotiated package of reductions.

Senator AYOTTE. If there were going to be unilateral reductions, would you oppose those reductions?

Admiral WINNEFELD. I would not give that advice to the President that we do a unilateral reduction.

Senator AYOTTE. You would advise against a unilateral reduction in our nuclear deterrent?

Admiral WINNEFELD. We already have.

Senator AYOTTE. Okay. I appreciate that.

General DEMPSEY. There are three things, Senator. There is the through negotiations, preserve the triad, and modernize the stockpile.

Senator AYOTTE. My time is up, but I think given the behavior of Russia, I think it is at best naïve to think that we are going to be able to negotiate any kind of further reductions, which I would oppose. I do not think that is the right direction for the protection of this country. But in light of what I just described—and obviously, we cannot discuss it in this setting, but if we find out that they are in violation of other treaty obligations, coupled with their other behavior, I do not see how we can expect good faith negotiations from the Russians at the moment.

Thank you.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Reed?

Senator REED. Thank you very much, Mr. Chairman.

Thank you, gentlemen, for your service to the Nation and to your families' service because it is evident you cannot do this alone.

General Dempsey, one of your statutory duties is to provide your formal military advice on the strategic environment and military activities needed to address that environment through the Chairman's risk assessment. Given the current world environment, which seems to be changing minute by minute—Senator Ayotte just detailed what has happened in the last 24 hours with respect

to the Russians—what changes would you make today to your risk assessment that you submitted in April?

General DEMPSEY. Thanks, Senator.

The first thing I think you have probably noticed is we changed the one we submitted in April. Previously it had been an accumulation of combatant commander requirements.

By the way, this is to Senator Inhofe's point earlier. Since I have been Chairman over the past 2 years, the requirements that the combatant commanders have submitted have actually increased in U.S. Pacific Command, in CENTCOM, and in U.S. Africa Command notably. It is to the point about increasing risk, declining readiness.

We changed it to try to align what we are doing with national security interests unprioritized, because that is not our responsibility to prioritize them, and we made an estimate of what we are doing across the globe that is being placed at risk. We also looked inside the Services at how the health of the force is evolving.

In that document, I made mention of the fact that this document did not account for sequestration, and that once that became a reality, that I would have to revise my risk assessment. I will have to do so to align with the submission that Senator Ayotte just described.

Senator REED. Thank you very much, Chairman Dempsey.

Admiral Winnefeld, my colleagues, particularly Senator Gillibrand, have done extraordinary service to the Nation and to the military by pointing out that despite years of effort, we have a significant sexual abuse problem in the military. We have to, as you both clearly indicated, not rhetorically but fundamentally respond to this.

One aspect we focused on has been the judicial system. But some of my experience suggests that there are other levers that are critical to the climate, the command structure, the performance of the military, and they include evaluation, promotion, and retention. If we do not focus on those areas also, then we will never have the kind of force that we need and the trust that we need among the men and women who serve in that force.

Can you comment on that? I know you and your colleagues have taken on a leadership role in dealing with this issue.

Admiral WINNEFELD. In terms of promotion and——

Senator REED. How do we make this so that every day someone thinks about their responsibilities? There is a judicial process out there, but this is what is expected of me to stay in the force, to succeed in the force, and to have the force succeed.

Admiral WINNEFELD. There are an enormous number of aspects of that answer, but I will touch on a few.

The most important thing—and Senator Gillibrand touched on this—is the command climate that we hold commanders responsible for establishing that makes the likelihood of a sexual assault drop down hopefully to zero. There are a number of aspects. It is about teaching people what a heinous crime this is. It is about reporting it if you see it. It is about intervening if you see it about to happen, a whole host of measures that commanders must take to establish the climate inside their commands. We need to hold commanders accountable for establishing that climate, and we in-

tend to. That is one of the reasons why the command climate surveys now are going to be seen, which we normally have not done, by the next echelon up in the chain of command. If that next echelon up detects a problem that the climate is not where it needs to be, then action can be taken and it can be even entered into somebody's evaluation as sort of a down strike, as you will.

In keeping with the prevention and the advocacy, investigation, accountability, and assessment pieces of what we are trying to do to take on this pernicious issue, it is absolutely vital that the climate piece of it come to the forefront and that we hold commanders responsible for that.

Senator REED. Thank you very much.

General Dempsey, can you comment on the current level of cooperation between the Government in Kabul and NATO International Security Assistance Force command? Every day there seems to be another example of friction rather than harmony.

General DEMPSEY. The relationship with notably the President of Afghanistan is "scratchy" I think is probably as good a word as I could describe it. He is addressing what he describes as issues of sovereignty, and we are trying to close the gap on what an enduring presence and commitment might look like.

Senator REED. Thank you.

Admiral Winnefeld, in terms of the recent discovery of contraband coming out of Cuba to North Korea, do you have a rough assessment at this juncture? Was it the Cubans trying simply to rehabilitate their equipment, or were they trying to get equipment to North Korea so the North Koreans could use it?

Admiral WINNEFELD. It is a little hard to tell at this point. The Intelligence Community is still evaluating that. It would be easy to come to the conclusion that under the guise of returning equipment to North Korea for repair, that in fact these are jet engines and missiles that would be going to North Korea to replenish their stocks or what have you.

In either case, it clearly exposes North Korea's willing defiance of the international community and United Nations (U.N.) Security Council's resolution and the like. We are very glad that the Panamanians discovered this so that we can once more expose to the world the cynical behavior of the North Korean regime.

Senator REED. Thank you. Thank you, General.

Chairman LEVIN. Thank you, Senator Reed.

Senator Graham?

Senator GRAHAM. Thank you, Mr. Chairman.

Thank you both for your service.

Chairman Dempsey, the Russian President said I think a couple of days ago that if he thought hurting U.S.-Russian relationships would be a consequence of granting Snowden asylum, he would not do it. What would your advice be to the Russian President about granting Snowden asylum?

General DEMPSEY. I think that there would be consequences across all of our relationships, military, economic——

Senator GRAHAM. It would be damaging and not do it. Would that be your advice?

General DEMPSEY. I think it would be, sir.

Senator GRAHAM. Okay, thank you very much.

The Prime Minister of Israel was on national television, on Face the Nation Sunday, and he said the following things about Iran. There is a new president in Iran. He believes he is criticizing his predecessor for being a wolf in wolf's clothing. His strategy is be a wolf in sheep's clothing, smile, and build a bomb.

Admiral Winnefeld, do you agree with that analysis?

Admiral WINNEFELD. As I mentioned earlier, I certainly would agree that we are for the elusive——

Senator GRAHAM. Is there any doubt in your mind that this guy is actually a moderate?

Admiral WINNEFELD. We are looking for the elusive Iranian moderate.

Senator GRAHAM. Now, my question to you—and this will determine how I vote for you. Do you believe the current President of Iran is a moderate?

Admiral WINNEFELD. He does not have a history of being a moderate, no, sir.

Senator GRAHAM. I will take that as no.

The United States should ratchet up the sanctions and make it clear to Iran that they will not get away with it, and if sanctions do not work, then they have to know that you will be prepared—us, the United States—to take military action. That is the only thing that will get their attention. Do you agree with the Israeli Prime Minister about the threat of military force against the Iranian nuclear program may be the only thing to get their attention, General Dempsey?

General DEMPSEY. That has been our approach all along, sir. So yes.

Senator GRAHAM. So great. We are all on the same sheet of paper there, that if they do not believe we are going to hit them, they are going to move.

Here is what he said about all the problems in the Mideast summed up this way. All the problems that we have, however important, will be dwarfed by this messianistic, apocalyptic, extreme regime that would have an atomic bomb. It would make a terrible, a catastrophic change for the world and for the United States.

Do you agree with his assessment of how important it is not to allow the Iranians to get a nuclear weapon?

General DEMPSEY. I do and that is what we have said.

Senator GRAHAM. Great.

All right. Now, as to Afghanistan, the current commander suggested that a 12,000-member force, two-thirds being United States, the other 4,000 being NATO, not counting American special forces troops SOF capability, would be a reasonable number to leave behind in terms of a follow-on force. Does that make sense to you? Is he in the ballpark? Does that make sense?

General DEMPSEY. He is and we have said so at NATO in various sessions.

Senator GRAHAM. Thank you very much. That is encouraging.

Do you agree with me that it would be a wise investment to keep the Afghan army at 352,000 at least for a few more years rather than draw them down to 232,000?

General DEMPSEY. I do.

Senator GRAHAM. Thank you.

Syria. Is Assad winning?

General DEMPSEY. Currently the tide seems to have shifted in his favor.

Senator GRAHAM. Do you agree with that, Admiral Winnefeld?

Admiral WINNEFELD. I would say specifically the tide has shifted in his favor in the central and western part of the country. It is very fragile in the north, and they are hanging in there.

Senator GRAHAM. Is he winning overall or not?

Admiral WINNEFELD. If I were to have to pick who is winning, it would be the regime, but not by much right now.

Senator GRAHAM. Okay. All right. So the regime is winning but not by much.

Could they be winning without Russia's help?

Admiral WINNEFELD. I think the most important help they are getting, sir, is Iranian and Hezbollah. I do not know whether Russia's help is vital but it is certainly helping them.

Senator GRAHAM. General Dempsey, how would you evaluate the significance of Russia's help to Assad?

General DEMPSEY. Through their foreign military sales, they are arming—

Senator GRAHAM. Let me put it this way. If the Russians said we want you gone tomorrow, would it matter to Assad?

General DEMPSEY. Absolutely.

Senator GRAHAM. It would be a gamechanger, would it not, Admiral Winnefeld?

Admiral WINNEFELD. I certainly think so, but Assad is going to fight to the death I think.

Senator GRAHAM. Do you agree with me that if Russia said to Assad we no longer support you, it would be the ultimate gamechanger?

Admiral WINNEFELD. It would be a very important gamechanger, absolutely.

Senator GRAHAM. Thank you. Do you see Russia doing that?

Admiral WINNEFELD. No, sir.

Senator GRAHAM. If he stays versus him going, what is the most catastrophic outcome for us? If he wins over time and he does not leave versus having to deal with the fact that we kicked him out because we said he had to go, what is worse for us? Him staying or going?

General DEMPSEY. We have said that it is the Nation's policy that Assad must go.

Senator GRAHAM. So that means it is worse for us for him to stay and we not be able to achieve our policy. Do you agree with that?

General DEMPSEY. That is my interpretation.

Senator GRAHAM. Do you agree with that, Admiral Winnefeld?

Admiral WINNEFELD. Yes, sir, I do.

Senator GRAHAM. Will he be in power next year if nothing changes? Your best military advice. If we keep just where we are at, Iran is helping him, do you agree they are all in in helping Assad?

General DEMPSEY. I do.

Senator GRAHAM. Do you agree that Hezbollah is helping Assad?

General DEMPSEY. Absolutely.

Senator GRAHAM. Do you agree that Russia is helping Assad?

General DEMPSEY. Yes.

Senator GRAHAM. If nothing changes, if we do not change our game, will he be in power a year from now?

General DEMPSEY. I think likely so.

Senator GRAHAM. What would that mean for the King of Jordan? Will he be in power a year from now?

General DEMPSEY. As I have said, I have met with him and he is concerned that the demographics in his nation——

Senator GRAHAM. Right. You are dead right. He told me he did not think he would be here in another year because there will be a million Syrian refugees and it is destabilizing Jordan. Do you agree with that?

General DEMPSEY. That is his concern. That is right.

Senator GRAHAM. What would that mean for the region and us if the King of Jordan is gone a year from now and Assad is in power a year from now? Would that be a good thing or a bad thing?

General DEMPSEY. He is a strong ally. It would be a bad thing.

Senator GRAHAM. It would be a horrible thing for the Mideast, would it not?

General DEMPSEY. Yes.

Senator GRAHAM. If this war in Syria keeps going on and Assad is still in power a year from now, what effect would it have on Iraq?

General DEMPSEY. It is already destabilizing western Iraq.

Senator GRAHAM. Iraq would just begin to fall apart at a faster rate—do you agree with that—because it is destabilizing the country?

General DEMPSEY. That would certainly be a possible scenario.

Senator GRAHAM. From the Israelis' point of view, the likelihood of Hezbollah getting Russian-made advanced weapons, if he is still in power a year from now—does that go up or down?

General DEMPSEY. From the Israeli standpoint, up.

Senator GRAHAM. Yes. From Israel's standpoint, one of the worst nightmares for them, short of an Iranian nuclear weapon, would be Hezbollah getting advanced weapons sold to Assad by Russia, and that likelihood would go up if he is still in power a year from now.

General DEMPSEY. Yes.

Senator GRAHAM. We will talk in the second round about sequestration. Thank you both for your answers.

Chairman LEVIN. If we can finish the first round by noon at least, there would be a very brief second round. That is my current intention, which I have shared with the ranking member.

Senator McCaskill?

Senator MCCASKILL. Thank you, Mr. Chairman.

Just when I think we have made real progress on wartime contracting, something happens and I realize that we have still miles to go before we really have a handle on this.

The latest incident that has come to my attention is a $34 million military base, Leatherneck, in Afghanistan. When the marines on the ground found out this was going to be built, they sent the word up they do not need it, do not want it. That was in May 2010. In February 2011, contracts were issued, and the building was built.

Now we know it is never going to be occupied, probably going to be demolished because it was done according to U.S. wiring standards. For the Afghanistan army to take it over, for the national forces there to take it over, it would be quite an investment for them to convert the building for their use.

I understand an investigation is ongoing. I questioned Mr. Jenman about this the other day. But I need to hear from you, General Dempsey, that you are committed to getting to the bottom of this because if we do not fix accountability in this instance, whoever pulled the trigger on that expenditure really needs to be disciplined. In my opinion, they should be fired because we have to start sending a signal that when the people are saying do not build it, it is a waste of money, that it does not get built. Are you aware of this situation?

General DEMPSEY. Absolutely, Senator. You have my commitment that we will get to the bottom of it.

If I could share just a bit of good news we have—so this one was not caught, but we have de-obligated about $1.3 billion in contracting for U.S. Forces Afghanistan and a similar amount, probably twice that amount, for the Afghan security forces.

Senator MCCASKILL. That is good. I appreciate that very much.

There has been discussion around military sexual assault that our allies have gone to a different system. The reason that this was talked about was in the context that Canada and Europe had gone to a different system in order to provide more protection for victims. We have had a chance now to take a really close look at those countries and what happened, and it is my understanding those changes in their system resulted from a concern that there was not adequate due process protections for perpetrators. Is that your understanding as well, General Dempsey?

General DEMPSEY. That is correct. Based on our last hearing on the subject, we have done a lot of research into why our allies, the five other nations, went that path, and it is not just because they wanted to protect the accused, but they were also mandated to do it by human rights courts in the European Union.

Senator MCCASKILL. The other argument that is being made about leaving this in the hand of just prosecutors, civilian and/or Judge Advocate General (JAG) prosecutors, is that this would increase reporting. I have had an opportunity to look at the numbers. In Canada, we actually have 176 in 2007, 166 in 2008, 166 in 2009, 176 in 2010. I looked at the numbers in the United Kingdom. Their numbers have actually gone down over the last several years in terms of reports from 54 to 40 to 40. In Australia, they have been stable at 82, 86, 84 over the last several years.

In Israel, there had been a fact about reporting going up when they changed part of their system when it related to lesser sexual offenses a few years ago. There was testimony about their reporting going up 80 percent. If you look back at the numbers—now, these are sex-related offenses total in the military. So everybody gets an understanding of the difference between the enormity of the challenges in our military and what they are looking at in Israel, 26 in 2009, 20 in 2010, 14 in 2011, and 27 in 2012. So yes, there is an 80 percent increase when they changed this between

2011 and 2012, but they only got back to the numbers that they had a few years previously before the change was made.

Are you all aware in the research you have done that changing the system has resulted in an increased reporting anywhere in the world?

General DEMPSEY. There is no analytical evidence nor anecdotal evidence that it has increased reporting. Furthermore, what my counterparts tell me is it has slowed the system down.

Senator MCCASKILL. You mentioned, Admiral Winnefeld, in your testimony earlier that you all have taken a look at prosecutors' decisions in isolation. I have some knowledge of this. There was discipline meted out in my office when I found out that prosecutors in our warrant desk, which was our intake desk, were getting lobbied by some of the trial prosecutors on their decisions because they did not want any losers. They did not want them to take cases that were going to reflect poorly on their won/lost record because when you are a prosecutor, there is a won/lost record. When you take a case to trial, you either win or you lose. So your status among your peers and in some instances your upward mobility in your job could depend on just your conviction rate. When you isolate them with this decision, then there certainly could be instances where you would have a prosecutor that did not want to take a close one, that did not want a "he said/she said".

Do you have additional information that you can share with this committee in terms of numbers of the number of times that civilian prosecutors have said no, military prosecutors have said no, but there are victims out there today that have had justice because the commander said yes?

Admiral WINNEFELD. I do, and I will give you a couple of examples. The Marine Corps has had 28 cases. They have looked back to 2010, 28 cases where civilian prosecutors declined to take the case. Of those, 16 of them the Marine Corps was able to obtain a conviction at court martial, 57 percent. So those are 16 perpetrators that are no longer walking the street and 16 victims who received justice who would not have received it otherwise.

The more startling numbers are from the Army, and I will repeat them. The Army has looked at 49 cases in the last 2 years. Actually 14 of them are still in process. We do not know what is going to happen with those cases. They are still in the trial system. Then 35 of them have been completed. Of those, 25 or 71 percent resulted in a conviction at a court martial. Two additional ones were plea bargained down to a punitive discharge. That takes the number up to 77 percent of these cases that civilian prosecutors would not take that resulted in some serious action taken against a perpetrator. There are some that were acquitted, understandably. Most of the ones who were found guilty have done hard time, are doing hard time, and have been given a punitive discharge from the military. These were all done inside the chain of command.

I would add, Senator McCaskill, some of these are very heinous cases that the DAs would not take. One of them was a 10-year-old autistic girl who was sexually assaulted. We took the case. The commander insisted on it, and a conviction was obtained.

Senator MCCASKILL. This is hard. We all have the same goal. But I do want to say, as I close this questioning, that anybody who

characterizes me as someone who is protecting the Pentagon, that somehow I am in cahoots with the Pentagon trying to hurt sexual assault victims, with all due respect to you guys, I think you are terrific, but there is nobody who will be further in front of the line to kick you until you are senseless if we do not get this problem under control. This is not victims versus the Pentagon. Anybody who is characterizing that is doing a disservice to victims and is doing a disservice to the military and doing a disservice to the members of this committee who have spent hours trying to find the right way to make sure that we prosecute more cases effectively within the military.

I thank you both very much.

Admiral WINNEFELD. Mr. Chairman, if I can take 10 seconds?

Senator MCCASKILL. Yes.

Admiral WINNEFELD. I would like to just reinforce what General Dempsey said a moment ago, that we actually are very grateful for the attention that the entire committee has given to this. It has been very helpful to us.

I also want to say that I look forward to our next chance to have you and other people with prosecutorial experience over to the Pentagon, as we have done before, and get your thoughts, show you what we are doing, get your expertise in there. I think that is a very productive opportunity.

Senator MCCASKILL. You do not need to worry about me being invited. As many of your JAGs will know, I call them. I am not reaching out because you guys are calling plays on this. I was just infuriated at the article that was written that this is somehow you guys pulling strings over here telling us what to do. Nothing could be further from the truth. I appreciate both of you and your commitment to this, but believe me, we are not going anywhere.

Thank you very much, Mr. Chairman.

Chairman LEVIN. Thank you. If I may just take 30 seconds before Senator Chambliss speaks, there was an implication in an article in Politico that the amendment which was adopted by this committee was somehow or other cleared or shared with the Pentagon. That is not true. Are you aware of that?

Admiral WINNEFELD. Not that I am aware of.

General DEMPSEY. No.

Chairman LEVIN. A two-page article suggesting that somehow or other the Pentagon screened or impacted the language which we offered in a public session in this committee that led to the adoption of a bipartisan amendment, part of an article that suggested that somehow or other the Pentagon wrote something or screened something.

What they did, very properly so, was asked by the subcommittee that adopted language on this subject for its reaction. We do that all the time before the bill is marked up. The subcommittee then wrote its language under Senator Gillibrand's leadership. Wrote its language after consultation appropriately with the Pentagon. Totally appropriately. But the amendment that was adopted by this committee on a bipartisan vote was not shared with the Pentagon.

I do not know if the folks at Politico that wrote that two-page article implying to the contrary want to correct their article. But in fairness, I believe they should.

Senator NELSON. Mr. Chairman, may I just say on a point of personal privilege on behalf of Senator McCaskill, the implication that she is bought off by the Pentagon—she has been the spark plug in this whole thing from day one. I want her to know how much I appreciate that.

Chairman LEVIN. Her prosecutorial experience, I must say, is invaluable to this committee, not just on this subject but on a lot of other subjects, including this whole contracting problem that she has delved into with such tenacity and effect.

Senator Chambliss?

Senator CHAMBLISS. Thanks, Mr. Chairman, and thanks for your leadership and your impassioned leadership on this issue of sexual assault. I am not going to go into questioning. I think it has been thoroughly vetted, gentlemen. We know where you are and that you are trying to rectify a very serious situation. But I think you have a thorough understanding that this committee, as a total committee, is upset with what is going on in that realm in every branch of our military. We have to fix it. The system is broken. The chairman's leadership on this and, as he said, in a bipartisan way I think addresses it fairly. We will look forward to that debate on the floor.

General Dempsey, in your answers to advance questions from the committee, you said, "We are at risk of strategy and solvency if sequestration is implemented as currently presented by law." The words "strategy and solvency" sounds like sending unprepared troops into combat and not being able to take action against threats to national security and not being able to assist allies and partners in unstable regions. Is that what you meant?

General DEMPSEY. Yes, sir. Maybe even more simply, it is the mismatch of aspirations and abilities.

Senator CHAMBLISS. I want to go back, General Dempsey, to Syria. Again, it has been thoroughly talked about here, but I am a little bit confused. I heard your response to Senator McCain's questioning. Here is the way I see where we are with respect to Syria right now and your participation in the process.

You have been in place about 2 years, as we all know. During that 2 years, the conflict in Syria has been going on the entire time. There has been virtually an uncontrolled slaughter going on inside of Syria, and I note that even the President's nominee to be Ambassador to the United Nations said yesterday in her hearing that the failure of the U.N. Security Council to respond to the slaughter in Syria is a disgrace that history will judge harshly. I agree with that. But it is also a fact that the United States has kind of sat by and watched what is happening over there and we have really had our hands behind our back.

Now, you have been in place for 2 years. You have been the principal military advisor to the President on this issue and others. Has the President followed your advice on the involvement of the United States in Syria?

General DEMPSEY. The President has asked for options, and we have provided them. On the issues, has he followed my advice, the issue is whether—there are two issues at work. Could we and should we? I have advised him on "could we". We have not gotten into a conversation about "should we" except as it relates to the

current path, which is one focused primarily on building a moderate opposition.

Senator CHAMBLISS. I am taking that to mean then that the President has listened to your options but apparently you have not picked a side or been forceful in what you think the President ought to do. Am I correct?

General DEMPSEY. Sir, let me talk about the role of the Chairman because it keeps coming back to that. It is my responsibility to provide options about the use of force and how they would contribute to a broader strategy not in isolation.

I am reluctant to—in fact, I am unwilling actually to discuss my advice to the President on whether we should use force while that deliberation is ongoing.

To the point about what is my responsibility to this committee, my responsibility to this committee is to have the same kind of conversations with you as we have on options and on what the military instrument of power could do in the context of a broader strategy.

But the decision on whether to use force is fundamentally a political decision and one that is being deliberated even frequently with regard to Syria. But for me to advocate it would absolutely put me in what I have deemed to be an inappropriate position with both the President and this committee.

Senator CHAMBLISS. Did you advocate for a no-fly zone or against a no-fly zone?

General DEMPSEY. That is the point, sir. I have not advocated nor opposed any of those options. I have explained what they would do to the situation.

Senator CHAMBLISS. Here is my dilemma, General. You are the top military advisor to the President. Syria is the most significant international military conflict going on today. It has the capability of providing future unrest to that part of the world that may be permanent. There has been no change in U.S. policy from a military standpoint in Syria during your 2 years.

Now, if we approve you for another 2 years, confirm you for another 2 years, then is there going to be a change in policy in Syria over the next 2 years, or are we just going to keep doing what we are doing, which is watching innocent people slaughtered?

General DEMPSEY. Senator, I would hate to take that burden entirely on myself to determine whether the situation in Syria will change over the next 2 years. You can be sure that as we develop options to be considered in military instrument of power, that I will articulate whether I think they will be effective, what are the risks involved to U.S. forces, what are the opportunity costs.

Let me tell you what has changed in the last 2 years. We are far more involved on the Korean Peninsula at higher states of readiness. We are far more involved in the Gulf at higher states of readiness. We continue to manage the conflict in Afghanistan. There are some significant risks we are accruing while we also are engaged in trying to determine how to match ends, ways, and means in the face of sequestration.

Senator CHAMBLISS. In closing, let me just say that Secretary Hagel in a recent announcement directed a 20 percent cut in the number of top ranking officers and senior civilians at the Pentagon

by 2019. I applaud that move. I think that is something that has to be done. We look forward to as a committee to working with you, assuming you are confirmed, to carrying out that directive by the Secretary. It is not going to be easy. It is not going to be pleasant, but everybody has to share in this pain, including our top ranking folks.

General DEMPSEY. No question. If I could just respond very briefly. There are a couple of things we should do, Senator, whether sequestration was hanging over our heads or not. One of them is to make ourselves more efficient at the institutional level. The other is compensation and health care, and we are going to need your help to do that.

Admiral WINNEFELD. If I could add just 1 second. I do not want to leave the committee with the impression that has been in the press that it is only the top brass that are being reduced by 20 percent. It is the entire staffs that are being reduced by 20 percent. This is a significant cut and we offered it. We believe that we have to become more efficient and never waste a crisis. It is the entire staff, not only the Joint Staff but the Office of the Secretary of Defense staff, but also the combatant commanders' staffs we are going to trim by 20 percent over the next 5 years.

Chairman LEVIN. Just if I heard you correctly, it is not just that you support it but that you offered it. Is that correct?

Admiral WINNEFELD. Yes, sir.

Chairman LEVIN. Thank you.

Thank you, Senator Chambliss.

Senator Hagan?

Senator HAGAN. Thank you, Mr. Chairman.

General Dempsey, Admiral Winnefeld, thank you very much for your service to our country and for being here today.

General Dempsey, on just this past Monday, I had the great pleasure to be at the Fleet Readiness Center-East at Marine Corps Air Station Cherry Point to welcome the arrival of the first F–35B that was scheduled for modifications. I know how important the F–35B is to the Marine Corps, to our national security, and to the local North Carolina communities that support it. This was certainly reiterated to me during my visit on Monday.

Like you and like the members of this committee, I am very worried about the damage that sequestration is already doing to the Department and to our national security. Most of the members of the civilian workforce that I met with on Monday had just had their first furlough day the Friday before, which I think is a harsh reminder of Congress' inability to find a solution here. We actually have 19,000 civilians working for DOD that are on furlough in North Carolina.

Please know that I remain dedicated to finding a balanced bipartisan solution to sequestration, and what I really worry about are those in Washington who underestimate the damage that sequestration will have if this is allowed to continue in fiscal year 2014 and beyond. I think it is important that Congress and the people hear directly from senior leaders like yourself about the impact that this is going to have if it is allowed to continue.

Can you just give a few examples of the impact that it might have on the F–35B and other modernization programs, as well as on the local communities that support them?

General DEMPSEY. Yes, let me give you a very brief, generalized answer. The Vice Chairman sits on most of the meetings where the tradeoffs are made in things like modernization.

But the point is that, as I said, it is too far and too fast. At the beginning of this period, we will suffer most prominently in readiness and in modernization. We have to take money where we can get it. Later on, as the force shrinks, we will be more ready but we will be less modernized than we think we need to be, and in my view we will have forces inadequate to achieve the strategy as currently conceived and we will have to look back at how we might change our strategy.

Admiral WINNEFELD. Specifically on the F–35, our first priority right now is to finish the development of that program, and we requested some money in the reprogramming authority to get that done in fiscal year 2013 to keep the sustainable technology development effort on track.

Because of the importance of this program, we are doing everything we can to protect the numbers as the Department finalizes the lots 6 and 7 prices, and I do not want to stray outside of my authority. This is really in the Under Secretary of Defense for AT&L lane. But we are committed to this program, and we really want to ramp up production as soon as we can to get the economies of scale that we need in order to make this a productive program. The F–35 is a very important program to us. There is no question about it.

Senator HAGAN. It is also my understanding on sequestration that the DOD civilian supervisors, they received notice just recently that if they have knowledge that the employees that report to them work more than the allotted hours during their furloughs, even when it is voluntary on their part, that those supervisors, these civilian supervisors, are subject to fines up to $5,000 and potential jail time. When I realized that there are legal guidelines, I know, that have to be followed. We certainly do not want to have furloughed employees to have to involuntarily work without pay, but to me this seems to go too far. I am troubled that these supervisors could face these unbelievable penalties because they have motivated workers who really are dedicated to the national security of our country despite the furloughs, and we cannot fault them when they want to continue their mission, once again, because Congress has not acted.

What are your thoughts on this matter? How does one find the right balance here?

Admiral WINNEFELD. First of all, Senator, I would make a shoutout to our civilian employees in the Department who are fantastic. These are people who under ordinary conditions work extra hours because they believe so much in what they are doing, and they are just tremendous.

I am not a lawyer and I do not have the legal background in this. I believe that the restrictions you are referring to when you are furloughed are legal restrictions, and I think we are just trying to stay within the letter of the law.

But I could not agree with you more on the overall principle and the sentiment that these are American patriots who want to do the best they can for their country. We are cutting out a day's pay and they still want to do work for us. I mean, what more can you ask for from these great folks?

So the sooner we can resolve this, the better. I know the Department is working hard, if we can, to reduce the number of furlough days this year. There are no guarantees. The comptroller is working on that. But it is a real tragic situation for these great Americans.

Senator HAGAN. Even these legal ramifications, they are not supposed to even look at the BlackBerries on the days of furlough.

The previous two quadrennial defense reviews have mandated significant growth in our Special Operations Forces (SOF) and enablers that directly support their operations. Admiral Winnefeld, in response to the committee's prehearing policy questions, you said given the financial downturn that we face, we must balance the need for soft capabilities with our need to address other capability demands in light of increased budgetary pressures.

Do you believe that previously directed growth in the size of SOF should be retained despite the current budgetary pressures, and how should special operations capabilities be prioritized compared to the other capability demands that you referenced?

Admiral WINNEFELD. I have to be quite honest in telling you that if we get into the full BCA caps, the full sequester, what we call "sequester forever" in the Department, that we are probably going to have to level off SOF growth because there are so many other programs that are going to be shrinking in size. It is sort of the philosophy if you are level, then you are doing pretty well in this budget environment. If you are growing, it is really unusual. The only thing I know of that will grow will be the cyber forces, and everything else is going to be coming down in size. I think keeping it in perspective that leveling off SOF is probably about as good as we can do if we get to the full BCA cuts.

Senator HAGAN. Even with the demands that we see around the world today?

Admiral WINNEFELD. Even with the demands. Our SOFs are fantastic. They are doing very important work around the world, no question. We have a considerable amount of SOF forces in Afghanistan doing counterinsurgency. That will end at the end of 2014. We were hoping to take that capacity and bring it home and do a couple of important things with it. One is to rest the force a little bit. These folks have been going very hard for the last decade. Another would be to enhance our building partnership capacity efforts across the world. We certainly want to rest the force. We may have to trim back a little bit on the building partnership capacity just because of the budget cuts. Again, you are pretty lucky if you are only leveling off under these circumstances.

Senator HAGAN. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Hagan.

Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman.

General Dempsey and Admiral Winnefeld, thank you both very much for your service to this country and for your willingness to continue to serve under what are very difficult times.

General Dempsey, I very much appreciate your coming to New Hampshire and your visiting both Pease and our National Guard and the Portsmouth Naval Shipyard and meeting with a number of the businesses in New Hampshire that help make up part of the great defense industrial base we have in this country.

Many people on the committee have expressed their concerns about sequestration. I know it is something that you both care very much about. One of the things that we heard from the businesses in the meeting that you had in New Hampshire was their concern about the uncertainty and what that means in terms of their future ability to provide the support that our military needs in order to do their job.

I wonder if you could speak to whether this is something you are hearing from other parts of the country and then how concerned you are that continuing cuts from sequestration might have a very damaging impact on the defense industrial base in this country.

General DEMPSEY. Thank you, Senator.

What I found most interesting in that roundtable were two things. The big corporations—I will not name names, but the big corporations have enough flexibility that they can kind of weather the storm and are likely to still be there when we need them. It is the small businesses who do not have that kind of flexibility who I think we risk losing in two ways. One is I suspect they will look—well, they said it. They are going to look increasingly overseas. The second thing they said was that their ability to innovate is being reduced. So we are losing in several ways that I think could have a long-term negative effect.

Senator SHAHEEN. Thank you.

The other thing you have both talked about is the importance of the people who serve this country, both who serve actively in the Armed Forces, as well as those people who support your mission in the civilian capacity. One of the concerns that I have had is relative to the workers that we have who have the degrees in the science, technology, engineering, and math fields.

Looking at the statistics for the people we will need to do the work of our military and its support in the future, the statistics do not look very good because the average age of an aerospace worker in the industry is 44. Also, 26 percent of the aerospace workforce became eligible for retirement in 2008. Meanwhile, 50 percent of the Navy's science and technology professionals will be retirement eligible by 2020. Those statistics go on.

Can either of you speak to concerns that you have about how sequestration might be affecting our ability to recruit the people who have the degrees and the skills that we are going to need in the future? If we are looking at sequestration not just in 2013 but 2014, 2015, 2016, for the next 9 years, what does that do to our civilian workforce that supports your mission?

General DEMPSEY. I will ask the Vice to respond in a moment here. But reflecting back to the trip to the Portsmouth Naval Yard, one of the other things I was unaware of was the apprenticeship program where they take some of the folks with the skill set that

you described—30 of them, as I remember, some significant number—from incredible schools in the Northeast notably and they build into them this passion that I saw in the workforce there in support of the U.S. Navy and, in fact, in support of the Coast Guard as well. It is going to be simply a matter of mathematics. They are going to do less of that. I think we will lose some of those.

Admiral WINNEFELD. Fundamentally, the real challenge we have under the worst sequester scenario is the steepness of this cut, and what we have found over time and we understand very well this time around is that it is very hard to get force structure out quickly. Force structure meaning people. We cannot get people out fast enough. What that means is the only other levers you have are readiness and modernization. Readiness and modernization are very technical things. So we will be jettisoning basically a number of modernization programs or vastly trimming them down, and we will be reducing readiness which includes depot work and that sort of stuff which is also technical. I worry about that.

The other thing is that as we get smaller, the tendency under the rules we have is that sort of the last person in is the first person out. That is our seed corn, all these young, technically adept folks that are thinking of coming in or who are already in. If they are first to go, we are going to lose them. Then we are going to have the effects that you talked about where we have a force that stays and retires and there is nothing to backfill them. It really is something we have to watch closely. I know Frank Kendall is worried about it. I know Ash Carter is worried about it. It is something we have to be very mindful of as we move forward.

Senator SHAHEEN. Thank you. I certainly share that concern.

Let me ask you both. One of the things that Senator McCain and I have worked on is language both in the immigration reform bill that passed the Senate, as well as in the National Defense Authorization Act that this committee has done, would deal with the number of Afghans and Iraqis who have been helpful to the United States and the international force who are concerned about their safety once we get past 2014 and the NATO force withdraws.

I wonder if you could talk about how concerned you are about that and what kind of message it would send to other people in the future who might be willing to cooperate with us in these kinds of conflicts if we are not able to help provide safety for those people who have cooperated.

General DEMPSEY. Having lived with those men and women, I strongly support the effort. But let me turn it over to the Vice who has been tracking it most closely.

Admiral WINNEFELD. Just to give you a sense, actually yesterday we had a deputies committee meeting that I was unable to attend but sent someone on this exact issue, special immigrant visas and the like to get these folks in who have really literally risked their lives to enable our operations in Iraq and Afghanistan. It has the attention of the National Security staff. It has our attention, and we will continue to push it in the right direction.

I would just say if you hear anything that is making you uncomfortable, do not hesitate to talk to us. We will be happy to answer any questions you might have.

Senator SHAHEEN. Thank you. I know that Senator McCain and I stand ready to be of any help we can, and I know it has the support of this committee as well. Thank you very much.

Chairman LEVIN. Thank you, Senator Shaheen.

Senator Sessions?

Senator SESSIONS. Thank you, Mr. Chairman, and thank you for your leadership of this committee. You lead us in a way that gets most of us to vote together every time we bring a bill out, and I think that is a testament to bipartisanship in the defense of America.

Chairman LEVIN. Thank you very much.

Senator SESSIONS. General Dempsey, particularly I just want to ask you to reaffirm—and I know you will do so—your responsibility to share with this committee and Congress your best military judgment about matters and that you will internally—when asked by the commander in chief to give your opinion, you will give your best, unvarnished military opinion and not be influenced by politics or pressures of any kind.

General DEMPSEY. I can assure you that is what has been my intent and will remain my intent in the future.

Senator SESSIONS. Admiral Winnefeld, would you likewise?

Admiral WINNEFELD. That is what we have been doing and what we continue to do. Yes, sir.

Senator SESSIONS. I thank you. It is really important because we have a lot of significant agenda items that are occurring that will set policy for years to come whether it is the number of personnel, our involvement around the world, whether it is missile defense. In particular, we are beginning to have some hearings on our nuclear capabilities. The public proposal of the President that he would like to reduce by one-third our already substantially reduced nuclear arsenal raises a serious concern to me. We will be asking you as time goes by your best judgment on that. Of course, it goes beyond the technical issues to our role in the world and the confidence our allies have in us also.

General Dempsey, one of the more amazing things to me that I believe has caused a great deal of unnecessary problems with the sequester and the reduction in spending was the fact that this was passed in August 2011, and the President said in a national debate it was not going to happen but it was the law of the United States. He signed it. I frankly at the time wondered how it was going to be fixed. I had my doubts that we would get it fixed. The President has indicated basically he wants more taxes and more spending and he will not find any other reductions in spending anywhere else to relieve the burdens on the military.

But I would just like to get one thing straight with regard to the difficulties you have faced this year. My understanding is that you made no plans and made no cuts in the first 6 months of this year even though you were aware that this was the law in 2011, and as a result, you have had to make more dramatic cuts, more unwise reductions to try to finish this year within the budget law that you have been told you have to finish under. Has that been a problem for you and why did we not plan to reduce spending all year instead of making up all of that in the last 6 months?

General DEMPSEY. It has been a problem, Senator. We found ourselves with 80 percent spent with half the year to go. The answer as to how did we get to that position that was the budget guidance we received.

Senator SESSIONS. You got that from the executive branch?

General DEMPSEY. I get my marching orders from the Department, but I assume they got it from the Office of Management and Budget.

Senator SESSIONS. I do remain concerned about the impact on the Defense Department. It is not just that I have, as a member of this committee and personal views, a strong affinity for the men and women who serve us in uniform, but because half of the reductions in spending that were included in the BCA have fallen on one-sixth of the U.S. Government spending, the Defense Department. This is a disproportionate reduction in spending in my opinion to our Defense Department, and it is at a level that is troubling to me.

I am ranking on the Budget Committee and I have seen the numbers. We should look for other areas within our Government to find some savings too. For example, Medicaid has no cuts. Social Security has no cuts. Medicare had a little but it did not help the Defense Department. That was used to reduce spending reductions in other departments. Food stamps has gone up four-fold in the last 10 or 12 years, had zero cuts. We are just at a point that we have to figure out how to deal with this. I do believe you are being asked to take a disproportionate cut, and Congress should work with the President, the Commander in Chief, and he needs to help us work through a way to spread out some of this belt tightening so that other departments and agencies in the Government tighten their belt too.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much. Thank you for your comments as well about me, Senator Sessions.

Now, is Senator King here? If not, Senator Kaine? Senator Nelson?

Senator NELSON. Thank you, Mr. Chairman.

Gentlemen, thank you for your public service.

Let us talk first about upgrading the intelligence, surveillance, and reconnaisance (ISR) fleet. You are moving from manned platforms to a combination of unmanned and manned platforms. The law directs the Vice Chairman and the Under Secretary to certify annually that the Navy remains in compliance in supporting the needs of the combatant commanders, and the Navy has certified compliance. My interest in this is that in the President's budget, the Navy plans to gradually draw down your manned platforms before going over to the P–8 platform and then to field a fleet of MQ–4C Tritons, the unmanned aerial vehicles.

Now, it is my understanding that the Secretary of the Navy is supportive of this position. Have you all spoken to the combatant commanders to confirm if these ISR capabilities fulfill their requirements?

Admiral WINNEFELD. I have not recently covered that particular slice of the combatant commander requirements. They are going to have their integrated priority lists due to us here over this fall, and

we will scan those. We also get constant feedback from their J–8 organizations, but I would have to take it up for the record on whether specifically in that area we are answering their needs.

Senator NELSON. Okay. I would appreciate it. I think that there is some concern in the Secretary's Office about this transition, and to see that those manned platforms are utilized so that there is not a gap while we are transitioning over and getting the combined fleet between unmanned and manned.

[The information referred to follows:]

Combatant commanders' requests for intelligence, surveillance, and reconnaisance (ISR) always exceed our capacity to provide. However, regarding capability, the combatant commanders contributed to the Navy's MISR&T Transition Plan through the Battlespace Awareness Joint Capabilities Board. The combatant commanders understand and support how we are optimizing the Navy's "high-demand, low-density" ISR capability.

Yes, Dr. Vickers and I, along with Joint Staff and representatives from the combatant commands, carefully reviewed Navy's current ISR capabilities and proposed way ahead. We have certified Navy's plan each of the past 2 years. Such review is critical because, while the EP–3E ARIES and P–3 Special Projects Aircraft (SPA) have been workhorses for the Navy and Joint Force for decades, they're fast approaching end-of-service life (approximately 2020).

To mitigate short-term risk, the Navy is sustaining the capabilities of both the EP–3E and P–3 SPA aircraft while fielding the baseline Triton UAV with its greatly improved persistence. They are also adding a Quick Reaction Capability, which provides certain "SPA-like" capabilities, to the P–8A aircraft. Proper phasing of manpower is critical to ensure transition of capability and capacity to follow-on platforms, without impacting combatant commanders.

The Navy's plan, as part of a joint effort, invests in the right platform/sensor mix and is in the best interests of the Joint force, particularly in our current budgetary environment. However, additional requirements, particularly those in the National Defense Authorization Act for Fiscal Year 2014 draft language requiring the sustainment of five EP–3Es for allocation, that limit the Navy's ability to execute this plan may draw resources that impede fielding of the appropriate future force. Dr. Vickers and I will continue to monitor Navy's progress closely.

Senator NELSON. Now, once we are withdrawing from Afghanistan, there is going to be a lot of ISR assets that will come back and be distributed throughout the combatant commands. I sure wish that you all would take a look at what sequestration is doing to us in U.S. Southern Command and the huge success that they have had interdiction of drugs coming north. As a matter of fact, just in the last year, Colombia itself interdicted 207 metric tons. As it started to come through Central America toward the U.S. border, the Joint Interagency Task Force-South, which is the joint task force going after these drugs—that interdicted 152 additional metric tons. By the time it gets to the southern border of the United States, then they were interdicting another 10 metric tons. You can see that the big part has already been interdicted before it ever got there, thanks to a lot of U.S. Southern Command's efforts in the joint task force. I would surely appreciate it, as these ISR assets are going to be available, that you will consider Southern Command as a part to use those ISR assets. I know you will.

But would you just for the record state what are going to be the long-term effects of the sequester on the counternarcotics mission?

General DEMPSEY. In general, I will tell you that we will be able to do less in the maritime transit zones for the immediate future because of some combination of sequestration and also maintenance that has been deferred over time. I am concerned about it. In fact, I met over the past several months with both my Canadian

and my Mexican counterparts to see if we can collaboratively find a way to mitigate the risk.

Admiral WINNEFELD. We have just had to make some very difficult choices in the current environment with readiness declining and the Navy unable to support as many ship deployments as they would like to, as you well know. We have had some considerable success, as you point out, with interdicting drugs coming from Central and South America in the maritime environment and other environments. We are going to have to allocate resources. As the Chairman mentioned, it is about balancing ends, ways, and means, and we will just have to keep our eye on it. Absolutely.

Senator NELSON. I will tell you where you are going to be additionally stressed is if we are fortunate to get an immigration reform bill and if it stays in the present posture that it passed the Senate where all this additional money is being used to enhance the effectiveness of the land border, what is going to happen to all those drugs and, indeed, human smuggling it is going to go right around on the maritime border.

Now, I think this was an oversight. They would not accept Senator Wicker's and my amendment to enhance by just $1 billion, DHS, the Coast Guard, and helping DHS with unmanned platforms.

The Navy blimp is also an asset that can be used on that. I have ridden in that blimp. It can dwell for a long time. The amount of gas that it takes for a 24-hour mission is the same amount of gas that it takes for an F–16 to crank up and just run out to the runway. It is a cost-effective platform for observation of something like a maritime border.

Hopefully, if we can pass the immigration reform, we are going to be able to enhance that maritime border. But this is going to all the more bring into question the desperate need to avoid sequester in a place like Southern Command, not even to speak of all the other commands. I spent some time with Admiral McRaven, and he walked me through what is going to happen to Special Operations Command if we have this sequester continue. It is absolutely ridiculous that we would be doing this to ourselves not only shooting ourselves in the foot but starting to shoot ourselves up the torso.

I wish you would take a look at the ISR assets as they come back and allocate some of them to Southern Command. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Nelson.

We are going to have a very brief second round of about 2 minutes for those of us who are here. We have a vote. I cannot see that clock, but it is getting close to 12:15 p.m. Is it there already? Anyway, I think we have a vote at 12:15 p.m. I am going to have a 2-minute second round.

General, I want to find a way to work through the options issue on Syria not in 2 minutes but I want to work through it because I think there is a real uncertainty among some of us as to what your role is in terms of telling us your personal opinion on things, what your role is in terms of giving advice to the President, in terms of the options that you have laid out, the pluses, minuses, strengths, weaknesses of each of those options, whether they could

be effective, what are the costs, what are the opportunity costs, and so forth.

What I am going to ask you to do for the record is to give us an unclassified list of options and your personal assessment of the pros and cons of those options. Now, in some of those pros and cons and your personal assessment, it will be pretty obvious that you are not going to recommend something. But I am not going to ask you point blank which of these options you recommend. You have said you are not going to tell us. You cannot tell us or you have not decided. For whatever reason, you are not going to tell us what your preferred option is, but what you are willing to do is go through with us the pluses and minuses of each of the various options. That is what I am going to ask you to do in a fairly thorough way for the record.

If you need to give us a classified annex, that is fine. But I want to work very hard to try to work through this issue of the options in Syria.

Now, you are aware of the fact that I personally have favored arming and training the opposition. I personally, indeed, want to consider and I have even gone beyond that talking about stand-off airstrikes against certain facilities. That is just my own personal opinion so you know where I am coming from. You and I have talked about it. I am not trying to persuade you that that is the right position or should be your position, but that is my public position.

My question to you is whether or not you are willing to give to us an unclassified list of options and the strengths and weaknesses, the costs and effectiveness and so forth of each of those options.

General DEMPSEY. Absolutely, Senator, as well as the framework of a strategy in which they might make sense, which I am happy to do.

Chairman LEVIN. Anything else you want to add to it. I do not want to limit you in any way. As long as it includes that, it may help us work through this issue.

General DEMPSEY. Yes, but I would ask you take my point even now that the decision whether to use force is one that I must communicate personally to the President. As you have seen me do in the past, if the President takes my advice and you ask me, I will tell you that he took my advice. If he does not, I am more than willing to tell you no. My recommendation was something else. He is certainly under no obligation to take my advice.

Chairman LEVIN. You have indicated that you are not going to share with us your opinion, if you have one, on whether or not to use force.

General DEMPSEY. While it is being deliberated.

Chairman LEVIN. While it is being deliberated. I am not asking you to do that. I think if you just are able to do what I have asked you to do, it may be clear that at least some of those options you think are not wise options just from your pros and cons assessment.

General DEMPSEY. Right. I thought we got at it at some level in the classified briefing.

Chairman LEVIN. But we need an unclassified answer. You said you are willing to lay out options and to show pros and cons of op-

tions and whether they can be effective, what are the costs, various costs, and so forth. If you will do that, it may be a step that would be a constructive, positive step. If you can do that within the next 4 or 5 days, we would appreciate it.

General DEMPSEY. Sure.

[The information referred to follows:]

See attached letter.

CHAIRMAN OF THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20318-9999

JUL 19 2013

The Honorable Carl Levin
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

On 18 July 2013, you asked me to provide an unclassified assessment of options for the potential use of U.S. military force in the Syrian conflict. It offers my independent judgment with as much openness as this classification allows. I am mindful that deliberations are ongoing within our government over the further role of the United States in this complex sectarian war. The decision over whether to introduce military force is a political one that our Nation entrusts to its civilian leaders. I also understand that you deserve my best military advice on how military force could be used in order to decide whether it should be used.

At this time, the military's role is limited to helping deliver humanitarian assistance, providing security assistance to Syria's neighbors, and providing nonlethal assistance to the opposition. Patriot batteries are deployed to Turkey and Jordan for their defense against missile attack. An operational headquarters and additional capabilities, including F-16s, are positioned to defend Jordan. We are also prepared for the options described below:

Train, Advise, and Assist the Opposition. This option uses nonlethal forces to train and advise the opposition on tasks ranging from weapons employment to tactical planning. We could also offer assistance in the form of intelligence and logistics. The scale could range from several hundred to several thousand troops with the costs varying accordingly, but estimated at $500 million per year initially. The option requires safe areas outside Syria as well as support from our regional partners. Over time, the impact would be the improvement in opposition capabilities. Risks include extremists gaining access to additional capabilities, retaliatory cross-border attacks, and insider attacks or inadvertent association with war crimes due to vetting difficulties.

Conduct Limited Stand-off Strikes. This option uses lethal force to strike targets that enable the regime to conduct military operations, proliferate advanced weapons, and defend itself. Potential targets include high-value regime air defense, air, ground, missile, and naval forces as well as the supporting military facilities and command nodes. Stand-off air and missile systems could be used to strike hundreds of targets at a tempo of our choosing. Force requirements would include hundreds of aircraft, ships, submarines, and other enablers. Depending on duration, the costs would be in the billions. Over time, the impact would be the significant degradation of regime capabilities and an increase in regime desertions. There is a risk that the regime could withstand limited strikes by dispersing its assets. Retaliatory attacks

are also possible, and there is a probability for collateral damage impacting civilians and foreigners inside the country.

Establish a No-Fly Zone. This option uses lethal force to prevent the regime from using its military aircraft to bomb and resupply. It would extend air superiority over Syria by neutralizing the regime's advanced, defense integrated air defense system. It would also shoot down adversary aircraft and strike airfields, aircraft on the ground, and supporting infrastructure. We would require hundreds of ground and sea-based aircraft, intelligence and electronic warfare support, and enablers for refueling and communications. Estimated costs are $500 million initially, averaging as much as a billion dollars per month over the course of a year. Impacts would likely include the near total elimination of the regime's ability to bomb opposition strongholds and sustain its forces by air. Risks include the loss of U.S. aircraft, which would require us to insert personnel recovery forces. It may also fail to reduce the violence or shift the momentum because the regime relies overwhelmingly on surface fires—mortars, artillery, and missiles.

Establish Buffer Zones. This option uses lethal and nonlethal force to protect specific geographic areas, most likely across the borders with Turkey or Jordan. The opposition could use these zones to organize and train. They could also serve as safe areas for the distribution of humanitarian assistance. Lethal force would be required to defend the zones against air, missile, and ground attacks. This would necessitate the establishment of a limited no-fly zone, with its associated resource requirements. Thousands of U.S. ground forces would be needed, even if positioned outside Syria, to support those physically defending the zones. A limited no-fly zone coupled with U.S. ground forces would push the costs over one billion dollars per month. Over time, the impact would be an improvement in opposition capabilities. Human suffering could also be reduced, and some pressure could be lifted off Jordan and Turkey. Risks are similar to the no-fly zone with the added problem of regime surface fires into the zones, killing more refugees due to their concentration. The zones could also become operational bases for extremists.

Control Chemical Weapons. This option uses lethal force to prevent the use or proliferation of chemical weapons. We do this by destroying portions of Syria's massive stockpile, interdicting its movement and delivery, or by seizing and securing program components. At a minimum, this option would call for a no-fly zone as well as air and missile strikes involving hundreds of aircraft, ships, submarines, and other enablers. Thousands of special operations forces and other ground forces would be needed to assault and secure critical sites. Costs could also average well over one billion dollars per month. The impact would be the control of some, but not all chemical weapons. It would also help prevent their further proliferation into the hands of extremist groups. Our inability to fully control Syria's storage and delivery systems could allow extremists to gain better access. Risks are similar to the no-fly zone with the added risk of U.S. boots on the ground.

Too often, these options are considered in isolation. It would be better if they were assessed and discussed in the context of an overall whole-of-government strategy for achieving our policy objectives in coordination with our allies and partners. To this end, I have supported a regional approach that would isolate the conflict to prevent regional destabilization and weapons

proliferation. At the same time, we should help develop a moderate opposition—including their military capabilities—while maintaining pressure on the Assad regime.

All of these options would likely further the narrow military objective of helping the opposition and placing more pressure on the regime. We have learned from the past 10 years; however, that it is not enough to simply alter the balance of military power without careful consideration of what is necessary in order to preserve a functioning state. We must anticipate and be prepared for the unintended consequences of our action. Should the regime's institutions collapse in the absence of a viable opposition, we could inadvertently empower extremists or unleash the very chemical weapons we seek to control.

I know that the decision to use force is not one that any of us takes lightly. It is no less than an act of war. As we weigh our options, we should be able to conclude with some confidence that the use of force will move us toward the intended outcome. We must also understand risk—not just to our forces, but to our other global responsibilities. This is especially critical as we lose readiness due to budget cuts and fiscal uncertainty. Some options may not be feasible in time or cost without compromising our security elsewhere. Once we take action, we should be prepared for what comes next. Deeper involvement is hard to avoid. We should also act in accordance with the law, and to the extent possible, in concert with our allies and partners to share the burden and solidify the outcome.

Thank you for this opportunity to share my assessment. The classified versions of all the options described here have been presented to the National Security Staff for consideration by the Principals and the President. They have also been presented to the Congress in several briefs, including one recently provided by the Vice Chairman of the Joint Chiefs of Staff.

Sincerely,

MARTIN E. DEMPSEY
General, U.S. Army

Chairman LEVIN. Senator Ayotte, I believe. No. I may be wrong.

Senator AYOTTE. I am next but I am going to defer first to Senator Graham and then go.

Chairman LEVIN. Okay. Senator Graham?

Senator GRAHAM. Thank you.

Chairman Dempsey, back to Afghanistan. If no troops were left behind for whatever reason in 2015, we just pulled out and there

were no American forces left behind, the zero option, very quickly what is the likely outcome in Afghanistan?

General DEMPSEY. Although I have told you that the progress of the security forces has been significant, they would not have the level of confidence to sustain themselves over time if it happens that precipitously.

Senator GRAHAM. It would lead to what I believe would be a fractured state, a larger safe haven for al Qaeda types, and over time would be a disaster. Do you agree with that?

General DEMPSEY. Those are all high risks.

Senator GRAHAM. Okay, thank you.

Admiral Winnefeld, sequestration. In terms of the Air Force, if sequestration—let us start with the Navy. Over a 10-year period, how many ships will we have in the Navy after 10 years of sequestration?

Admiral WINNEFELD. I do not have the exact number for you.

Senator GRAHAM. Somebody says 232 ships.

Admiral WINNEFELD. It could be that low.

Senator GRAHAM. Would that be just like crazy?

Admiral WINNEFELD. It would certainly impact our ability to respond to contingencies and to have forward presence and deter——

Senator GRAHAM. Well, I think it is crazy.

One-third of the fighter force is grounded today. They are beginning to fly again because you have robbed Peter to pay Paul. But has the effect of sequestration grounded one-third of our fighter force?

Admiral WINNEFELD. It has grounded nine fighter squadrons, which is not one-third of the fighter force, but there are other squadrons that are flying at a rate lower.

Senator GRAHAM. What would it take for the enemy to knock out nine Air Force squadrons?

Admiral WINNEFELD. I know where you are coming from and it would be a heck of a lot.

Senator GRAHAM. If I were the Iranians, I would send a thank you note to Congress for grounding more Air Force planes than they could on their own. To say I am upset about this is an understatement.

Finally, what if, General Dempsey, Congress could not find a way to reach a deal on funding the Government? Come October 1, we just cannot fund the Government and the politicians in Washington cannot come up with a budget and we had no money for our military. What signal would that be sending to our troops and to our enemies? What kind of national security impact would it be in the times in which we live if there was no agreement to fund the Government? What would it mean to our national security?

General DEMPSEY. You remember, Senator, I held up this slide showing that these kids that we send into harm's way trust us. I would have to assess that bond of trust would be broken.

Senator GRAHAM. As to our enemies, how would they take this?

General DEMPSEY. I think they would be certainly happy at our demise.

Chairman LEVIN. Thank you, Senator Graham.

Senator Ayotte?

Senator AYOTTE. Thank you, Mr. Chairman.

Admiral Winnefeld, when you look at the security of this country, what would you prioritize first?

Admiral WINNEFELD. I would prioritize first the survival of the Nation.

Senator AYOTTE. Would that mean protecting the Homeland?

Admiral WINNEFELD. It would definitely.

Senator AYOTTE. I know that earlier you were asked about our missile defense system, and you said that the first dollar we should spend is on the sensor to add discrimination power. Correct?

Admiral WINNEFELD. That is correct.

Senator AYOTTE. I guess I am kind of dumbfounded by it because, as I understand it, that was not in the budget proposal put forth by the Department. Why was that if it was the number one?

Admiral WINNEFELD. I would have to review the budget documents to validate that. But one thing to remember is we have a new commander of the Missile Defense Agency, a new director there. He is doing an exceptionally good job. Vice Admiral Syring. He, along with his technical experts, have studied this and they have come to the conclusion that you can get better shot doctrine if you get better discrimination. He would hasten to add that if the threat gets worse, we are going to need more missiles as well, which is one of the reasons why——

Senator AYOTTE. Okay. Let me follow that, you had said in your testimony that you have to watch the threat develop from Iran. In fact, in the recent interview that Prime Minister Netanyahu gave, he said that Iran is building intercontinental ballistic missiles (ICBM) to reach the American mainland within a few years. Of course, that is consistent with what we have heard if 2015 is a potential date when Iran will have ICBM capability or could have to reach the mainland of the United States. Is that right?

Admiral WINNEFELD. It is an intelligence assessment. It shifts all the time, but 2015 is the current number when they could potentially have a capability.

Senator AYOTTE. 2015 is the number. I guess I am a little dumbfounded why we keep saying that there is no current military requirement for an east coast missile defense site when the priority of our Nation is to protect the Homeland. As I understand it, if we went, in terms of an EIS, to production of an east coast missile defense site, it would take about 6 years, would it not?

Admiral WINNEFELD. I do not know that it would take that long. I would have to get the exact numbers for you. But I think that when the EISs are done, closely on the heels of that we would have another threat assessment that is continually going on. We would have to come to a decision fairly soon, I think, after that as to whether we would do an east coast missile field to start with.

[The information referred to follows:]

After the completion of the Environmental Impact Statement and selection of a site, it will take approximately 5 years—2 years for planning and design, and 3 years for construction. Location (e.g. construction seasons, geology, et cetera) and budget programming (i.e. military construction) will affect the schedule.

Senator AYOTTE. When I look at the possibility of 2015 ICBM capability, I think the tail is wagging the dog in terms of how long it would take to put that up. I know you said first dollar. What if

you had the second dollar of missile defense? What would you do with it?

Admiral WINNEFELD. The first thing we want to do is get the CE–2 missiles working and get them into the silos in Alaska to get the additional missiles we have talked about. That is going to take some time in and of itself to get that done.

The first dollar, as I mentioned, is the sensors so that we have this "quality has a quantity all its own" phenomenon where we have to shoot fewer missiles at the inbound threats. If we can accomplish that, that will really help us.

Then assuming if the threat continues on a trajectory where Iran develops an ICBM, we may well need an east coast missile field in order to defend this country.

Senator AYOTTE. I think what you are saying today is the second dollar.

By the way, we could do both at once if we wanted to in terms of protecting the Homeland, could we not?

Admiral WINNEFELD. Physically we could, but in terms of——

Senator AYOTTE. If we allocated the resources for you to do it.

Admiral WINNEFELD. Right. The question is is that the wisest use of the resources. It competes with everything else, but as you pointed out at the very beginning of this discussion, the highest priority is the defense of the Nation.

Senator AYOTTE. Thank you both for being here. I appreciate your service to the country.

Chairman LEVIN. Thank you, Senator Ayotte.

Thank you both. We are hopeful that we will have a speedy markup and confirmation, but that will be up to the whole committee. That would be my hope. Thank you. We thank your spouses, your wives who are here, your families again for their great support over the years.

We will stand adjourned.

[Whereupon, at 12:25 p.m., the committee adjourned.]

[Prepared questions submitted to GEN Martin E. Dempsey, USA, by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. On previous occasions you have answered the committee's policy questions on the reforms brought about by the Goldwater-Nichols Act, the last time being in connection with your first nomination to be Chairman of the Joint Chiefs of Staff.

Has your view of the importance, implementation, and practice of these reforms changed since you testified before the committee at your last confirmation hearing?

Answer. No. I continue to believe that the Goldwater-Nichols Act as passed is effective, and I credit this legislation for making us the Joint Force we are today. However, if confirmed, I will continue to examine the lessons of the past 10 years of war to determine if there are opportunities to make us an even more effective Joint Force.

Question. In light of your experience as Chairman, do you see any need for modifications to Goldwater-Nichols? If so, what modifications do you believe would be appropriate?

Answer. I do not believe modifications to the Goldwater-Nichols Act are required at this time. Today's Joint Force reflects the commitment to integration and jointness across the Military Services established by Goldwater-Nichols in 1986. If confirmed, I will continue to examine the lessons of the past 10 years of war to de-

termine if there are needed legislative modifications or other opportunities to improve jointness.

DUTIES

Question. Based on your experience as Chairman, what recommendations, if any, do you have for changes in the duties and functions set forth in section 152 through section 155 of title 10, U.S.C., and in regulations of the Department of Defense (DOD), that pertain to the Chairman and the Vice Chairman of the Joint Chiefs of Staff and the organization and operation of the Joint Staff in general?

Answer. If confirmed, I do not presently foresee recommending any changes to the law. I will, however, be attuned to potential issues and opportunities for improvement that might suggest consideration for eventual changes in the law.

RELATIONSHIPS

Question. Other sections of law and traditional practice establish important relationships between the Chairman and other officials. Please describe your understanding of the relationship of the Chairman of the Joint Chiefs of Staff to the following officials:

The Secretary of Defense.

Answer. The Chairman of the Joint Chiefs of Staff must have a close working relationship with the Secretary of Defense. Under title 10, the Chairman is assigned several duties that guide the relationship to include serving as the principal military advisor to the President, the National Security Council, and the Secretary of Defense. The Chairman also performs other duties assigned by the Secretary of Defense.

Question. The National Security Advisor.

Answer. The National Security Advisor is a special assistant and direct advisor to the President. As the role of the Chairman is to serve as the principal military advisor to the President, National Security Council, Homeland Security Council, and Secretary of Defense, if reconfirmed, I will continue to work closely with the National Security Advisor to ensure our efforts are synchronized across the interagency and for the purpose of implementing Presidential decisions.

Question. The Deputy Secretary of Defense.

Answer. Under existing directives, the Deputy Secretary of Defense has been delegated full power and authority to act for the Secretary of Defense on any matters upon which the Secretary is authorized to act. As such, the relationship of the Chairman with the Deputy Secretary is similar to that with the Secretary.

Question. The Under Secretaries of Defense.

Answer. Title 10, U.S.C., and current DOD directives establish the Under Secretaries of Defense as the principal staff assistants and advisers to the Secretary regarding matters related to their functional areas. Within their areas, Under Secretaries exercise policy and oversight functions. These instructions and directives are applicable to all DOD components. In carrying out their responsibilities, and when directed by the President and Secretary of Defense, communications from the Under Secretaries to commanders of the unified and specified commands are transmitted through the Chairman of the Joint Chiefs of Staff.

Question. The General Counsel of the Department of Defense.

Answer. Under title 10, U.S.C., section 140, the DOD General Counsel serves as the chief legal officer of DOD. In general, the DOD General Counsel is responsible for overseeing legal services, establishing policy, and overseeing the DOD Standards of Conduct Program, establishing policy and positions on specific legal issues and advising on significant international law issues raised in major military operations, the DOD Law of War Program, and legality of weapons reviews. The office of the DOD General Counsel works closely with the Office of Legal Counsel to the Chairman of the Joint Chiefs of Staff, and communications with the combatant commanders by the DOD General Counsel are normally transmitted through the Chairman of the Joint Chiefs of Staff.

Question. The Department of Defense Inspector General.

Answer. The DOD Inspector General performs the duties, has the responsibilities, and exercises the powers specified in the Inspector General Act of 1978. If confirmed, I will continue to cooperate with and provide support to the DOD Inspector General as required.

Question. The Vice Chairman of the Joint Chiefs of Staff.

Answer. The Vice Chairman of the Joint Chiefs of Staff performs the duties prescribed for him as a member of the Joint Chiefs of Staff and such other duties as may be prescribed by the Chairman, with the approval of the Secretary of Defense. When there is a vacancy in the Office of the Chairman or in the absence or dis-

ability of the Chairman, the Vice Chairman acts as Chairman and performs the duties of the Chairman until a successor is appointed or the absence or disability ceases.

Question. The Secretaries of the Military Departments.

Answer. Title 10, U.S.C., section 165 provides that, subject to the authority, direction and control of the Secretary of Defense, and subject to the authority of the combatant commanders, the Secretaries of Military Departments are responsible for administration and support of forces that are assigned to unified and specified commands. The Chairman advises the Secretary of Defense on the extent to which program recommendations and budget proposals of the Military Departments conform to priorities in strategic plans and with the priorities established for requirements of the combatant commands.

Question. The Chiefs of Staff of the Services.

Answer. Because of the Goldwater-Nichols Act, the Service Chiefs are no longer involved in the operational chain of command. However, this does not diminish their importance with respect to title 10 responsibilities. Among other things, they serve two significant roles. First, they are responsible for the organization, training, and equipping of their respective Services. Without the full support and cooperation of the Service Chiefs, no combatant commander can assure the preparedness of his assigned forces for missions directed by the Secretary of Defense and the President. Second, as members of the Joint Chiefs of Staff, the Chiefs are advisers to the Chairman and the Secretary of Defense as the senior uniformed leaders of their respective Services. In this function, they play a critically important role in shaping military advice and developing our joint capabilities. If reconfirmed, I will continue to work closely with the Service Chiefs to fulfill warfighting and operational requirements.

Question. The combatant commanders.

Answer. The combatant commanders fight our wars and conduct military operations around the world. By law, and to the extent directed by the Secretary of Defense, the Chairman serves as spokesman for the combatant commanders and is charged with overseeing their activities. He provides a vital link between the combatant commanders and other elements of DOD, and as directed by the President, may serve as the means of communication between the combatant commanders and the President or Secretary of Defense. If confirmed, I will continue to work closely with the combatant commanders to enable their warfighting capability and to provide support.

Question. The Chief of the National Guard Bureau.

Answer. The Chief of the National Guard heads a joint activity of DOD and is the senior uniformed National Guard officer responsible for formulating, developing and coordinating all policies, programs, and plans affecting more than half a million Army and Air National Guard personnel. Appointed by the President, he serves as principal adviser to the Secretary of Defense through the Chairman of the Joint Chiefs of Staff on National Guard matters. He is also the principal adviser to the Secretary and Chief of Staff of the Army and the Secretary and Chief of Staff of the Air Force on all National Guard issues. As National Guard Bureau Chief, he serves as the department's official channel of communication with the Governors and Adjutants General. As a member of the Joint Chiefs of Staff, the Chief of the National Guard Bureau has the specific responsibility of addressing matters involving non-Federalized National Guard forces in support of homeland defense and civil support missions.

Question. The Commander, U.S. Forces-Afghanistan.

Answer. Although the Chairman of the Joint Chiefs of Staff is the principal military advisor to the President, the Secretary of Defense, and the National Security Council, he is not in the chain of command of the Commander, U.S. Forces-Afghanistan (USFOR–A). The Commander, USFOR–A reports to the Commander, U.S. Central Command (CENTCOM), who, in turn, reports directly to the Secretary of Defense. This reporting relationship is prescribed in title 10, U.S.C., section 164(d)(1). The Commander, USFOR–A does not have a formal command relationship with the Chairman of the Joint Chiefs of Staff, but he coordinates with him through the Commander, CENTCOM on a regular basis. The Commander, USFOR–A sends his advice and opinions on military operations to the Commander, CENTCOM, who, in turn, presents them to the Chairman.

MAJOR CHALLENGES

Question. What do you consider to be the most significant challenges you have faced in your first term as Chairman of the Joint Chiefs of Staff?

Answer. We are experiencing a period of unprecedented uncertainty and multiple transitions that daily test our ability to meet our obligations, both in the security environment and across the Joint Force. We face a difficult fiscal correction to restore the economic foundation of our power. At the same time, we are transitioning from a decade of war to a contingency footing in response to an uncertain and dangerous security landscape. Importantly, we are transitioning a generation of veterans, as many in the Joint Force return to the homefront and their communities. Across the force, the issues of sexual assault, veteran suicide, traumatic brain injury/mental health are among our most challenging. In the security environment, continued operations and transition in Afghanistan, the crisis in Syria, and deterring global provocation are among the most complex national security priorities we have faced. The Nation is far from being immune from coercion in cyberspace. This said, I continue to believe that we have it within us to lead through this critical and defining period, and remain a strong global leader and reliable ally.

Question. What new challenges do you expect to face if you are confirmed for a second term?

Answer. We face a series of tough choices moving forward, given our fiscal reality and the increasingly unpredictable security environment. These will include, but are certainly not limited to, conducting a responsible transition in Afghanistan, responding to the dynamic and persistent threat from violent extremist organizations, deterring increasingly bold provocation from North Korea and Iran, and detecting and defeating cyber and other asymmetric attacks against the homeland. We are less ready today than we were 1 year ago, and our readiness continues to degrade. If current trends continue, our military power will become less sustainable, and therefore less credible. In this context, my challenge is to continue to provide our civilian leadership with realistic options and risk assessments that balance current obligations, future contingencies, and the reality of declining resources. Internally, I will face the challenge of restoring the versatility of the Joint Force at an affordable cost. I will need to lead the effort to renew commitment to our profession by making sure we value character as much as competence.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. We can only address these challenges together—jointly, across the interagency, and in partnership with Congress. If confirmed, I will work to strengthen the relationships—and specifically the bonds of trust—that have allowed us to make important progress in my first term. This trust permeates all levels. Our men and women on the front lines must trust that they will be the best trained, led, and equipped force on the battlefield. Our military families must trust that we will keep faith at home. The Services and combatant commands must trust their views will be fairly and accurately represented within internal JCS deliberations and at all levels of policy debate. Our allies and partners must trust in our sustained global leadership. The President, this Congress, and the American people must trust that their military will meet its sacred obligation to keep our Nation immune from coercion.

PRIORITIES

Question. Recognizing that challenges, anticipated and unforeseen, will drive your priorities to a substantial degree, if confirmed, what other priorities, beyond those associated with the major challenges you identified in the section above, would you set for your second term as Chairman?

Answer. If reconfirmed, I will continue to emphasize the focus areas I established in my 2012 Strategic Direction to the Joint Force to achieve our national security objectives today, build the Joint Force for 2020, renew commitment in our profession of arms, and keep faith with our military family. To do this, we will need to get four things right. The first is to achieve strategic solvency—this means establishing security priorities, aligning our aims and abilities, and balancing current and long-term requirements. Second, I will remain focused on keeping the Joint Force ready and balanced. To do so, we must restore readiness lost due to sequester, and ensure that future cuts do not undermine our ability to send our troops to war with the best training, leadership, and equipment. Third, we must prioritize investment in our people. This means valuing and strengthening character as much as competence, reinvesting in learning and leadership, advancing equal and ethical treatment for all of our servicemembers, and allowing no quarter for sexual violence in our ranks. Lastly, I will focus on maintaining the bond of trust between our men and women in uniform and the public they serve.

CHAIN OF COMMAND

Question. Section 162(b) of title 10, U.S.C., provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Section 163(a) of title 10 further provides that the President may direct communications to combatant commanders be transmitted through the Chairman of the Joint Chiefs of Staff and may assign duties to the Chairman to assist the President and the Secretary of Defense in performing their command function.

Do you believe that these provisions facilitate a clear and effective chain of command?

Answer. I believe that the current chain of command provides a clear and effective means for employing our Nation's military.

Question. Are there circumstances in which you believe it is appropriate for U.S. military forces to be under the operational command or control of an authority outside the chain of command established under title 10, U.S.C.?

Answer. Military forces should normally operate under the chain of command established under section 162 of title 10, U.S.C. However, an exception to that chain of command may be appropriate for certain sensitive operations. The military units supporting such an operation are still governed by the laws of armed conflict and, as an administrative matter, the military personnel remain accountable to the military chain of command, including for matters of discipline under the Uniform Code of Military Justice. Only the President may approve such an exception, as also recognized in section 162. If confirmed, I will provide the President with my best advice regarding any operation where an exception to the established chain of command may be appropriate.

Question. What is your understanding and assessment of the authorities and agreements which are in place to allow U.S. military personnel to carry out missions under the authorities contained in title 50, U.S.C.? Do you believe any modifications to these authorities are necessary?

Answer. As noted above, consistent with title 50 of the U.S.C., the President may authorize departments, agencies, or entities of the U.S. Government to participate in or support intelligence activities. While I believe that all military forces should normally operate under a military chain of command, there are authorities and agreements that allow exceptions to this chain of command for title 50 operations. In some cases, the Secretary of Defense may approve this exception and in other cases only the President has approval authority. I believe the current authorities are sufficient to facilitate DOD's providing appropriate support under title 50 while ensuring necessary oversight.

ADVICE OF THE SERVICE CHIEFS, COMBATANT COMMANDERS, AND CHIEF OF THE NATIONAL GUARD BUREAU

Question. Section 163 of title 10, U.S.C., provides that the Chairman of the Joint Chiefs of Staff serves as the spokesman for the combatant commanders, especially on the operational requirements of their commands. Section 151 of title 10 provides for the other members of the Joint Chiefs of Staff to submit their advice or opinion, in disagreement with or in addition to the advice or opinion of the Chairman, and requires the Chairman to provide that advice at the same time that he presents his own advice to the President, National Security Council, or Secretary of Defense.

Having served as Chairman, what changes to section 151 or section 163, if any, do you think may be necessary to ensure that the views of the individual Service Chiefs, combatant commanders, Chief of the National Guard Bureau are presented and considered?

Answer. I see no benefit in changing section 151 or section 163. Section 151 and section 163 embody the spirit and letter of Goldwater-Nichols, a foundation of our Joint Force. I have made it a priority to hear from and be representative of the views of the combatant commanders and the JCS. I use their insights and collective experience to inform my best military advice. I recognize my responsibility and the value in my representing the views of the JCS and our senior commanders, even when they may vary.

SECURITY STRATEGIES AND GUIDANCE

Question. How would you characterize current trends in the range and diversity of threats we face today to national security?

Answer. The security environment is more uncertain and dangerous. It can be characterized as complex due to an increasing number of strategically significant actors, dynamic due to rapid rates of change, and uncertain due to shifting nodes of

power and influence and an unclear U.S. fiscal and budget environment. Further, the proliferation of advanced technologies is resulting in middleweight militaries and non-state actors with unprecedented destructive and disruptive capabilities, particularly in the areas of cyber, terrorism, and missiles.

Question. In your view, is the Nation's defense strategy appropriate for the threats we face today and could face in the coming decades?

Answer. The strategy as articulated in the January 2012 Defense Strategic Guidance, Sustaining U.S. Global Leadership: Priorities for 21st Century Defense, is necessary and appropriate to safeguard the Nation against threats to its interests. However I am increasingly concerned about our ability to properly resource the strategy and maintain the readiness of the Joint Force due to continued fiscal uncertainty and constraints. I have documented the specific concerns in my classified Chairman's Risk Assessment submitted in February, 2013.

Question. The Defense Strategic Guidance issued January 2012 took into account a $487 billion reduction in defense resources.

With the additional $500 billion in cuts to DOD as a result of sequestration is the Defense Strategic Guidance still valid?

Answer. The Department is still in the process of determining what revisions might be necessary to align ends, ways, and means given the additional $500 billion in cuts. The sequester was not expected or desired. The answer will depend a great deal on how the cuts are taken year by year (slope), the flexibility granted to the Department by Congress, and Congress' willingness to give the Department more scope for politically unpopular changes to infrastructure, benefits, and compensation.

Question. At the issuance of the Defense Strategic Guidance you said, "We will always provide a range of options for our Nation . . . ."

What options do you lose or what options are significantly altered and in what way if the $500 billion in cuts is enacted?

Answer. We will continue to provide a range of options. But, they may not be as robust or timely as they might have been, and they will entail a higher level of risk to the Nation and to the forces committed. In essence, we will be able to do fewer things simultaneously, and new contingencies may force us to take risk in other regions or for other security threats. The full implications of reduced option are unlikely to be appreciated until an unexpected contingency or strategic surprise occurs.

Question. What changes, if any, should be considered?

Answer. The recent Strategic Choices and Management Review affirmed the fundamental soundness of the Defense Strategic Guidance. However, it makes clear that we need to further prioritize missions within the context of a continued rebalance to the Asia-Pacific region. It also indicated that we are at risk of strategy insolvency if sequestration is implemented as currently prescribed by law. That is, there is a point at which a steep drawdown makes it difficult for us to meet the current and expected demands being placed on our military.

Question. In your view, is our broad defense strategy and current establishment optimally structured, with the roles and missions of the military departments appropriately distributed, and U.S. forces properly armed, trained, and equipped to meet security challenges the Nation faces today and into the next decade?

Answer. These are broad, overarching issues that the Department traditionally examines through its Quadrennial Defense Review (QDR). The recent Strategic Choices Management Review did, however, provide insight to changes that will need to be made in terms of capability and capacity to meet future security challenges. As a consequence of fiscal constraints, we are already losing readiness that will cost us more to restore. Therefore, I am concerned that our Joint Force will be increasingly less ready for future challenges unless we get budget certainty and flexibility.

Question. In March you said, "Recognizing longer-term uncertainty, I've also begun to reassess what our military strategy should be, as well as institutional reforms necessary to remain an effective fighting force." On the topic of Strategic Choices and Management Review, Secretary Hagel said, "There will be no rollout of any grand plan on this."

Will there be any changes in strategy to account for sequestration?

Answer. The Department is still in the process of determining what revisions might be necessary to align ends, ways, and means given the additional $500 billion in cuts. I concur with what the Secretary has stated. We still have considerable work ahead of us to determine the extent to which we have to change the Defense Strategic Guidance. That said, the Strategic Choices and Management Review indicated that the rebalance to the Asia-Pacific remains sound, but that we may need to further prioritize missions.

Question. Do you feel that we have passed or are approaching the line where military strategy is driven by resources rather than being based on objectives and threats?

Answer. Strategy is always informed by the resources available. To best protect the Nation, we must achieve the best possible balance of ends, ways, and means while assessing and mitigating risk. I am concerned that sequester in its current form prevents us from being able to achieve proper balance, pushing us closer to the line where our military strategy is out of balance with the resources needed to achieve it. If so, our military strategy will take some additional risk in achieving objectives, in the ways we achieve results, and in the way we apply resources. It is too early to determine if we will achieve the right balance or if we have crossed the line—but we will watch this carefully.

Question. What will the indicators be if we cross that line?

Answer. Unready forces, misaligned global posture, inability to keep pace with emerging threats, reduced security cooperation, and failure to maintain a high quality All-Volunteer Force are all becoming increasingly likely the longer sequestration in its current form persists. I am especially concerned about the All-Volunteer Force. We presently have the most seasoned, professional force in history. Budget reductions, inflexibility, and uncertainty will increasingly subject them to lower readiness, less education and fewer training events.

Question. If confirmed, what changes, if any, would you propose to the structure, roles, and missions of the defense establishment?

Answer. The upcoming QDR will enable us to look at these issues in a deliberate way. I will provide my best advice to the Secretary during the review and inform Congress as to my recommendations at the earliest opportunity. The lack of certainty in the budget environment makes it more difficult to make hard decisions about structures, roles, and missions, and more difficult to understand the impacts of those decisions.

STRATEGIC RISK

Question. Do you believe that the current and planned pace and scope of operations in Afghanistan in conjunction with current and planned end-strength and force structure reductions create increased levels of strategic risk for the United States based on the current or potential future lack of available trained and ready forces for other contingencies?

Answer. The answer depends somewhat on the President's decision on post-2014 presence in Afghanistan and on whether sequestration takes effect as current prescribed by law. Generally, end-strength and force structure reductions could entail greater military risk to any mission, during execution of future contingencies, as force reductions occur.

Question. If so, how would you characterize the increase in strategic risk in terms of the military's ability to mobilize, prepare, deploy, and employ a force for a new contingency? In your view, is this level of risk acceptable?

Answer. In an unclassified forum, I am reluctant to get into specifics on military risk. In general, a smaller Joint Force would become more reliant on rapid Reserve mobilization and on maintaining high readiness levels for its Active Forces. Implementing sequestration as currently prescribed by law will make it impossible to maintain the levels of readiness we have today for current contingencies, much less to make the investments needed to employ the force for more difficult future contingencies. The concerns expressed in the 32-star letter to the committee last year about the impacts of sequestration on readiness still stand. If anything, I am more worried today.

Question. What is the impact of the decision to decrease U.S. forces committed to Afghanistan on our ability to meet our security obligations in other parts of the world?

Answer. As we draw down the forces in Afghanistan, we intend to reset the force as well as provide for a greater range of options for contingencies in other parts of the world. This approach will become increasingly untenable if sequestration as currently prescribed by law persists.

Question. How and over what periods of time, if at all, will reductions to Army and Marine Corps end strength increase or aggravate this risk?

Answer. Reductions to land force end strength will increase risk based on our decreased ability to deter conflicts and to shape conditions overseas through Army and Marine security cooperation activities. Reduced end strength means that we will be able to "turn" the force less frequently, and under certain circumstances we may have to extend forces beyond the optimum and sustainable boots-on-the-ground dwell ratio.

Question. What is your understanding and assessment of the Army's recent announcement to inactivate 13 of its 45 brigade combat teams by the end of 2017?

Answer. First, it's important to note that these inactivations have nothing to do with sequestration. The inactivation of the 13 brigade combat teams will reduce that part of the force that the Army actually increased over the last 10 years to fight our wars. With the planned drawdown of these forces, and the conclusion of two long-term stability operations, we can manage our strategy with the reductions the Army has planned.

Question. If confirmed, what additional actions would you take, if any, to reduce or mitigate this strategic risk?

Answer. Military strategies consist of ends, ways, means, and risk. "Ends" are goals or objectives, "ways" describe how we intend to meet those objectives, and "means" are the resources available. If we cannot accept more risk, and the "means" are reduced, then we can only reduce our "ends", or change the "ways". Possible examples of changes to "ways" include adjusting our operational plans or global posture, modifying our operational concepts, reducing the scope and nature of the missions we take on, requesting new authorities, shifting the burden onto current alliances or undertaking new security cooperation mechanisms with current or new partners. Possible examples of changes to "ends" include lengthening the time it takes to resolve various contingencies and changing expectations about the speed with which we commit forces or the number of casualties we are prepared to accept. We could also reduce the scope of objectives in a particular region or contingency, or change the priorities of objectives and contingencies worldwide. The depth, breadth, inflexibility, and uncertainty of the budget reductions currently associated with sequestration will make any of these changes both more necessary and more difficult.

Question. Upon issuance of the January 2012 Defense Strategic Guidance, you said "We do accept some risks in this strategy as all strategies must."

With the benefit of hindsight, what is your assessment of the areas where we assume the greatest strategic risk under the current Defense Strategic Guidance due to cuts of $487 billion?

Answer. The recently completed Strategic Choices Management Review outlined the magnitude of the challenges we could face and the difficulty of the decisions involved. But we have yet to make those choices or complete the staff level assessments for a fulsome answer. It did, however, indicate that the rebalance to the Asia-Pacific remains fundamentally sound. More directly, my sense is that the Nation will have a military that is increasingly unready, steadily losing technology overmatch to possible challengers, that is smaller but similar in terms of platforms and capabilities, and that will have an eroded global presence and posture. It is a military that will be viewed with increasing concern by our longtime allies and with increasing satisfaction by our potential adversaries. It is a military that will offer our civilian leaders fewer options and higher opportunity costs when they decide to employ military force. I will provide additional specifics in my next classified Chairman's Risk Assessment related to impacts of sequestration. But the present year-to-year magnitude of the $487 billion cut cannot be found within our existing budget without taking unprecedented action. Many of these actions that are simultaneously prevented by other laws, particularly with respect to excess infrastructure, compensation and pay, and procurement, as well as changing the balance between Guard/Reserve/Active Forces, adjusting the scope and scale of ground force reduction and allowing the retirement of unnecessary platforms. This is only a partial list.

Question. What are the additional risks associated with cutting an additional $500 billion under sequestration?

Answer. Please see previous answers, which outline the additional risks of fewer options and gaps in or security due to a force that will be out of balance and less ready than it should be.

CHAIRMAN'S RISK ASSESSMENT

Question. In your 2013 risk assessment, you identified for the first time six National Security Interests that were derived from four enduring interests contained in the 2010 National Security Strategy.

Please describe your rationale for assessing risk against these new interests that have not been incorporated into an updated national security strategy?

Answer. The four enduring interests in the National Security Strategy provided guidance for the entire U.S. Government, including the diplomatic, information, and economic instruments of power. The six national security interests derive from these and are focused explicitly on the military contribution to the four enduring interests. I have found this construct to be useful tool when articulating specific risks and

prioritizing our military missions. They help us think through the options for using force and when/where to take risk and expend resources.

Question. Your April 2013 assessment identified several areas of broad and significant risk to national security as a result of current budget issues.

How would you characterize the trends of risk in these areas (whether they are increasing or decreasing)?

Answer. In an unclassified forum I am reluctant to go into much detail. Generally, those strategic risk trends have not changed since March.

As I have mentioned elsewhere, I see increasing strategic risk associated with sequestration as currently prescribed by law.

I will make note of any changes in my next risk assessment.

Question. What is your current assessment of the risk to combatant commanders in their ability to successfully execute their operational plans?

Answer. In my latest Chairman's Risk Assessment (CRA), I identified and characterized the ability of combatant commanders to successfully execute their operational plans and their ongoing missions. The CRA also included the combatant commanders' assessments of their most pressing challenges. In an unclassified forum I am reluctant to go into detail, however, I will say that all military operations entail risk, but we are committed to providing the President a range of options given any threat to U.S. interests.

TRANSFORMATION

Question. Military "transformation" has been a broad objective of the Armed Forces since the end of the Cold War.

In your view, what does military "transformation" mean?

Answer. Military transformation is really about adapting the Joint Force to meet future security needs. We must be able to adapt to rapid changes in technology, the global security environment, and our adversaries' capabilities. Uncertainty is the only thing certain today. We must be flexible in order to deter and defeat threats at every point along the spectrum of conflict, from asymmetric threats to a near-peer competitor. If confirmed, I will maintain the development of Joint Force 2020 as a focus area of my chairmanship, in order to ensure that our Nation's security is never uncertain.

Question. What is your understanding and assessment of the progress made by the Department, including the Joint Chiefs of Staff and the Joint Staff, toward transforming the Armed Forces?

Answer. My 2012 Strategic Direction to the Joint Force identifies the development of Joint Force 2020 as one of the four focus areas of my chairmanship, and we've made progress in the past 2 years. We're working to advance interdependence, integrate new and specialized capabilities, promote versatility, and preserve readiness by valuing quality over quantity. For example, we've introduced the Joint Operational Access Concept to synchronize our efforts across all five domains—land, air, sea, space, and cyberspace. This concept provides a framework to ensure the Joint Force remains survivable and successful despite growth of anti-access and area-denial threats. We're also moving forward with the Joint Information Environment, implementing innovative industry-supported efficiencies across the Department to further enhance mission effectiveness and cyber security. Ultimately, my aim is a versatile, responsive, decisive, and affordable Joint Force. If reconfirmed, I look forward to working with you to achieve this.

Question. If confirmed, what goals, if any, would you establish during your next term as Chairman regarding military transformation in the future?

Answer. If confirmed, I will maintain as a priority the development of a superior Joint Force in 2020. Transformation during this period of fiscal constraint poses challenges for us, but also opportunities. We will be selective in the capabilities we reconstitute as we draw down in Afghanistan, and ensure that lessons learned over a decade of war are retained. We may get smaller, but we can be increasingly versatile and interdependent. We will be regionally postured, but globally networked. We will integrate new capabilities and leverage cutting-edge technologies that will provide a decisive advantage as we adapt to new ways of war. The economic situation demands that the future force be affordable, but keeping our military the best led, trained, and equipped force in the world is a non-negotiable imperative.

Question. Do you believe the Joint Staff should play a larger role in transformation? If so, in what ways?

Answer. The Joint Staff is contributing significantly to the transformation of the Joint Force in a closely coordinated effort with the Services and combatant commands. The Joint Staff's current focus is on concept, strategy, and doctrine develop-

ment, and establishing joint requirements to address gaps in capability. I believe this is the correct role.

MILITARY CAPABILITIES IN SUPPORT OF DEFENSE STRATEGY

Question. The 2010 report of the QDR provided that military forces shall be sized to prevail in ongoing conflicts in Afghanistan, Iraq, and the war against al Qaeda as well as for conducting foundational activities that prevent and deter attacks or the emergence of other threats. The QDR report particularly emphasizes the requirement for improved capabilities in key mission areas such as counterinsurgency, stability, and counterterrorism operations, as well as building the security capacity of partner states. In contrast, the Defense Strategic Guidance of January 2012 asserts that the United States will no longer size its forces for long duration stability operations.

Understanding that the Department is currently embarked on a Strategic Choices and Management Review that is intended to inform the 2014 QDR, what is your understanding and assessment of the current ability of each Service to provide capabilities to support these mission requirements and, if confirmed, what changes, if any, would you pursue to improve these capabilities?

Answer. The Services are currently able to provide forces to support the missions identified within the Defense Strategic Guidance. Resource constraints, however, are eroding readiness and extending the timeline by which forces can be made available to fulfill combatant commanders' requests and respond to emerging requirements. We are reexamining the plans and scenarios that drive the size and capabilities of our force to ensure they are informed by the realities of our fiscal and operating environment. We will continue to closely manage the way we use our forces as they conduct day-to-day operations. Further, new fiscal guidance will ensure that the Department invests in those capabilities most needed to defend the Nation against likely future mission requirements.

Question. In your opinion, can the 2014 QDR be conducted without an updated National Security Strategy, which is required by law to be submitted annually?

Answer. Existing guidance is sufficient to inform my statutory requirement to contribute to the QDR. The enduring interests articulated in the 2010 National Security Strategy as well as the six national security interests outlined in the Chairman's Risk Assessment provide a consistent framework within which to conduct the next QDR. If national priorities shift in any future NSS, we will adapt our strategic documents and processes such as the QDR.

Question. Are you committed to meet the statutory date for delivery of a 2014 QDR to Congress?

Answer. Yes, in accordance with title 10, U.S.C., section 118, we plan to meet the statutory date to deliver a 2014 QDR to Congress.

FUTURE ARMY

Question. The Defense Strategic Guidance (DSG) of January 2012 articulated the need to shift strategic emphasis toward the Asia-Pacific region while continuing to engage in the Middle East.

Do you agree that future high-end military operations, as envisioned by the DSG, will primarily be naval and air engagements such that the Army will have difficulty justifying the size, structure, and cost of the number and equipment its combat formations?

Answer. America needs a capable and decisive Army. The size and structure of the Army will continue to adapt to the evolving security environment. Our most recent experience with war suggests that we cannot predict where or when we will be asked to fight. A global superpower needs to retain sufficient capability, capability, and readiness to win across all domains. As Chairman, my focus is on ensuring that the Joint Force as a whole is capable of executing decisive operations in support of our national interests, regardless of geography or the theater of operations.

Question. In your view, what are the most important considerations or criteria for aligning the Army's size, structure, and cost with strategy and resources?

Answer. Our Nation needs an Army that can conduct full spectrum operations as part of the Joint Force. It must be appropriately sized, structured, and equipped to in order to defend the Nation and defeat our adversaries. The Defense Strategic Guidance deemphasized long duration stability operations and reinforced the importance of defeating and denying the objectives of an adversary. The Army is realigning and resizing consistent with this guidance.

Question. If confirmed, what actions, if any, would you propose to properly align the Army's size and structure with the requirements of security strategies and the likely availability of resources?

Answer. If confirmed, I will continue to support the ongoing realignment and restructuring of BCTs. These measures enhance the ability of the Joint Force to provide a full range of options to the President that meets diverse threats in an uncertain environment.

SEQUESTRATION

Question. Sequestration requires defense cuts totaling $37 billion over the last half of the current fiscal year.

What is your assessment of how the Department is managing these cuts in the current fiscal year?

Answer. The cuts required by sequestration in fiscal year 2013 are a self-inflicted wound to our national security. We have lost readiness that will take time and money to restore. We are out of balance due to the magnitude, mechanism, and pace of budget cuts. While the Department is shifting funds where possible to minimize the impact on warfighting capabilities and critical military readiness, sequestration to date has resulted in cuts to training, exercises, and deployments, civilian furloughs and hiring freeze, reduced base maintenance, disruption to modernization, and morale challenges. We are leading through these cuts by doing all we can to protect funding to our deployed forces, our nuclear enterprise, and our warrior and family support programs.

Question. What are your views on the impact these cuts are having on readiness?

Answer. We have lost readiness that will take time and money to restore. The impact of sequestration and other budget constraints are beginning to emerge in unit level readiness reports. The effects caused by the cancellation of large force exercises and deferred maintenance are harder to measure, but will also impose significant strain on long-term institutional readiness. The combined effect of reduced training cycles, deferred maintenance, and the pace of current operations is damaging to both readiness and morale. If current trends continue, recovery from several months of sequestration will take years. Eventually, our readiness problem will become a recruitment and retention problem.

Question. The fiscal year 2014 budget request and the fiscal year 2014 budget resolutions passed by the Senate and the House of Representatives all assume that sequestration will be avoided in fiscal year 2014. It appears possible that sequestration will not be avoided in fiscal year 2014 and DOD will have to cut $52 billion from its budget request. You have been involved in developing the most workable approach to meeting the $52 billion savings requirement established by the Budget Control Act.

What is your assessment of the Department's proposals for managing the additional $52 billion in cuts in fiscal year 2014?

Answer. The abrupt, deep cuts caused by the Budget Control Act caps in fiscal year 2014 will force DOD to make non-strategic choices. If sequester continues, the Department will have to make sharp cuts with far reaching consequences, including limiting combat power, reducing readiness, and undermining the national security interests of the United States. To limit adverse consequences, we need the certainty of a predictable funding stream, time to balance force structure, modernization, compensation, and readiness, and the flexibility to make trade-offs. The Secretary directed a Strategic Choices and Management Review to develop options that would accommodate these large cuts, but none of these options fully avoid an increase in risk to our national security.

Question. What are your views on the impact these cuts will have on readiness?

Answer. While DOD would attempt to protect the operation and maintenance funding most closely related to training and readiness, full protection will be impossible. Therefore, military training and readiness would remain at the currently degraded levels or, in some cases, would continue to decline in a sequester-level cut of $52 billion in fiscal year 2014. Ultimately, ongoing cuts will threaten our obligation to send only the best trained, led and equipped forces into harm's way.

Question. What are your views on the impact these cuts will have to military capabilities?

Answer. Given the difficulty of cutting fiscal year 2014 military personnel funding, DOD would be forced to disproportionately reduce funding for operations and maintenance; procurement; research, development, test, and evaluation; and military construction. Funding for hundreds of program line items, large and small, will be significantly reduced. We will buy fewer ships, planes, ground vehicles, satellites, and other weapons systems. Cuts in funding for research and development will ulti-

mately slow discovery and advancement, eroding the technological superiority enjoyed by U.S. forces and translating into less desirable military outcomes in future conflicts.

READINESS FUNDING

Question. Given the reductions in readiness funding, what is your assessment of the current readiness of the Armed Forces to meet national security requirements across the full spectrum of military operations?

Answer. Despite a decade of strenuous demands on the force, we remain sufficiently ready to conduct current operations. The Joint Force faced the simultaneous challenge of reconstituting the force and focusing on a broad spectrum of operations prior to sequestration. Now, we must prioritize the readiness of our deployed and next to deploy forces at the expense of reconstituting the majority of the nondeployed force. This approach is unsustainable and cannibalizes longer-term reconstitution. Simply put, sequester hinders our ability to generate forces for contingency operations. If nothing changes, most operational units will have readiness deficiencies by fiscal year 2014. This lost readiness will cost more and take longer to recover.

Question. What is your assessment of the near-term trend in the readiness of the Armed Forces?

Answer. We have curtailed operations, maintenance, and training across the force because of sequestration cuts. Specific actions by Service include:

- Army—80 percent of ground forces training will be curtailed for the remainder of fiscal year 2013. Units will train to just squad-level proficiency. Half of all third- and fourth-quarter depot maintenance has been cancelled.
- Air Force—12 Active Duty combat aviation squadrons stood down.
- Navy—Ship deployments have been reduced. Steaming days and training opportunities for nondeployed ships as well as flying hours for nondeployed air wings have also been reduced, resulting in at least one air wing being at minimum safety levels by the end of fiscal year 2013.
- Marine Corps—Efforts remain focused on meeting near-term commitments for deployed and next-to-deploy forces. We are concerned about the availability of amphibious ships.

We are beginning to see the effect of these actions in unit level readiness reports and expect that trend to continue as time reveals the full impacts of sequestration. We are prioritizing the readiness of our deployed and next to deploy forces, but the decreased readiness of the nondeployed force and damage to production and training pipelines make this unsustainable.

Question. Given the impact of sequestration, do you support the additional sourcing of base defense funds to pay for unforeseen requirements in support of overseas contingency operations?

Answer. While under sequestration, I would support a source of funding in the base budget to pay for emergent contingency operations. We will inevitably face new contingencies as operations wind down in Afghanistan and associated funding for overseas contingency operations decreases. Without such relief in this or in the form of a supplemental, the Services will mortgage readiness to absorb the costs of these operations.

Question. How critical is it to find a solution to sequestration given the impacts we have already seen to DOD readiness in fiscal year 2013?

Answer. It is critical. I am deeply concerned about the loss of readiness across the Department. Lost readiness take longer and costs more to recover. It foreclosed options and compounds risk. We are repeating the mistakes of past drawdowns. The impact of sequestration and other budget constraints are beginning to emerge in unit level readiness reports. The longer term effects caused by the cancellation of large force exercises and deferred maintenance are harder to measure, but will impose significant strain on long-term institutional readiness.

Question. What is your understanding and assessment of the methods currently used for estimating the funding needed for the maintenance of military equipment?

Answer. Requirements drive equipment maintenance based on factors that include force structure, operations tempo, schedule, nature and use of the equipment, and safety. The Services' detailed maintenance plans balance operational availability with maintenance requirements. Perturbations in the budget process and funding uncertainties have effects across the maintenance plan for months and even years.

Question. Given the backlog in equipment maintenance over the last several years, do you believe that we need an increased investment to reduce this backlog?

Answer. The Services have successfully managed their equipment maintenance backlogs in recent years. But funding shortfalls from successive Continuing Resolutions and sequestration in fiscal year 2013 have culminated in more depot maintenance deferrals across all Services. If sequestration continues, this backlog will grow, causing reduced availability rates, less reliable systems, and platforms not reaching their intended service life. We need budget certainty and flexibility to best equip the Services to achieve force readiness over time.

Question. How important is it to reduce the materiel maintenance backlog in order to improve readiness?

Answer. Very. Force readiness includes materiel. The remedy for the accumulating maintenance backlog is the same as the remedy for force readiness—time and money.

Question. How important is it to receive Overseas Contingency Operations (OCO) funding 2 or 3 years after the end of combat operations in order to ensure all equipment is reset?

Answer. Very important. OCO has been a necessary funding source to conduct ongoing operations and reset equipment to prepare for future operations. Equipment consumed in Iraq and Afghanistan remains relevant to unit readiness. OCO beyond the end of combat operations will help restore the readiness required to support the National Security Strategy. Lack of OCO for reset will delay the Services' ability to meet readiness requirements in the out years.

Question. In years past, we have based additional readiness funding decisions on the Service Chief unfunded priorities lists. However, in recent years those lists have either been nonexistent or have arrived too late in our markup process.

Do you agree to provide unfunded priorities lists to Congress in a timely manner beginning with the fiscal year 2015 budget request?

Answer. The provision of unfunded requirements lists to Congress is a longstanding practice. Given the budget uncertainty, it is difficult to project whether and when we might submit requirements for 2015. Should the Services have such requirements, the existing statutory framework provides the opportunity for the Joint Chiefs to make recommendations that are responsive to Congress after first informing the Secretary of Defense.

DEFENSE ACQUISITION REFORM

Question. Congress enacted the Weapon Systems Acquisition Reform Act of 2009 (WSARA), without a dissenting vote in either House. WSARA is designed to ensure that new defense acquisition programs start on a sound footing, to avoid the high cost of fixing problems late in the acquisition process.

Having now served as the Chairman, what are your views regarding WSARA and the need for improvements in the Defense acquisition process?

Answer. The Weapon Systems Acquisition Reform Act of 2009 has been instrumental in ensuring new defense programs start on a sound footing to avoid the high cost of fixing problems late in the acquisition process. It also jump-started a culture within the Department focused on the continuous improvement of our acquisition processes and their associated outcomes, which I strongly endorse.

Question. If confirmed, how would you improve all three aspects of the acquisition process (requirements, acquisition, and budgeting)?

Answer. There is an ongoing effort within the Department to continuously improve all aspects of the acquisition process. As recently as January of 2012 a new revision of the Joint Capabilities Integration and Development System (JCIDS) was published, and we are currently working with the Office of Secretary of Defense to revise DOD 5000.02, "Operation of the Defense Acquisition System." DOD 5000.02 will incorporate the initiatives outlined in Dr. Carter's 2010 "Better Buying Power: Guidance for Obtaining Greater Efficiency and Productivity in Defense Spending (BPP 1.0)" memo and Mr. Frank Kendall's 2012 initiative entitled "Better Buying Power 2.0: Continuing the Pursuit for Greater Efficiency and Productively in Defense Spending", all of which I strongly support, along with the improvements instituted in the new JCIDS instruction and manual.

Question. Do you believe that the current investment budget for major systems is affordable given increasing historic cost growth in major systems, costs of current operations, and asset recapitalization?

Answer. I am concerned that costs in acquisition and procurement will continue their historic growth profiles, further exacerbating shortfalls under a sequestered budget. We will continue to scrub our processes, including our warfighter requirements, to ensure they are aligned with strategy and available resources. But, it will likely be necessary to reduce some investments for major systems under full sequestration.

Question. If confirmed, how do you plan to address this issue and guard against the potential impact of weapon systems cost growth?

Answer. I will continue to partner with the Office of the Secretary of Defense to improve our inter-related processes, and work closely with our combatant commanders and our title 10 Service providers to mitigate cost growth impacts of and on our highest priority capability investments. I will be an advocate for major systems that provide versatility at an affordable and sustainable cost.

Question. If confirmed, what actions would you propose, if any, to ensure that requirements are realistic and prioritized?

Answer. The improvements put into place in the latest revision of the JCIDS process have been very effective. The Joint Requirements Oversight Council (JROC) is now more focused on weapon system cost, schedule, and performance, and uses greater analytical rigor to reach recommendations. The JCIDS process and the associated responsibilities of the JROC, Services, and the JROC advisors in support of the JCIDS process will continue to be refined throughout my tenure as Chairman.

CONTRACTORS ON THE BATTLEFIELD

Question. According to widely published reports, the number of U.S. contractor employees in Afghanistan often exceeds the number of U.S. military deployed in there. This was also the case during the operations in Iraq.

Do you believe that DOD has become too dependent on contractor support for military operations?

Answer. They have been part of our military force since the Revolutionary War. Contractors function in various roles and are a force multiplier. They provide rapid expansion of manpower when needed to fill critical gaps. The use of local contractors can be an important element of military objectives. With that in mind, I think we need to continuously evaluate the costs and necessity of contractors to make sure contractor support is properly structured for a period of fiscal correction.

Question. What risks do you see in the Department's reliance on such contractor support? What steps do you believe the Department should take to mitigate such risk?

Answer. We are in the process of analyzing lessons learned from Iraq and Afghanistan and updating doctrine to ensure that we can properly target capabilities that are optimum for contracting support. Contracting provides capabilities the military may not have readily available, but it is critical that we maintain effective oversight and introduce better cost controls.

Question. Do you believe the Department is appropriately organized and staffed to effectively manage contractors on the battlefield?

Answer. Yes. However, oversight is critical to ensure contracts are properly executed. We are in much better shape today than we were when the wars began over 10 years ago. We will continue to apply the lessons learned to improve our processes. We have expanded personnel two-fold and have a roadmap to move us to an appropriately staffed and organized contracting capability. I will remain focused on this challenge as we make resource tradeoffs in the sequestration process.

Question. What steps if any do you believe the Department should take to improve its management of contractors on the battlefield?

Answer. The Department will continue to mature the contingency capabilities of our contracting agencies and to provide dedicated unit contracting specialists for oversight. We will continue to adjust doctrine based on lessons learned and maintain our focus on training and education for this critical military capability.

TACTICAL FIGHTER PROGRAMS

Question. Perhaps the largest modernization effort that we will face over the next several years is the F–35 Joint Strike Fighter (JSF) program to modernize our tactical aviation forces with fifth generation tactical aircraft equipped with stealth technology.

Based on current and projected threats, what are your current views on the requirements for and timing of these programs?

Answer. Dominance in the air is essential to the success of our Joint Force. Since 1953, our ground forces have not been attacked from the air by our adversaries. We cannot let any other nation achieve parity with the United States in the ability to control the air. The projected threats from our adversaries include programs to build advanced aircraft that will challenge our current capabilities in the coming years. The F–35, which will replace several older generation aircraft across the Joint Force, will continue to ensure our air dominance well into the future.

Question. What is your current assessment of whether the restructuring of the JSF program that we have seen over the past 2 years will be sufficient to avoid having to make major adjustments in ether cost or schedule in the future?

Answer. The Department is committed to the JSF program and the acquisition adjustments we have made over the past 2 years. But, budget constraints and uncertainty may impact the program. To date, the F–35 has flown more than 3,000 flights totaling more than 5,000 flight hours and is largely tracking to our rebaselined plan. The program's estimate for major milestone events remains aligned to the 2012 acquisition baseline. Flight tests are also progressing close to plan.

BALLISTIC MISSILE DEFENSE

Question. Do you agree that the current Ground-based Midcourse Defense system, with interceptors deployed in Alaska and California, provides defense of the entire United States—including the east coast—against missile threats from both North Korea and Iran, and do you have confidence in that system?

Answer. Yes, I am confident that the Ground-based Midcourse Defense system, supported by other deployed and available ballistic missile defense capabilities, can protect the United States from both a limited North Korean and Iranian long-range ballistic missile attack.

Question. On March 15, 2013, Secretary of Defense Chuck Hagel announced a series of initiatives to improve our homeland ballistic missile defense capabilities, including the planned deployment of 14 additional Ground-Based Interceptors (GBIs) in Alaska, to help stay ahead of the long-range missile threat from North Korea and Iran.

Do you support the initiatives announced by Secretary Hagel, and do you believe they will help us stay ahead of the threat from North Korea and Iran?

Answer. Yes, I support the initiatives announced by Secretary Hagel. The collective results of the initiatives will further improve our ability to counter future missile threats being developed by Iran and North Korea.

Question. As indicated in the 2010 Ballistic Missile Defense Review, the administration is pursuing a "fly-before-you-buy" approach to missile defense, and will test systems in an operationally realistic manner to demonstrate they will work as intended before we deploy them. Since a GBI flight test failure with the Capability Enhancement-II kill vehicle in 2010, the Missile Defense Agency has been working to fix the problem and plans to conduct an intercept flight test in the spring of 2014 to demonstrate the fix.

Do you agree with the "fly-before-you-buy" policy, and do you agree with Secretary Hagel that, before we deploy the additional GBIs, we need to test and demonstrate the fix so we demonstrate its capability and have confidence that it will work as intended?

Answer. Yes. I agree with the administration's approach to test systems in an operationally realistic manner. I also agree with the importance of achieving confidence in a capability before it is deployed.

Question. Section 227 of the National Defense Authorization Act for Fiscal Year 2013 requires an Environmental Impact Statement (EIS) for possible future homeland missile defense sites in the United States, in case the President determines to proceed with such a deployment in the future. That EIS process is expected to be complete in early 2016.

Do you agree that the EIS process should be completed prior to making any decision relative to possible deployment of an additional homeland missile defense site in the United States, including possibly on the east coast?

Answer. I agree that EISs should be completed to ensure compliance with the National Environmental Policy Act prior to the actual deployment of an additional missile defense site in the United States.

Question. Do you agree with the Director of the Missile Defense Agency and the Commander of the Joint Functional Component Command for Integrated Missile Defense that there is currently "no validated military requirement to deploy an east coast missile defense site"?

Answer. Yes. At this time, there is no validated military requirement to deploy an East Coast Missile Defense Site. However, analysis is underway to determine if such a site will be necessary to defend the Homeland.

Question. Do you agree with their assessment that "investment in Ballistic Missile Defense System discrimination and sensor capabilities would result in more cost-effective near-term improvements to homeland missile defense" than deploying an east coast missile defense site?

Answer. Given current fiscal constraints, investment in Ballistic Missile Defense Systems discrimination and sensor capabilities has the potential to be a cost-effec-

tive near-term approach to improving homeland missile defense. Deploying an East Coast missile defense site would likely be a lengthier process.

Question. Do you agree with the following statements regarding a potential East Coast missile defense site:

General Jacoby (Commander, U.S. Northern Command): "A third site, wherever the decision is to build a third site, would give me better weapons access, increased GBI inventory and allow us the battle space to more optimize our defense against future threats from Iran and North Korea."

General Formica (Commander Space and Missile Defense Command): "Certainly, it brings increased capacity and increased capability than we have at Fort Greely."

National Research Council: "A GBI site located in northeastern United States would be much more effective and reliable and would allow considerably more battle space and firing doctrine options.

Answer. Generally yes, but there is no guarantee of an increased GBI inventory or that it would be the most cost-effective option.

Question. Do you agree that Presidents Bush and Obama put in place policies that called for additional missile defense sites in Europe to better defend against threats to the United States from Iran?

Answer. Yes. The intention of additional missile defense sites in Europe is to better defend the United States as well as our treaty allies.

Question. Is this presidentially directed requirement still valid and, if not, what has changed to permit the elimination of this requirement for a third interceptor site?

Answer. Additional analysis remains to determine whether a third site is the optimum and most effective way of fulfilling that requirement.

SPACE

Question. China's test of an anti-satellite weapon in 2007 was a turning point for the United States in its policies and procedure to ensure access to space. As a nation heavily dependent on space assets for both military and economic advantage, protection of space assets became a national priority.

Do you agree that space situational awareness and protection of space assets should be a national security priority?

Answer. Yes. Space situational awareness underpins our ability to operate safely in an increasingly congested space environment. It is vital that the United States protect national space assets to maintain the benefits and advantages that are dependent on our access to space.

Question. In your view should China's continued development of space systems inform U.S. space policy and programs?

Answer. Yes. The U.S. Government ensures its space policy and programs address China's continued development of space systems as well as systems of other spacefaring nations. Our National Security Space Strategy reflects this domain's role in U.S. national security. Access to space underpins our ability to understand emerging threats and challenges, project power globally, conduct operations, support diplomatic efforts, and enable the global economy. The Department engages in cooperative opportunities and leads in the formation of rules and behaviors that benefit all nations. I support the development of U.S. space capabilities which preserve the use of space for the United States and our allies, while promoting the principles of the 2010 National Space Policy.

Question. If confirmed, would you propose any changes to National Security space policy and programs?

Answer. I do not recommend any proposed changes at this time. If confirmed, I would continue implementation of the President's 2010 National Space Policy, the supporting 2011 National Security Space Strategy, and the Department's newly updated Space Policy.

Question. What actions would you take to ensure that the Department continues to have access to radiofrequency spectrum that is necessary to train and to conduct its operations?

Answer. It is important that DOD preserve access to the 1755–1850 MHz band and open access to the 2025–2110 MHz bands. The Joint Force is dependent on tactical systems that operate in the 1755–1850 MHz band to operate and train its forces. DOD equities in this band include Satellite Operations, Air Combat Training Systems, Aeronautical Mobile Telemetry, Small Unmanned Aerial Systems, Electronic Warfare, Joint Tactical Radios System, and Tactical Radio Relay systems. Other agencies are seeking DOD to relinquish operations in this band, particularly the lower 25 MHz (1755–1780 MHz). These agencies also seek to have DOD Compress into the upper 70 MHz of this band (1780–1850 MHz). DOD analysis has de-

termined that previously mentioned tactical systems cannot effectively operate in the compressed band. If compression of this band occurs, DOD would require access in the 2025–2110 MHz band and resources to modify systems to operate within this band. Some of the tactical systems could share spectrum with the commercial wireless industry within the lower 25 MHz without adversely effecting commercial systems, e.g. satellite operations.

STRATEGIC SYSTEMS

Question. Over the next 5 years DOD will begin to replace or begin studies to replace all of the strategic delivery systems. For the next 15 plus years, DOD will also have to sustain the current strategic nuclear enterprise. This will be a very expensive undertaking.

Do you have any concerns about the ability of the Department to afford the costs of nuclear systems modernization while meeting the rest of the DOD commitments?

Answer. The modernization of the strategic delivery systems and sustainment of the strategic nuclear enterprise is important to maintaining a safe, secure, and effective nuclear deterrent. I support the continued investment in sustainment and modernization as a priority for defense spending. I am, of course, concerned about the impact of sequestration on our ability to meet these requirements. Therefore, I continue to request budget certainty, flexibility, and time to make sure we can modernize and sustain our strategic systems.

Question. If confirmed will you review the modernization and replacement programs to ensure that they are cost effective?

Answer. Yes, I will review both to ensure they are cost effective.

Question. The Department will begin to issue guidance from the recent decision to revise the Nuclear Employment Strategy.

Do you support this change in Strategy?

Answer. Yes, I do support the change in Strategy. Admiral Winnefeld and I participated in senior leader meetings, where we provided our best military advice to both the Secretary of Defense and the President on our nuclear capabilities.

Question. Will you keep Congress fully informed of additional guidance issued in response to this changed strategy?

Answer. I will work closely with the Secretary and the President to keep Congress fully informed as additional guidance is developed and issued with respect to the changes in our strategy.

NUCLEAR WEAPONS EMPLOYMENT STRATEGY

Question. President Obama recently issued new guidance on nuclear weapons employments strategy, consistent with the 2010 Nuclear Posture Review (NPR).

Do you support the President's new nuclear weapons employment guidance, and did you have an opportunity to provide input to the formulation of the new guidance?

Answer. Yes, I support the President's new guidance. Both Admiral Winnefeld and I participated in senior leader meetings, where we provided our best military advice to both the Secretary of Defense and the President.

Question. Do you agree with the President's assessment that the United States can ensure its security, and the security of our allies and partners, and maintain a strong and credible strategic deterrent while safely pursuing up to a one-third reduction in deployed strategic nuclear weapons below the level established in the New START treaty? Please explain your views.

Answer. We can ensure our security and that of our allies and partners and maintain a strong and credible strategic deterrent while pursuing further reductions beyond the New START treaty central limits. However, to be very clear on this point, in order to maintain a credible and effective deterrent we must continue to adequately invest in the modernization of our nuclear infrastructure as long as nuclear weapons exist. Also, further reductions in strategic nuclear weapons, beyond the New START Treaty Central Limits, should occur as part of a negotiated position with Russia. Both Admiral Winnefeld and I have made this recommendation to the President and the Secretary of Defense.

Question. Is the current strategic balance between Russia and the United States stable?

Answer. I believe we currently have a stable and strategic balance with Russia, but we must be thoughtful to maintain that balance in such a manner that we never sacrifice our ability to credibly provide extended deterrence and assurance to our allies.

Question. What is the military rationale to pursue an additional one-third reduction in deployed U.S. strategic nuclear weapons?

Answer. Based on the results of the Post-NPR analysis, the Department concluded that we could further reduce the number of deployed U.S. strategic nuclear weapons, while still meeting the objectives of the revised policy guidance and strategy. From the military perspective, further reductions should occur as part of a negotiated position with Russia, and to ensure the credibility of a smaller deterrent force, our nuclear infrastructure modernization plans must be fully funded and supported. In following this approach, I am confident we can maintain a strategic and stable balance with Russia, while maintaining a viable extended deterrent for our allies and partners.

Question. What are the potential risks and benefits of pursuing additional nuclear force reductions?

Answer. I am confident that we can ensure our security and that of our allies and partners, and maintain a strong and credible strategic deterrent while pursuing further reductions beyond the New START treaty central limits. In order to maintain and effective and credible deterrent, we must continue to adequately invest in the modernization of our nuclear infrastructure as long as nuclear weapons exist. Also, further reductions in strategic nuclear weapons, beyond the New START Treaty Central Limits, should occur as part of a negotiated position with Russia to ensure stability. As we negotiate further reductions with Russia, to include their larger number of non-strategic nuclear weapons, I am encouraged by the initiative to expand the scope of those reductions to include both strategic and nonstrategic nuclear weapons that are both deployed and nondeployed. I believe this is a prudent approach that will maintain strategic stability with Russia.

Question. Do you agree it is necessary to address the disparity between Russia and the United States in tactical nuclear weapons, in a verifiable manner?

Answer. It is important for us to work with Russia to establish cooperative measures that will improve mutual confidence regarding the accurate accounting and security of tactical nuclear weapons. I support efforts to engage Russia in accordance with the Senate's Resolution to Ratification of the New START treaty.

Question. Do you agree that any further nuclear reductions should be done in concert with Russia and that such reductions be part of a formal agreement requiring the advice and consent of the U.S. Senate?

Answer. The Senate's Resolution to Ratification of the New START treaty sets forth principles I agree with. This includes the principle that further arms reduction agreements obligating the United States to reduce or limit the Armed Forces or armaments of the United States in any militarily significant manner may be made only pursuant to the treaty-making power of the President. This power is set forth in Article II, section 2, clause 2 of the Constitution of the United States.

Question. Do you agree it is important to address any potential Russian non-compliance with existing nuclear arms control agreements?

Answer. Yes, we should address treaty compliance concerns. Treaty compliance determinations are provided to Congress in the report by the President on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments which is submitted pursuant to section 403 of the Arms Control and Disarmament Act, as amended (title 22, U.S.C., section 2593a).

DOD'S COOPERATIVE THREAT REDUCTION PROGRAM

Question. The CTR program, which is focused historically on accounting for, securing or eliminating Cold War era weapons of mass destruction (WMD) and materials in the states of the former Soviet Union, has started to expand its focus to other countries. With this expansion the CTR program is widening its focus to biological weapons and capabilities including biological surveillance and early warning; and encouraging development of capabilities to reduce proliferation threats.

Do you think the CTR program is well coordinated among the U.S. Government agencies that engage in threat reduction efforts, e.g., DOD, the Department of Energy, and the State Department?

Answer. Yes. In the past year DOD, the Department of Energy, and the State Department have jointly decided how to use funds from the proliferation prevention program. Cooperation is "built in" because drawing from each Department's fund requires concurrence by the other Department's Secretary. Additionally, many agencies are now working closely together to reduce threats in particular regions. This cooperation extends across the Defense and State Departments Cooperative Threat Reduction programs, State's Nonproliferation Disarmament Fund, and the DOE Proliferation Prevention Program.

Question. The new umbrella agreement with Russia does not include work with the Russian ministry of Defense and recent efforts in the program have moved towards preventing proliferation in the Middle East and North Africa.

Do you support this transition to the Middle East and North?

Answer. I think transition to the Middle East and North Africa makes good sense. It builds the capacity for regional partners to improve WMD threat reduction through proliferation prevention. It increases safety and security of materials of concern, and it helps with border security and consequence management. The transition to these regions complements National Strategic objectives and geographic combatant commander priorities to meet those goals.

Question. What actions will you take to continue a proliferation prevention relationship with Russia?

Answer. If the agreements with Russia are extended, the project to transport and dismantle nuclear weapons would continue for some additional years. This program securely ships strategic and tactical nuclear warheads to dismantlement locations or to more secure storage sites until they can be dismantled. DOD plans to support approximately four secure shipments of legacy nuclear weapons per month and the associated maintenance for railcars and railcar security systems. While DOE projects to secure nuclear materials continue, direct DOD support to our partnership with Russia is critical to U.S. nonproliferation efforts.

Question. About 60 percent of CTR resources are proposed for biological programs.

With the very real threat of chemical weapons use and/or proliferation as we saw in Libya and are seeing in Syria, why is there such a large percentage of resources directed toward biological issues?

Answer. Dedication of 60 percent of CTR to biological programs is a necessary balance in order to deal with a pandemic, accidental release of a pathogen of security concern, or deliberate attack using a biological agent. All of these would have consequences in the United States and well beyond our borders and the obvious health impacts. There is an increasing availability of biological materials, and many countries are developing laboratory capacity to detect highly dangerous pathogens. This rapid expansion of poorly controlled infrastructure could lead to accidental exposure or release of highly contagious pathogens. An additional vulnerability at these laboratories is the inherently dual-use nature of biological activity. Legitimate infrastructure, materials, and expertise, therefore, can easily be manipulated or used for nefarious purposes if the appropriate safety and security measures are not in place. As a major hub of international travel, immigration, and commerce, the United States is directly threatened by this global danger.

PROMPT GLOBAL STRIKE

Question. The 2010 QDR concluded that the United States will continue to experiment with prompt global strike prototypes. There has been no decision to field a prompt global strike capability as the effort is early in the technology and testing phase.

In your view, what is the role for a conventional prompt global strike capability in addressing the key threats to U.S. national security in the near future?

Answer. We are exploring a range of ways to counter the threat posed as our adversaries increase the range and lethality of their weapon systems. There are potential future circumstances that may require a capability to address high value, time sensitive and defended targets from ranges outside the current conventional technology. We will continue to capture these evolving capability needs in our joint requirements process. We will also continue to evaluate ongoing analysis of a Conventional Prompt Global Strike capability in order to provide recommendations on its future development.

Question. What approach (e.g. land-based or sea-based or both) to implementation of this capability would you expect to pursue if confirmed?

Answer. If confirmed, I would expect to pursue a sea-based approach as directed by the Deputy Secretary of Defense in February 2012. I would, of course, remain open to additional analysis or factors that would suggest another approach.

Question. In your view what, if any, improvements in intelligence capabilities would be needed to support a prompt global strike capability?

Answer. Intelligence, Surveillance, and Reconnaissance (ISR) is an enabling capability for a wide range of important Joint Force capabilities to include global strike. A Conventional Prompt Global Strike weapon would likely require an advance persistent surveillance sensor constellation to enable and enhance its operational performance.

NUCLEAR WEAPONS AND STOCKPILE STEWARDSHIP

Question. Congress established the Stockpile Stewardship Program with the aim of creating the computational capabilities and experimental tools needed to allow for the continued certification of the nuclear weapons stockpile as safe, secure, and reli-

able without the need for nuclear weapons testing. The Secretaries of Defense and Energy are statutorily required to certify annually to Congress the continued safety, security, and reliability of the nuclear weapons stockpile.

As the stockpile continues to age, what do you view as the greatest challenges, if any, with respect to assuring the safety, security, and reliability of the stockpile?

Answer. To sustain a safe, secure, and effective stockpile today, we must prudently manage our nuclear stockpile and related Life Extension Programs (LEPs). We must also cultivate the nuclear infrastructure, expert workforce, and leadership required to sustain it in the future. If confirmed, I will consider the full range of LEP approaches to include refurbishment of existing warheads, reuse of nuclear components from different warheads, and replacement of nuclear components.

Question. If the technical conclusions and data from the Stockpile Stewardship Program could no longer confidently support the annual certification of the stockpile as safe, secure, and reliable, would you recommend the resumption of underground nuclear testing? What considerations would guide your recommendation in this regard?

Answer. Our current nuclear stockpile is assessed as effective. It is certified and does not require further nuclear testing. However, the stockpile is aging. I understand there are, and will always be, challenges in identifying and remedying the effects of aging on the stockpile. If confirmed, I am committed to working with the Department of Energy to maintain the critical skills, capabilities, and infrastructure needed to ensure the safety, reliability, and security of the stockpile within a constrained budget environment.

Question. Do you agree that the full funding of the President's plan for modernizing the nuclear weapons complex, commonly referred to as the 1251 report, is a critical national security priority?

Answer. I agree that the full funding of the 1043 report, which has replaced the 1251 report, is a critical national security priority. The President's fiscal year 2014 budget request again includes a significant commitment to support the long-term plan for extending the life of the weapons in our enduring stockpile and modernizing the nuclear weapon complex. I am committed to continuing the modernization and sustainment of our nuclear weapons delivery systems, stockpile, and infrastructure.

Question. Prior to completing this modernization effort, do you believe it would be prudent to consider reductions below New START treaty limits in the deployed stockpile of nuclear weapons?

Answer. Modernization efforts must be considered in any deliberations over the size of our deployed stockpile. Further analysis will be necessary to determine the extent to which it would be advisable to make further reductions prior to completing modernization efforts. Factors to be considered in such analysis include U.S. policy objectives as well as the need to maintain strategic stability with Russia and China while assuring our allies and partners.

Question. If confirmed, would you recommend any changes to the nondeployed hedge stockpile of nuclear weapons?

Answer. There may be opportunities to change the nondeployed hedge of nuclear weapons while still effectively managing stockpile risk. This would be considered as we complete life-extension programs that improve safety, security and reliability of the stockpile and as we modernize the infrastructure. I am committed to reducing the size of the stockpile consistent with deterrence objectives and warfighter requirements.

IRAQ

Question. With the withdrawal of all U.S. combat forces from Iraq at the end of 2011, the United States and Iraq began what the President called a new chapter in the bilateral relationship between the two countries. At the same time, the 2008 Strategic Framework Agreement continues to set forth a number of principles of cooperation governing the U.S.-Iraqi relationship. In December 2012, DOD and the Iraqi Ministry of Defense concluded a Memorandum of Understanding for Defense Cooperation.

In your view, what are the main areas of mutual strategic interest in the U.S.-Iraqi relationship?

Answer. We see areas of mutual strategic interest in partnership with a sovereign, stable and democratic Iraq in several areas to include: countering Iran's aggression and pursuit of nuclear weapons capability; mitigating destabilizing effects on the region from violence in Syria; counterterrorism cooperation to reduce al Qaeda in Iraq (AQI) capacity; stable production of petroleum exports; active partici-

pation in regional multilateral exercises; and involvement in the Gulf Cooperation Council.

Question. What are the main areas of bilateral defense cooperation between the United States and Iraq?

Answer. The main areas of defense cooperation are through Foreign Military Sales (FMS), Foreign Military Funding (FMF) programs, and International Military Education and Training (IMET). Iraq has begun to participate in regional exercises, highlighted by their recent activity in the International Mine Countermeasure Exercise and Eager Lion Counterterrorism Exercise. Under the U.S.-Iraq Security Framework Agreement—and given the lack of a Status of Forces Agreement—DOD is limited to non-operational training with Iraq. However, our Office of Security Cooperation-Iraq has helped facilitate bilateral training between Iraqi Security Forces and other regional militaries. All other defense training is conducted by contractor personnel through FMS cases.

Question. What is your assessment of the current threat posed by al Qaeda in Iraq?

Answer. AQI continues to pose a significant threat to internal stability in Iraq. Extremist elements responding to the crisis in Syria have bolstered AQI capability and motivation. Sectarian divisions, coupled with a lack of security in the Disputed Internal Boundaries, have allowed AQI to act as a destabilizing influence. The Iraqi Counter Terrorism Service (CTS)—one of the most professional and disciplined units in Iraq—nevertheless lacks the ability to develop actionable intelligence to effectively suppress the threat.

Question. What is your assessment of the capabilities of the Iraqi security forces to respond to the threat posed by al Qaeda and other security challenges?

Answer. Due to current sectarian violence and political discord among the ethnic groups in Iraq, the Iraqi Security Forces (ISF) are reaching their operational limits. Additionally, the lack of a coherent border security strategy allows the flow of weapons and personnel to and from Syria. The Office of Security Cooperation in Iraq (OSC–I) is limited to non-operational training. However, Iraq's recent acquisition of intelligence, surveillance and reconnaissance equipment will improve the ISF's ability to counter the AQI threat. Meanwhile, Iraq's external defense capabilities are extremely limited based on the focus on internal stability.

Question. What do you see as the principle role or roles of the Office of Security Cooperation within the U.S. Embassy in Iraq?

Answer. The principle role of the Office of Security Cooperation-Iraq (OSC–I), under Chief of Mission authority, is to conduct security assistance and security cooperation activities advancing the U.S. strategic goal of a sovereign, stable, and self-reliant Iraq. OSC–I trains the Iraqi Security Forces (ISF) to meet Iraq's internal security requirements while leveraging Foreign Military Financing (FMF), International Military Education and Training (IMET) programs, and other security assistance authorities to complement Iraq's robust Iraqi-funded Foreign Military Sales (FMS) program.

Question. What do you see as the greatest challenges for the U.S.-Iraqi strategic relationship over the coming years?

Answer. The greatest challenge facing the U.S.-Iraq strategic relationship is the successful transition to a more traditional security cooperation relationship—with a robust bilateral and multilateral training and exercise program—despite persistent sectarian violence throughout the country and rising tensions over Iranian support to Syria.

Question. What are the lessons learned from the drawdown and post-combat operations in Iraq that should be applied to the drawdown and post-combat operations in Afghanistan?

Answer. First, we must improve communication and coordination between DOD and Department of State as we shift from a military-led program to a diplomatic-led program. In Iraq, the lack of a fully integrated civilian-military drawdown significantly complicated an already difficult transition. Second, we must clearly-define the missions and support for U.S. and coalition forces remaining in Afghanistan, with all authorities and agreements in place prior to completion of full transition. These authorities and agreements—a primary aim of U.S.-Afghan Bilateral Security Agreement negotiations—will provide assurance of the U.S. commitment and help preserve hard-fought gains as Afghanistan begins the critical post-2014 period. Finally, we must maintain an equilibrium among our campaign objectives, retrograde, and the protection of our forces.

STABILITY AND SUPPORT OPERATIONS

Question. The U.S. experience in Iraq and Afghanistan has underscored the importance of planning and training to prepare for the conduct and support of stability and support operations in post-conflict situations. In contrast, however, the January 2012 Defense Strategic Guidance asserts that the Department will avoid becoming involved in long duration stability and support operations.

What steps, if any, would you recommend to ensure that the lessons learned from stability operations in Iraq and Afghanistan are captured and appropriately institutionalized?

Answer. We've captured the lessons we have learned regarding stability operations in our Joint Doctrine. Specifically, we have a complete publication (JP 3–07) dedicated to the topic—the current version is dated September 2011. Later this year, we will formally assess this publication with the intent to update it as part of our routine doctrine process. Further, we will ensure the lessons and concepts are retained in our training and education.

AFGHANISTAN CAMPAIGN

Question. What is your assessment of the progress of the military campaign in Afghanistan?

Answer. The military campaign in Afghanistan continues to progress as illustrated by the recent Milestone 13/TRANCHE V announcement. In fact, the campaign has now shifted into a fundamentally new phase. For the past 11 years, the United States and our Coalition allies have been leading combat operations. Now, the Afghans are taking over, and ISAF is stepping back into a supporting role. The progress made by the ISAF-led surge over the past 3 years has put the Government of the Islamic Republic of Afghanistan (GIRoA) in control of all Afghanistan's major cities and 34 provincial capitals and driven the insurgency away from the population. ISAF's primary focus is now shifting from directly fighting the insurgency to supporting the Afghan National Security Forces (ANSF) in their efforts to hold and expand these gains.

Question. What is your assessment and prioritization of enablers that need to be built and sustained within the ANSF given the cessation of U.S. and North Atlantic Treaty Organization (NATO) combat operations by the end of 2014?

Answer. We have invested considerably in developing the ability of the ANSF to sustain itself in the field with logistics and mobility. We will continue to accelerate the development of additional enabling capabilities to include route clearance and casualty evacuation.

TRANSITION OF SECURITY RESPONSIBILITY IN AFGHANISTAN AND U.S. TROOP REDUCTIONS

Question. In February of this year, President Obama announced that by February 2014 U.S. troop levels in Afghanistan will be reduced to 34,000. In June, the ANSF achieved Transition Milestone 2013, and assuming the lead responsibility for security throughout Afghanistan.

Do you support the President's decision to reduce U.S. troop levels in Afghanistan to 34,000 by February 2014? Why or why not?

Answer. Yes. Transition Milestone 2013 represents a significant shift for our mission in Afghanistan. Over the past 11 years, the United States and our partners have led combat operations. Now the Afghans are taking the lead for their own security. ISAF's primary focus has shifted from directly fighting the insurgency to supporting the ANSF. We match troop levels to the mission and our new mission requires fewer troops on the ground. The decision to drawdown U.S. forces was made based on the real and tangible progress of the ISAF military campaign and an assessment of an increasingly capable ANSF.

Question. What is your understanding regarding the pace of those reductions in U.S. forces?

Answer. We are on path to meet our objective of 34,000 troops by February 2014. This objective is based on a transition in our mission to support increasingly capable ANSF. The Commander ISAF will have the flexibility to meet his mission and sustain the right forces through this fighting season. He will also manage the glideslope as we settle into a supporting role.

Question. Do you support the June transition of lead responsibility for security throughout Afghanistan to the Afghan security forces?

Answer. I support the transition of responsibility for security to the ANSF. Security progress and the development of the ANSF into a capable and confident fighting force have enabled the security transition process to move forward. The ANSF con-

tinues to demonstrate its ability to defeat the Taliban and provide security to the Afghan people.

Question. Do you support the transition to the ANSF of full responsibility for security in Afghanistan by December 2014?

Answer. Yes. The ANSF continues to demonstrate significant improvement. We are seeing many encouraging examples where ANSF are gaining capability, confidence, leadership, and will to engage with the enemy. The ANSF is on a path to be capable of assuming full responsibility for security by December 2014.

Question. What is your assessment of the potential impact of withdrawing faster than the announced drawdown and of leaving zero troops in Afghanistan post-2014?

Answer. Withdrawing faster and leaving zero troops in Afghanistan would likely compromise the sustainability of the ANSF. It would also impact on our ability to retrograde all our personnel and equipment while ensuring the protection of the force. Therefore, I continue to support an enduring presence post-2014 to support ANSF development and meet our security interests.

AFGHANISTAN NATIONAL SECURITY FORCES

Question. What is your assessment of the progress in developing a professional and effective ANSF?

Answer. The ANSF continues to grow into a confident and capable force. We are focusing on leadership development as fundamental to the professionalization of the ANSF. Leadership ratings continue to improve and the National Military Academy of Afghanistan and the ANA Officer Academy will play a pivotal role in professionalizing the ANA. Additionally, the Minister of Defense (MoD) formed an Evaluation Commission that is responsible for identifying poorly performing commanders and removes them when required. This allows the MoD the opportunity to fix the poor/lacking command climate within and address leadership concerns. Further, the Afghan National Police Training Command focuses on delineating strategic level roles, literacy of the force and rule of law knowledge.

Question. Do you support maintaining the ANSF at the level of 352,000 beyond 2014 based on the security conditions on the ground in Afghanistan?

Answer. I recommended to the Secretary of Defense and the President that the 352,000 ANSF force level should continue beyond 2014. The extension of the ANSF "surge" force is crucial to put Afghans at the fore to provide their own security. At this time, it is premature to assess the duration of this surge, but at a minimum, this extension would likely be necessary for at least 2 years following the end of the ISAF mission to counter the possibility of a Taliban resurgence after the departure of coalition forces.

Question. What do you see as the main challenges to building the capacity of the ANSF and what recommendations, if any, would you make for addressing those challenges?

Answer. The main challenges we face in building the capacity of the ANSF are attrition, leadership, and limited literacy. Unfortunately, these issues continue to undermine positive recruiting, training, and professionalization goals. These are not problems that can be solved in the short term, but ISAF is continuing to work with the MoI and the MoD to address them. We must also continue to work on the support functions that will sustain the ANSF in the field such as logistics.

Question. A recent audit report by the Special Inspector General for Afghanistan Reconstruction (SIGAR) raised concerns about DOD plans to purchase PC–12 aircraft and Mi-17 helicopters for the Afghan Special Mission Wing and recommended suspending the contracts for these purchases. DOD and the North Atlantic Treaty Organization Training Mission-Afghanistan/Combined Security Transition Command-Afghanistan did not concur with the SIGAR's recommendation on contract suspension.

What is your assessment of current plans to equip the Afghan Special Mission Wing (SMW) with PC–12 aircraft and Mi-17 helicopters?

Answer. Our strategy in Afghanistan includes reducing the number of and reliance on U.S. enablers by building capability in the ANSF. In part, this will rely on developing the Afghan Air Force and the SMW, and thus reducing our requirements for aviation assets.

Question. What is your assessment of the impact to Afghanistan counterterrorism efforts if Mi-17 helicopters are not acquired?

Answer. We need to support development of a helicopter capability for the ANSF. This capability allows for transporting combat-ready Afghan troops throughout the remote regions of Afghanistan. The Mi-17 is a proven, familiar, compatible, and is well suited for operating from remote locations with minimal ground support. It possesses superior vertical lift capabilities and is capable of operation in the high-alti-

tude, mountainous terrain of Afghanistan. Previous analysis showed that the Mi-17 stands apart as an all-around helicopter capable of medium and heavy lift.

Question. Do you support the SIGAR recommendation to suspend the contracts to acquire these aircraft and helicopters for the Special Mission Wing? Why or why not?

Answer. No. It is important for the Afghans to operate and sustain a familiar platform to support the current war effort. The ANSF has over 30 years of extensive experience with this platform, with the vast majority of the seasoned Afghan helicopters pilots having flown and maintained this platform since the 1980s. The ANSF currently has over 150 trained Mi-17 pilots; to retrain the ANSF workforce (aircrew/maintainers) on an unfamiliar platform would take a minimum of 3 years and additional funds. Requiring the ANSF to retrain on any other platform than the Mi-17 would significantly impact the long-term success of the ANSF.

OPERATION RESOLUTE SUPPORT

Question. In early June, NATO defense ministers endorsed a concept of operations for the training and advisory mission, known as Operation Resolute Support, which the Alliance will maintain in Afghanistan after the ISAF combat mission ends in December 2014. The size of the mission is yet to be determined, but previously U.S. officials have said that a force of 8,000–12,000 troops was under consideration.

What do you consider to be the primary role or roles of the NATO Operation Resolute Support force in Afghanistan after 2014?

Answer. The primary role of the post-2014 NATO mission is to train, advise, and assist the ANSF at the national and institutional level, down to the Corps level. Resolute Support Mission may also contain limited enabler support as we continue to build ANSF capability.

Question. In your view, what factors should be considered in determining the size of the post-2014 NATO mission in Afghanistan?

Answer. A number of factors will be considered in determining the size of the post-2014 NATO mission. First, the continued progress of the ANSF and the level of training, advise, and assistance required to further that progress. Second, the number of bases required to support a regional approach and to assist other agencies of the U.S. Government will drive the size of the post-2014 force level. Lastly, any post-2014 mission will depend on completion of the BSA and the sustainment of international commitments.

Question. What is the impact on NATO ally commitments to Operation Resolute Support of the U.S. not announcing a post-2014 force commitment?

Answer. Our NATO allies are aware that the President is considering a range of options based on a number of factors to include the performance of the ANSF during this fighting season. At the NATO Defense Ministers meeting in June, allies and partners endorsed a concept of operations for the new mission for Afghanistan after 2014. This will guide NATO's operational planning over the coming months. A decision on our force commitment will be necessary soon in order for NATO members to source the plan in sufficient time to enable the deployment of forces.

PEACE NEGOTIATIONS WITH THE TALIBAN

Question. In your view, what "redlines" should the United States and Afghanistan establish for any outcome from peace negotiations with the Taliban?

Answer. Historically, insurgencies end with some form of a political settlement. We continue to support an Afghan-led reconciliation effort with the goal of a negotiated a political settlement that also protects U.S. security interests. This will likely require elements of the Taliban that wish to reconcile to: (1) lay down their weapons and stop violence; (2) denounce al Qaeda; and (3) accept the Afghan constitution including the rights afforded women and children.

Question. How effective has the current program for reintegrating insurgent fighters been in removing fighters from the battlefield? What additional steps, if any, should be taken to improve the reintegration program?

Answer. The program has had some success in weakening the insurgency in some areas. Fighters that are not ideologically committed to the Taliban can sometime be persuaded to reintegrate. The program, however, is only successful if there is credible and effective governance. Any program can be improved, and this is no exception. We need to maintain oversight of the process of delivering projects and utilizing the allocated funds.

ENDURING STRATEGIC PARTNERSHIP WITH AFGHANISTAN

Question. Do you support maintaining an enduring strategic partnership between the United States and Afghanistan beyond 2014?

Answer. Yes. I remain committed to a long-term strategic partnership with Afghanistan. An enduring strategic partnership is needed to sustain Afghan forces and to counter transnational terrorist threats.

Question. How would you describe the main U.S. strategic interests regarding an enduring relationship with Afghanistan and in that region?

Answer. We remain committed to a long-term strategic partnership with the Afghan Government and the Afghan people. We have a strategic interest in making sure that Afghanistan never again becomes a safe haven for al Qaeda and its affiliates that pose a threat to the homeland. An enduring partnership with a stable Afghanistan also promotes regional stability.

Question. Do you support the conclusion of the Bilateral Security Agreement between the United States and Afghanistan?

Answer. I support the conclusion of the Bilateral Security Agreement. We are currently negotiating an agreement that will provide the basis for a continued American military presence post 2014. Such an agreement is necessary for us to maintain a mutually beneficial partnership.

Question. In your view, what redlines, if any, must the United States establish for the negotiation and conclusion of the Bilateral Security Agreement?

Answer. In my judgment, the United States must have Exclusive Criminal and Civil Jurisdiction over our personnel stationed in Afghanistan. This is fundamental protection we provide our servicemembers overseas. We must also ensure that we have necessary operational authorities to accomplish our mission.

SPECIAL OPERATIONS IN AFGHANISTAN

Question. Special Operations Forces depend on general purpose forces for many enabling capabilities, including intelligence, surveillance, and reconnaissance (ISR); logistics; and medical evacuation. Admiral McRaven, Commander of U.S. Special Operations Command, has said "I have no doubt that special operations will be the last to leave Afghanistan" and has predicted that the requirement for Special Operations Forces may increase as general purpose forces continue to be drawn down.

If confirmed, how would you ensure adequate enabling capabilities for Special Operations Forces as general purpose forces continue to draw down in Afghanistan?

Answer. If confirmed, I would ensure adequate enabling capabilities needed to support the SOF mission set by working collaboratively with ISAF, CENTCOM, and the NATO Special Operations Command-Afghanistan to determine requirements. These enabling capabilities would be tailored to support our post-2014 mission based on force levels that have yet to be decided.

Question. In April 2012, the United States and Afghanistan signed a Memorandum of Understanding on the "Afghanization" of direct action counterterrorism missions in Afghanistan—reflecting the shared intention of having Afghan security forces in the lead in the conduct of such operations with U.S. forces in a support role.

What is the status of efforts to put Afghan Special Operations Forces in the lead for such operations and why do you believe such a transition is important?

Answer. We continue to see ANSF SOF make significant progress in operational effectiveness, and their independence, capacity, and competence continues to grow. One hundred percent of ANA Special Operation Forces missions are Afghan led, and approximately 60 percent of Provincial Response Company police missions are Afghan led. This transition is important to demonstrate that GIRoA is capable of leading security operations needed to further the growth in governance and Development.

Question. The Village Stability Operations (VSO) and Afghan Local Police (ALP) programs—both U.S. Special Operations missions—have been consistently praised by U.S. military leaders as critical elements of the counterinsurgency strategy in Afghanistan.

What are your views on the value of these programs and do you believe they should be part of the long-term strategy in Afghanistan (i.e. post-2014)?

Answer. VSO and ALP represent a very visible expression of local security to many Afghans, particularly those in remote and isolated communities. GIRoA has identified VSO/ALP as a necessary pillar of their own long-term strategy. In November 2012, the MOI proposed that the ALP be designated a component of the Afghan Uniformed Police. Then in March 2013, the ALP was included in the MOI 10-Year Vision for the Afghan National Police.

U.S. STRATEGIC RELATIONSHIP WITH PAKISTAN

Question. What in your view are the key U.S. strategic interests with regard to Pakistan?

Answer. Our strategic interests and national security goals remain to disrupt, dismantle, and defeat al Qaeda and to prevent the return of safe havens in Afghanistan and Pakistan. This would not be possible without Pakistani support. We also have an interest in a stable Pakistan and the non-proliferation of nuclear weapons and technology. On the security front, we have a more limited relationship than in the past, but I believe it is a pragmatic and constructive approach.

Question. Does the United States have a strategic interest in enhancing military-to-military relations with Pakistan? Why or why not?

Answer. Yes. Military-to-military ties with Pakistan are an important aspect of the broader bilateral relationship. Our engagements, and especially our security assistance programs, are essential for effective military cooperation between our two countries. I have engaged productively with General Kayani many times in the past, and the Office of the Defense Representative in Pakistan plays an important role in building and sustaining military-military ties at lower levels. These relationships allow us to engage Pakistan in clearly defined areas of shared concern such as maintaining regional stability, curbing violent extremism, and countering the threat of improvised explosive devices.

Question. If so, what steps would you recommend, if confirmed, for enhancing the military-to-military relationship between the United States and Pakistan?

Answer. If confirmed, I will continue my close engagement with the Pakistan Military. As Pakistan democratic consolidation progresses, we must ensure that we maintain our military-to-military ties. I will continue a frank and respectful dialogue about our shared interests in countering extremist and promoting regional stability. Security cooperation cannot succeed without the buy-in of Pakistani leadership and continued support of the U.S. Congress.

Question. For several years, the United States has provided significant funds to reimburse Pakistan for the costs associated with military support and operations by Pakistan in connection with Operation Enduring Freedom.

What is your assessment of Pakistan's cooperation with the United States in counterterrorism operations against militant extremist groups located in Pakistan?

Answer. Pakistan's cooperation on counterterrorism has not always met our expectations. Since 2009, Pakistan has undertaken counterinsurgency operations against extremist organizations in the northwest, including Swat, North and South Waziristan, Mohmand, and Bajaur with mixed results. Security assistance, Coalition Support Fund reimbursements, and cross-border coordination with ISAF and Afghan forces have helped enable these operations. It is in our interest that Pakistan continues this campaign as effectively and comprehensively as possible.

Question. What is your assessment of Pakistan's efforts to maintain transit and provide security along the ground lines of communication (GLOCs) through Pakistan?

Answer. The key route to sustain forces has been movement via sealift to Pakistan and then ground movement through Pakistan to Afghanistan. This is the cheapest, fastest, most direct surface route. Since the reopening, the Government of Pakistan has provided security to U.S. and NATO cargo shipments through the PAK GLOC. Pakistan is maintaining security along the GLOCs through Pakistan to Afghanistan for the trans-shipment of equipment and supplies in support of U.S. military operations in Afghanistan and the retrograde of U.S. equipment out of Afghanistan.

Question. What is your assessment of Pakistan's efforts to counter the threat improvised explosive devices, including efforts to attack the network, go after known precursors and explosive materials?

Answer. Pakistan recognizes the IED problem is a shared problem. They also suffer significant casualties within Pakistan as a result of extremist attacks using IEDs. We are making progress in the area of C–IED cooperation. Pakistan is taking demonstrable steps to disrupt the IEDs, to include placing new restrictions on the distribution of precursor materials and hosting regional discussions to discuss the IED problem with international partners, including Afghanistan.

IRAN

Question. Iran continues to expand its nuclear program and has failed to provide full and open access to all aspects of its current and historic nuclear program to the International Atomic Energy Agency.

What is your assessment of the military and political threat posed by Iran?

Answer. Iran poses a significant threat to the United States, our allies and partners, and our regional and global interests. Countering Iran's destabilizing and malign behavior requires a comprehensive approach. Iran is actively investing in the development of a range of conventional capabilities, including air, missile, and naval

assets. Iran continues to publicly threaten to use its naval and missile forces to close the Strait of Hormuz or target U.S. interests and regional partners. Iran is also one of the main state-sponsors of terrorism, proxy and surrogate groups. Iran continues to provide arms, funding, and paramilitary training to extremist groups. On the nuclear front, Iran continues to pursue an illicit nuclear program that threatens to provoke a regional arms race and undermine the global non-proliferation regime. Iran also continues to develop ballistic missiles that could be adapted to deliver nuclear weapons. Iran will seek to use its threat capabilities to enable greater influence in the region and threaten our allies.

Question. What is your assessment of U.S. policy with respect to Iran?

Answer. I support the U.S. policy of preventing Iran from acquiring nuclear weapons. To this end, we are prepared with military options to include associated costs and risks. Moreover, we are pursuing a comprehensive strategy to confront Iran's malign behavior that includes diplomatic isolation, economic pressure through sanctions, diplomatic engagement through the P5+1, and military pressure through contingency preparations and exercises. In addition, we are reassuring our partners in the region by deepening our security commitments and building their capabilities.

Question. What more do you believe the United States and the international community can and should do to dissuade Iran from pursuing nuclear weapons?

Answer. This policy question is best answered by the State Department. That said, it is clear that continued international unity on sanctions is crucial to bringing Iran to the negotiating table with a serious proposal. Further, we need to sustain a comprehensive strategy that includes diplomatic pressure through UN Security Council Resolutions, economic pressure through sanctions, diplomatic engagement through the P5+1, and military pressure through contingency preparations and exercises.

Question. In your view, what are the risks associated with reducing U.S. presence in the Middle East with respect to the threat posed by Iran?

Answer. The reduction of U.S. force presence in the Middle East—due to withdrawal from Iraq (and Afghanistan), rebalance to the Asia-Pacific, and in part from fiscal constraints—could impact our ability to deter aggression and assure our allies. That said, we retain a significant and ready presence in the region with high-end capabilities that should serve to mitigate against such concerns. Furthermore, our global reach and strike capabilities contribute to our ability to deter and assure.

Question. In your view, what has been the effect of sanctions against Iran—how effective have they been and should additional unilateral or multilateral sanctions be levied against Iran?

Answer. The United States has put in place against Iran tough, smart, and crippling sanctions. As a result of these sanctions, Iran's financial, trade, and economic outlook has deteriorated significantly. International financial institutions estimate that Iran's economy contracted in 2012 for the first time in more than 2 decades. International sanctions have hindered Iran's weapons procurement efforts and driven up the costs of obtaining necessary components for its military. Sanctions also appear to have slowed Iran's progress on its nuclear program, making it increasingly difficult for Iran to import needed materials or skills. The question of additional sanctions is best answered by the State Department.

Question. In your view, what role should DOD play in countering Iran's support of international terrorism?

Answer. Iranian support for proxy groups and terrorist activities constitutes a serious threat to our partners and allies as well as U.S. interests. In short, Iran's activities are malevolent and intentionally destabilizing. DOD continues to help counter Iranian malign activities in at least three ways. First, we support diplomatic and intelligence efforts to inhibit the activities of Iranian proxy and terrorist groups. Second, we leverage our military presence in the region to deter and, when directed by the President, disrupt Iranian malign activities. Third, we leverage our extensive security cooperation relationships with countries in the Middle East and around the world to build partner capacity and trust to counter Iranian destabilizing activities.

Question. Do you agree with President Obama that all options, including military options, should remain on the table with respect to Iran?

Answer. I do agree that all options must be kept on the table in order to achieve our policy objectives toward Iran. It is our responsibility to conduct prudent planning for all contingencies, and we will ensure that military plans are kept up-to-date. This preparedness will have the effect of reinforcing our overall policy.

Question. Do you assess that sanctions will prevent or dissuade Iran from acquiring nuclear weapons?

Answer. Continued international unity on sanctions is crucial to bringing Iran to the negotiating table with a serious proposal. Departments of State and Treasury

have put in place the strongest and most comprehensive international sanctions in history, and we believe the sanctions are having a dramatic effect on the Iranian economy. I support continuing sanctions pressure on Iran; however, it is not yet clear if sanctions will ultimately prevent or dissuade Iran.

SYRIA

Question. What is your assessment of the situation in Syria and its impact on the region?

Answer. The crisis in Syria continues to be tragic, dynamic, and complex. The conflict reflects a sectarian fault line that extends across and is destabilizing the region. We are planning and engaging with Syria's neighbors—Israel, Turkey, Jordan, Lebanon, and Iraq—to contain the spillover effects that would render our allies and partners less secure. The competition among states with regional interests continues to fuel the violence with negative implications for deepening Sunni-Shia tensions within Syria and beyond.

Question. In your view, what is the most appropriate role for the United States in assisting regional friends and allies respond to the situation in Syria?

Answer. The United States provides leadership and support to the surrounding countries through multilateral planning efforts and humanitarian assistance. We are continuously engaged with key regional partners such as Jordan, Lebanon, Turkey, and Iraq to provide assistance, technical knowledge and military contingency planning.

Question. In your view, what—if any—role should the U.S. military play with respect to the situation in Syria?

Answer. We should and are pursuing a regional strategy along four lines of effort. First, we are working with our partners in the region. Second, we are supporting the moderate opposition. We are currently providing non-lethal assistance to increase the capability of the opposition. Third, we are providing humanitarian assistance to help with a massive refugee problem. Fourth, we are planning and posturing our forces for a wide range of military options.

Question. In your view, what role—if any—are Iran, Russia, and Hezbollah playing in the current conflict in Syria?

Answer. Iran, Russia, and Hezbollah continue to support the Assad regime. Russia continues to supply arms, and Hezbollah supports the regime operationally with personnel and weapons—as does Iran. Their continued support of the Assad regime has led to recent regime momentum and gains on the ground.

Question. In your view, what are the prospects of a negotiated solution in Syria?

Answer. A negotiated settlement is a preferred path to achieving our policy objectives. However, its prospects are diminished by the sectarian character of the conflict. Assad is further emboldened by Russia's continued support. The reality of disparate opposition groups, many at odds with U.S. values, also make it difficult to achieve a negotiated settlement.

Question. In your view, is the momentum currently on the side of the Assad regime or the forces fighting to overthrow Syria?

Answer. Momentum shifts are characteristic of this form of protracted conflict. The fragmentation of the opposition undermines their momentum. The Assad regime is supported by Hezbollah, Iran, and Russia, which has helped the regime regain some areas that they once ceded.

Question. Are there asymmetric options that bypass Syria's integrated air defense system rather than kinetically neutralize it, such as standoff weapons and/or stealth, and what is your assessment of those options from a military perspective?

Answer. We have a wide range of options. These details of these options are better discussed in a classified setting.

Question. What are the risks associated with doing nothing to alter the balance of military power in Syria between Assad and the armed opposition?

Answer. We have learned from the past 10 years that it's not enough to simply alter the balance of military power without careful consideration of what's necessary in order to preserve a functioning state. That said, we are taking actions to support the moderate opposition so that they can alter the balance of military power. If we were to end all our support to our allies and to the opposition, we might expect the suffering to worsen and the region to further destabilize.

THE 2001 AUTHORIZATION FOR USE OF MILITARY FORCE

Question. What is your understanding of the scope and duration of the 2001 Authorization for Use of Military Force (AUMF)?

Answer. The United States is in an armed conflict against al Qaeda and its associated forces. An associated force is defined as a group that: (1) is an organized,

armed group that has entered the fight alongside al Qaeda; and (2) is a co-belligerent with al Qaeda in hostilities against the United States or its coalition partners. These are the same terrorist threats that perpetrated the horrendous acts on U.S. soil on September 11, 2001, and the AUMF still serves as the legal basis under U.S. domestic law to employ military force against these threats.

Question. What factors govern DOD determinations as to where the use of force is authorized, and against whom, pursuant to the AUMF?

Answer. In May 2013, the President promulgated Presidential Policy Guidance (PPG) governing direct action against terrorist targets located outside the United States and areas of active hostilities. This document codifies and harmonizes the procedures necessary for DOD to conduct these types of military operations. The PPG and its derivative operational plans clarify, formalize and strengthen the standards, policies, and determinations of DOD concerning where, how, and against whom military force may be utilized outside the United States and areas of active hostilities. DOD meticulously follows the formalized procedures of the PPG to ensure we make well-informed decisions based on the most up-to-date intelligence and the expertise of our national security professionals. Senior commanders and their legal advisors carefully review all operations for compliance with U.S. and international law before a decision is rendered by the Secretary of Defense or the President.

Question. Are you satisfied that current legal authorities, including the AUMF, enable the Department to carry out counterterrorism operations and activities at the level that you believe to be necessary and appropriate?

Answer. The AUMF in its current form provides the necessary and sufficient authorities to counter al Qaeda and its associated forces. If a terrorist threat emerges that does not fit within the AUMF, DOD would consult with Congress and facets of the executive branch on the question of authorities.

AL QAEDA

Question. What is your assessment of the threat posed by al Qaeda affiliates to the U.S. Homeland, U.S. interests overseas, and western interests more broadly? Which affiliates are of most concern?

Answer. Years of sustained counterterrorism (CT) pressure have degraded the ability of al Qaeda's Pakistan-based leadership to operate freely. Our efforts have made it difficult for al Qaeda to replenish its senior ranks with the type of experienced leaders, trainers, and attack planners it promoted in previous years. We have also limited the group's ability to mount sophisticated, complex attacks in the West. Despite these setbacks, al Qaeda retains its intent, though not the robust capability, to plan and conduct terrorist attacks against the West. Al Qaeda core continues to inspire and guide its regional nodes, allies, and like-minded extremists to engage in terrorism. Al Qaeda in the Arabian Peninsula remains committed to attacking our interests in the region and is the most likely group to attempt an attack in the United States in the near-term.

YEMEN AND AL QAEDA IN THE ARABIAN PENINSULA

Question. What is your assessment of the current U.S. strategy in Yemen and what is your understanding of the role of DOD within that strategy?

Answer. Our overall engagement strategy with Yemen combines diplomatic, economic, and security initiatives to improve stability and security. DOD fills a critical role in this strategy primarily by supporting the development of the Yemeni armed forces. We are fostering a strong partnership with the Yemeni military to better address critical security threats, including the campaign against al Qaeda in the Arabian Peninsula (AQAP). The security situation in Yemen remains fragile and we must continue our partnership in the fight against AQAP.

Question. Given the continuing political instability and slow progress of reforms to the military in Yemen, what are your views on the United States continuing to provide security assistance—most significantly DOD section 1206 funding—to Yemeni counterterrorism forces?

Answer. A stable, unified, and economically viable Yemen, free of violent extremists, remains in our best interest. We have just passed the first anniversary of a 2-year plan to complete the government and military transition from the Saleh regime to a new representative system. While progress has been slow, President Hadi and the military are taking steps to reform and restructure the military as part of the overall political transition process. President Hadi and senior Yemeni military figures actively engage the United States for support and advice on the military reorganization process. The 1206 funds are, and will remain, critical to building the capacity of the Yemeni counter terrorism forces to disrupt and degrade the AQAP

operational space, securing their boarders, and disrupting maritime and land smuggling routes.

SOMALIA AND AL SHABAAB

Question. What is your assessment of the threat posed by al Shabaab?

Answer. Al Shabaab remains on the defensive. The coalition among Somali Government, the African Union Mission in Somalia (AMISOM), and Ethiopian National Defense Forces maintain pressure on the group. Despite its loss of territory in 2012, al Shabaab has demonstrated a continued ability to conduct complex attacks against Western interests and Somali Government targets in Mogadishu. The group also conducted small and medium scale attacks in Kenya. This trend will likely continue throughout the rest of 2013, despite increasingly public disputes amongst al Shabaab senior officials.

Question. In your view, does al Shabaab pose a threat to the United States and/or western interests outside of its immediate operational area?

Answer. Al Shabaab does not pose a direct threat to the Homeland or Europe at present. Nevertheless, the group poses an ongoing threat to U.S., Western, and other allied interests in East Africa. In February 2012, al Shabaab and al Qaeda leader Ayman Zawahiri announced al Shabaab's merger with al Qaeda. Although the group is aligned with al Qaeda's global jihadist objectives, al Shabaab focuses on defending territory in Somalia against the coalition of Somali Government, the AMISOM, and Ethiopian military forces—as well as conducting attacks in East Africa.

Question. What is your understanding of the current U.S. strategy in Somalia and the role of DOD in that strategy?

Answer. The current U.S. strategy in Somalia consists of three elements: (1) supporting the AMISOM to combat al Shabaab, increase stability and promote the institutional building of the Somali Federal Government; (2) strengthening the new Somali Federal Government with stabilization and economic recovery assistance in parallel with humanitarian assistance; and (3) building a durable and responsive central Somali Government while engaging with other Somali regional actors such as Somaliland and Puntland (the "dual track policy"). The DOD role in support of the State Department is to increase AMISOM capacity to combat al-Shabaab, engage with the new Somali National Army, and develop ways to increase security. These efforts enable Somali Government institutions and organizations to mature.

Question. Should the United States establish military-to-military relations and consider providing assistance to the Somali national military forces?

Answer. We are prepared to establish military-to-military relations with the new Somali National Army. This supports the State Department in recognizing and strengthening the Somalia Federal Government. We plan to continue assistance to our partner nations in the AMISOM while exploring ways to assist the Somali National Army. Short-term Somali stability depends on AMISOM, and long-term security requires a professional and accountable Somali National Army based on the rule of law.

AL QAEDA IN THE ISLAMIC MAGHREB

Question. What is your assessment of the threat posed by al Qaeda in the Islamic Maghreb (AQIM)?

Answer. AQIM and its allies have proven resilient despite the French-led military intervention in Mali. Although these groups no longer control key strategic towns, they retain the capability to launch sporadic attacks within Mali and neighboring countries, expand their safe haven, and attract recruits in pursuit of a hard-line Islamic state based on al Qaeda ideology. Further, AQIM will likely continue to bolster its ties to al Qaeda-associated terrorist groups throughout the region, such as Boko Haram in Nigeria, to influence and support attack planning. AQIM will continue to pose a local and regional threat into 2014, as North African Governments struggle to disrupt AQIM movement across expansive, porous borders.

Question. In your view, does AQIM pose a threat to the United States and/or western interests outside of its immediate operational area? What capacity has AQIM demonstrated to plan and carry out actions threatening U.S. interests?

Answer. AQIM does not presently pose a significant threat to the U.S. Homeland. We see no indications the group views conducting attacks outside North Africa and the Sahel as a priority in the near term. However, the group remains a credible threat to U.S. and western interests within North and West Africa, where it has conducted or attempted attacks in several countries (i.e. Mali, Niger, Algeria, Mauritania). AQIM will likely continue to bolster its ties to al Qaeda-associated terrorist

groups throughout the region, such as Boko Haram in Nigeria, to influence and support attack planning.

Question. In your view, what has been the impact of the recent expansion of AQIM's area of operations in northern Mali on the group's capacities and aims?

Answer. The expansion of AQIM in Mali between early 2012 and January 2013 increased the group's capacity as it collaborated with splinter groups al-Tawhid wa al-Jihad in West Africa, al-Mulathamun battalion, and Tuareg rebel group Ansar al-Din (AAD). This expansion reflects an increase in the group's membership. This growth has not changed the group's regionally-focused aim of establishing shari'a throughout North Africa. We continue to work with allies and partners to provide a more permanent security solution to AQIM expansion into the Sahel by supporting several regional efforts, including: The French Operation Serval; the Economic Community of West African States African-led Intervention Force in Mali; and the Multidimensional Integrated Stabilization Mission in Mali.

Question. What is your assessment of the importance of security assistance to address the growing AQIM presence in southern Libya?

Answer. North African countries struggle to cooperate and coordinate CT operations, creating exploitable security seams across expansive, porous borders. Preserving security assistance is critical to enabling Libya to build the internal capacity to address these challenges. Security assistance is just one piece of a larger effort that includes law enforcement, justice system reform, and border control. However, our ability to provide assistance will require patience. Tripoli currently lacks the institutions to integrate security assistance or the mechanisms to allocate aid. Tripoli primarily relies on armed militias for security, many operating outside of central government control and some which are complicit in AQIM-linked activities including weapons smuggling.

Question. What authorities will most quickly help address the threat in southern Libya?

Answer. For counterterrorism and border security efforts we are using 1206 and 1208 authorities, along with the Global Security Contingency Fund. No further authorities are needed at this time in order to address the situation in southern Libya.

Question. Does DOD require any new authorities for this situation?

Answer. No, our 1206, 1207, and 1208 authorities give us the appropriate means to provide targeted security assistance to address emerging threats. However, these authorities have not functioned as efficiently as they should. They have been constrained by the bureaucratic sluggishness that has often limited U.S. responsiveness to our partners, and has on occasion prevented us from taking full advantage of opportunities for stronger partnerships against common threats in North Africa and throughout the Middle East since the "Arab Spring" began. For example, the equipment from a 2009 1206 case for Tunisia was just delivered this past spring—though 1206 cases are meant to address near-term CT threats. Most of these delays are caused by the bureaucratic inefficiencies between DOD and the Department of State (DOS). We continue to pursue changes that will lead to greater responsiveness and bolster our efforts in Libya, and the region in general.

NATO

Question. At the NATO Summit in Chicago in 2012, President Obama called the Alliance the "bedrock of our common security" for over 65 years. At the same time, concerns have been raised about the decline in defense spending by a number of NATO member countries, resulting in the United States accounting for approximately 75 percent of defense spending among NATO member countries.

In your view, how important is the NATO alliance to U.S. national security interests?

Answer. The NATO alliance is of critical importance to the national security interests of the United States. The combined military capabilities of the 28 NATO members are second to none. NATO and its allies possess the capability to deploy and sustain highly trained, interoperable forces that are able to conduct full spectrum military operations anywhere in the world.

Question. In your view, what impact have national defense budget cuts had on the capabilities of the NATO alliance, and what do you believe needs to be done to address any capability shortfalls?

Answer. Cuts our allies are making to their defense budgets are reducing the alliance's ability to confront security challenges and placing at risk NATO's ability to sustain concurrent operations. NATO has mitigated this underinvestment by a heavy and growing reliance on U.S. capabilities, but this trend poses risks to the future strength of the alliance. Our allies need to focus their resources on alliance

required capabilities. As their economies improve, they need to increase their defense spending.

Question. What are the greatest opportunities and challenges that you foresee for NATO in meeting its strategic objectives over the next 5 years?

Answer. The greatest opportunity for NATO to meet its strategic objectives over the next 5 years is to maintain the unprecedented level of readiness and interoperability achieved over the last 10 years of combat operations in Afghanistan. The Alliance is working to attain that goal through expanded education and training, increased number of exercises, and better use of technology. The greatest challenge of course lies within the ability of the 28 nations to provide the funding and resources required to implement those initiatives and to continue to develop the capabilities needed to meet future challenges.

Question. In your view, is there a continuing requirement for U.S. nuclear weapons to be deployed in NATO countries?

Answer. Yes. NATO's Strategic Concept states NATO's commitment to the goal of creating the conditions for a world without nuclear weapons. However, it also made clear that as long as there are nuclear weapons in the world, NATO will remain a nuclear Alliance. NATO's 2012 Deterrence and Defence Posture Review confirmed that nuclear weapons are a core component of NATO's overall capabilities for deterrence and defense alongside conventional and missile defense forces. The review showed that the Alliance's nuclear force posture currently meets the criteria for an effective deterrence and defense posture.

Question. What strategy, if any, do you feel should be used to address declining defense budgets, as a percentage of gross domestic product (GDP), in Europe?

Answer. The longstanding and agreed NATO guideline for each ally is to spend 2 percent of GDP on defense. This provides a basis for comparing defense spending, but what really matters is how each nation allocates its defense resources. It is important to assess whether alliance members are procuring the appropriate quantity and quality of capabilities to meet identified NATO requirements. During this period of fiscal constraint, allies need to rigorously prioritize their defense investment with a focus on Alliance capability requirements. When economies improve, they should increase their investment.

U.S. FORCE POSTURE IN EUROPE

Question. DOD continues to review its force posture in Europe to determine what additional consolidations and reductions are necessary and consistent with U.S. strategic interests.

How would you define the U.S. strategic interests in the European area of responsibility (AOR)?

Answer. NATO will remain our Nation's preeminent multilateral alliance and continue to drive our defense relations with Europe. Through the new Strategic Concept, we defined a clear role for NATO in the years ahead, including space and cyberspace security, Ballistic Missile Defense, counter-trafficking and nonproliferation.

Question. Do you believe that additional consolidation and reductions of U.S. forces in Europe can be achieved consistent with U.S. strategic interests in that AOR?

Answer. I fully support the U.S. Army Europe plans to reduce its footprint from 16 garrisons to 7 garrisons by 2017. Regarding any additional reductions, we must ensure that our posture adapts to changes in the international security environment. Currently, there are several studies reviewing U.S. posture in Europe to include an internal DOD European Infrastructure Consolidation study and a congressionally-directed independent assessment of the overseas basing presence (NDAA for Fiscal Year 2012, section 347).

U.S. FORCE POSTURE IN THE ASIA-PACIFIC REGION

Question. The Department continues the effort to rebalance toward the Asia-Pacific as announced in the January 2012 Strategic Defense Guidance.

Are you satisfied with the rebalance efforts to date?

Answer. Yes. Despite the impact of sequestration, we continue to make progress on our key priorities in the Asia-Pacific. We are modernizing and strengthening our alliances and partnerships through multi-lateral and bilateral exercises while enhancing our engagement with region-wide institutions. We are enhancing our presence in the region by maintaining a defense posture that is more geographically distributed, politically sustainable, and operationally resilient. We are strengthening our military capabilities by sustaining investments critical to our ability to project power in support of security commitments.

Question. What do you see as the U.S. security priorities in the Asia-Pacific region over the next couple of years and what specific capabilities or enhancements are needed in to meet those priorities?

Answer. Our security priorities are those inherent in the rebalance: modernizing and strengthening our alliances, enhancing our presence, and pushing more quality forward in terms of capabilities. These efforts will enable us to shape partnerships and deter and respond as necessary to the threats in the region. We will continue to deter North Korea's continued provocative behavior. We will leverage our presence to mitigate tensions and encourage responsible behavior in the land and maritime territorial disputes such as exist in the East and South China Seas. We will need to deter disruptive activities in space and cyber space that have and will continue to become more sophisticated and damaging. Our forward presence and engagements are our overarching ways to address these challenges. Our people are our most valuable asset for building relationships. Special Operations Forces, cyber, and intelligence, surveillance, and reconnaissance are key capabilities I see for the near future.

Question. Do the budget cuts and resource constraints associated with sequestration threaten your ability to execute the rebalance to the Pacific?

Answer. To this point, budget reductions have not threatened our ability to rebalance to the Asia-Pacific. However, full sequestration may limit or delay the strategic alignment of our engagement and capabilities. Some key relationships may take longer to develop due to constraints on education and exercises. At the same time, fiscal realities afford an opportunity to ensure we are putting the right resources in the right places, at the right times. We will continue our steady, thoughtful, and measured rebalance to the region.

Question. What is your assessment of the strategic consequences, including impact on relationships with partners and allies, if sequestration results in a "rebalance", that is, a net reduction in military assets in the U.S. PACOM AOR?

Answer. Rebalance is intended as a net increase in military capability to the Asia-Pacific region. That said, the essence of rebalance is about more than hardware. It is about more engagement and attention. With the looming impact of sequestration on readiness and engagement, our ability to expand military to military partnerships and build partner capacity will be reduced, limiting our ability to develop and expand the scope and quality of critical relationships.

SECURITY SITUATION ON THE KOREAN PENINSULA

Question. What is your assessment of the current security situation on the Korean peninsula and of the threat posed to the United States and its allies by the current state of North Korea's ballistic missile and nuclear weapons capabilities?

Answer. The security situation on the Peninsula is stable at the moment. However, I am concerned that we are in a period of prolonged provocation. North Korea military activity is at seasonal normal levels. North Korea has toned down rhetoric since the height of tensions in April of this year and appears to be engaged in diplomatic overtures, perhaps to win concessions. I remain concerned with North Korea's development of ballistic missiles, nuclear weapons and bellicose rhetoric threatening to use these weapons; however, we do not have any indications of imminent use of ballistic missile or nuclear capabilities at this time.

Question. In your view, are there additional steps that DOD could take to ensure that North Korea does not proliferate missile and weapons technology to Syria, Iran and others?

Answer. Currently, DOD is taking the appropriate steps to prevent proliferation. We support interagency efforts to prevent North Korea proliferation through WMD nonproliferation regimes including the Australia Group (CW/BW), Missile Technology Control Regime, Hague Code of Conduct Against Ballistic Missile Proliferation and Nuclear Suppliers Group. These regimes use customs and law enforcement practices such as export control lists to interrupt proliferation of WMD materials to Syria, Iran, and others from North Korea. Additionally, DOD supports interagency counter-proliferation efforts through involvement with the Proliferation Security Initiative and geographic combatant commander support for potential interdictions. I remain open to additional options for improving our contribution to countering proliferation.

Question. Are you satisfied that the U.S.-Republic of Korea (ROK) combined counter-provocation plan, which was finalized a couple of months ago, strikes the right balance between enabling the South Koreans to respond to and defend against a provocation from North Korea while ensuring that the United States is involved in any decisions that might widen the military action to include U.S. forces?

Answer. Yes. The plan allows for the sovereign right of self-defense by the Republic of Korea in a timely and proportional manner without undue escalation and without violating the terms of the Armistice Agreement. Should the circumstances require or justify additional response, a bilateral U.S.-ROK consultative mechanism is in place to reach a suitable decision together. However, the situation on the Peninsula is always rife for miscalculation on all sides. U.S. deterrent forces, and the close relationship USFK enjoys with the ROK Government, are our strongest mitigation against escalation.

Question. What is your view regarding the timing of transfer of wartime operational control from the United States to the ROK, currently scheduled for December 2015, and do you support the transfer as scheduled?

Answer. I support the transfer as scheduled. From a military perspective, the timing of the transfer of wartime operational control is appropriate. The conditions for the transfer are based on meeting capability-based milestones, including acquisition of weapon systems, command and control systems, ISR platforms, appropriate and adequate supply of munitions, along with the right certification process to validate the readiness for the transfer. The ROK military is a very capable force, but it has had some setbacks in funding to achieve these milestones. General Thurman and his team at U.S. Forces-Korea are working hard with the ROK Joint Chiefs of Staff to meet the certification and capability requirements.

CHINA

Question. In the past several months, the United States and China have had several high level engagements, including President Obama's meetings with President Xi last month and your visit to China in April.

In view of these engagements, what is your assessment of the current state of the U.S.-China military relationship and your views regarding China's interest in and commitment to improving military relations with the United States?

Answer. Healthy, stable, reliable, and continuous military-to-military relations are in both nations' interest and are an essential part of the overall relationship. There are recent examples where we have improved practical cooperation, such as counter-piracy, humanitarian assistance, disaster relief and military medicine exchanges. However, a deeper U.S.-China military-to-military dialogue is needed to address many of the sources of insecurity and potential competition that may arise as our two forces come into closer and more frequent contact.

Question. How has China's aggressive assertion of territorial and maritime claims, particularly in the South China Sea and East China Sea, effected security and stability in the region?

Answer. The United States has a national interest in the maintenance of peace, stability, respect for international law, freedom of navigation, and unimpeded lawful commerce. While the United States does not take sides in any territorial disputes, any such disputes must be resolved without coercion or the use of force. We strongly support dispute resolution on the basis of existing international mechanisms and in accordance with established international norms and institutions. At the same time, beginning serious negotiation on a Code of Conduct for interaction in disputed maritime territories will significantly reduce tension and potential for conflict across the region. We have made it clear to China that we have commitments to allies and partners and will continue our engagement while maintaining our posture across the Asia Pacific.

Question. If reconfirmed, what will be your priorities vis-a-vis China?

Answer. Positive and constructive engagement with China is a key part of our strategy in the Asia Pacific. In support of this, my priorities include a healthy, stable, reliable, and continuous military-to-military relationship. I will also work towards a model of relations where communications are not cut off when difficulties arise, which is precisely the time that communication and dialogue are the most important. Finally, we need increased cooperation, channels of communication, and interactions between the two militaries to improve our partnership and reduce the risk of miscalculation, miscommunication or accidents. I will give particular emphasis to improving the quality of our strategic dialogue and supporting the establishment of norms for behaviors in cyberspace.

INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE (ISR) CAPABILITIES

Question. Despite the ongoing drawdown in Afghanistan, demand for intelligence, surveillance, and reconnaissance capabilities of every kind remains very high due to the enhanced situational awareness and targeting capabilities they bring to our commanders. Almost all of the geographic combatant commands still have validated ISR requirements that are not being met.

What is your assessment of the Department's current disposition of ISR assets across the various combatant commands?

Answer. I think we have maximized and optimized our ISR capability. We remain focused on our #1 priority, supporting the warfighters in Afghanistan. At the same time, we are supporting the rebalance to the Asia-Pacific region while provided necessary capabilities to counter emerging extremist threats in AFRICOM's AOR. Prioritization is key to providing flexible and responsive forces.

Question. As our forces are withdrawn from Afghanistan, will existing ISR assets be re-postured to support combatant command needs in other regions, or will the ISR capacity be reduced?

Answer. In short, both. The fiscal year 2015 Global Force Management Allocation Plan is the first in which we begin to "reposture" ISR forces. Full Motion Video, Signals Intelligence, and Imagery Intelligence, among others, are valuable in any AOR. But many of the assets are very niche, and it will be difficult to translate their applicability in Afghanistan to other parts of the world. Budgetary pressures further constrain meeting combatant command requirements. Because of this, our total ISR force, quantitatively, will be diminished in fiscal year 2015 and beyond. But the technologies developed and lessons learned in Afghanistan will build a decidedly more capable, if smaller, global ISR force.

Question. Most of the highest-value ISR assets acquired after September 11 are aircraft that were not designed to be survivable in high-threat air defense environments, although in some cases unmanned aerial vehicles were designed to be deployed in large numbers in the expectation of substantial combat attrition.

Do you believe that the Department needs a major shift towards ISR platforms that are survivable in high-threat situations, or merely an augmentation of the capabilities we now have, with the assumption that air superiority can be gained rapidly enough to operate today's assets effectively?

Answer. The ISR assets we have in the Joint Force today are ready to perform missions across a range of warfighting scenarios. As we move toward the Joint Force of 2020, we will increasingly need ISR platforms that are survivable and can counter sophisticated adversaries defenses.

SPECIAL OPERATIONS FORCES

Question. The previous two QDRs have mandated significant growth in our Special Operations Forces (SOF) and enablers that directly support their operations.

Do you believe that QDR directed growth in the size of SOF should be retained despite current budgetary pressures?

Answer. Growth in Special Operations Forces capability has been necessary to meet the demands of the global conflicts in which we have been engaged over the past decade. We will judiciously balance the need for further growth in SOF with our need to address other capability demands in light of increased budgetary pressures. As a consequence, I do not expect additional, significant growth beyond what has already been programmed.

Question. In recent years, Special Operations Forces have taken on an expanded role in a number of areas important to countering violent extremist organizations, including those related to information and military intelligence operations. Some have advocated significant changes to U.S. Special Operations Command's (SOCOM) title 10 missions to make them better reflect the activities Special Operations Forces are carrying out around the world.

What current missions, if any, do you believe can and should be divested by SOCOM, and why?

Answer. At this time, I do not advocate for significant changes to SOCOM's title 10 missions. I use a range of processes—such as the Unified Command Plan, Guidance for the Employment of the Force, and Joint Strategic Capabilities Plan—to review the mission sets and responsibilities assigned to SOCOM on a continuing basis. Additionally, the language in section 167 of title 10, U.S.C., includes "such other activities as may be specified by the President or the Secretary of Defense," which provides the President and the Secretary of Defense the flexibility needed to meet rapidly changing circumstances.

Question. Are there any additional missions that you believe SOCOM should assume, and, if so, what are they and why do you advocate adding them?

Answer. Pending a review of strategic planning documents, I do not advocate for SOCOM to assume any additional missions at this time. Special Operations Forces already provide a broad but uniquely specialized range of support to Joint Force Commanders. They are trained to conduct operations including counterterrorism, unconventional warfare, direct action, special reconnaissance, foreign internal defense, and counter-proliferation of weapons of mass destruction, in areas under

enemy control or in politically sensitive environments. In such environments, SOF provides unique and essential capabilities, and we will continue to leverage lessons learned in our Decade of War studies to enhance SOF and General Purpose Force integration.

Question. What can be done to ensure that indirect special operations missions with medium- and long-term impact, such as unconventional warfare and foreign internal defense, receive as much emphasis as direct action, and that they receive appropriate funding?

Answer. In addition to developing specific Joint Doctrine on Unconventional Warfare, I have placed considerable emphasis on many aspects of foreign internal defense in my Capstone Concept for Joint Operations. I appreciate the significant legislative support for the many security force assistance and training and equipping missions that SOF undertakes. One area that may require enhanced legislative authorities is for greater opportunities to leverage non-SOF units to undertake partner capacity building tasks.

SPECIAL OPERATIONS AUTHORITIES

Question. Reportedly, the Commander of SOCOM has sought more control over the deployment and utilization of Special Operations Forces. For example, the Secretary of Defense recently modified policy guidance for the combatant commands that gave SOCOM, for the first time, responsibility for resourcing, organizing, and providing guidance to the Theater Special Operations Commands of the geographic combatant commanders and Special Operations Forces assigned to them. It has been reported that the Commander of SOCOM is also seeking new authorities that would allow him to more rapidly move Special Operations Forces between geographic combatant commands.

Please provide your assessment of whether such changes are appropriate and can be made without conflicting with civilian control of the military, infringing upon authorities provided to the geographic combatant commanders, or raising concerns with the State Department.

Answer. Special Operations Forces do not undertake operations without the approval of the President, the Secretary of Defense, the geographic combatant commanders, and the Chiefs of Mission. The proposed changes enhance the ability of our global Special Operations Forces to network with our U.S. interagency counterparts as well as our foreign allies and partners. I fully support a more efficient and effective ability of our Special Operations Forces to more dynamically respond to global demands in the future.

COMBATING TERRORISM

Question. The administration recently released its National Strategy for Counterterrorism. This strategy highlights the need to maintain pressure on al Qaeda's core while building the capacity of partners to confront mutual threats. The strategy also underscores the need to augment efforts to counter threats from al Qaeda-linked threats "that continue to emerge from beyond its core safe haven in South Asia."

How do you view the DOD's role under the new National Strategy for Counterterrorism?

Answer. The United States pursues a comprehensive approach to counter terrorist networks that threaten our Nation. The military is one element of this effort. DOD works closely with interagency stakeholders and key partners and allies to combat those threats beyond South Asia in support of the strategy. Training, advising, and assisting partnered forces allows us to leverage our unique Defense capabilities outside of the Afghanistan theater of operations. The Department implements rigorous guidelines, standards and accountability for lethal action against terrorist networks who threaten our Nation.

Question. What is your understanding of the impact of the Presidential Policy Guidance on Counterterrorism on DOD's role within the U.S. Government's counterterrorism strategy?

Answer. The recently signed Presidential Policy Guidance on Counterterrorism is a codification of policies and procedures that have been applied for some time. The guidance clarifies, formalizes, and strengthens the standards and processes we use. Military capabilities are one part of our comprehensive counterterrorism effort. We will continue to enable our allies to develop the capability to counter terrorists within their borders. When necessary and after a robust and accountable review process, we can take direct action against those specific terrorist networks that threaten U.S. persons. Our current authorities are sufficient to defend the Nation against existing terrorist threats. The Department implements a rigorous, transparent and account-

able review process. We will scrupulously adhere to the rule of law and the highest ethical standards in implementing the strategy and guidance.

Question. Will DOD see its role increase or decrease?

Answer. The best way to defeat terrorism is with a comprehensive approach. DOD will continue to play a significant role in counterterrorism. The presidential policy framework codifies rigorous guidelines, oversight and accountability for targeted, lethal action against specific terrorist networks that threaten our Nation. The military also conducts a range of activities to build partner capacity and support other government agency efforts.

Question. If the role increases, what, if any, are the commensurate increases in capabilities or capacities that are required?

Answer. DOD will continue to develop new capabilities, technologies, and tactics as well as streamlined processes and procedures to ensure we stay ahead of our enemies as they also adapt. Joint Force 2020 must include and integrate innovative capabilities such as cyber, Special Operations Forces and intelligence, surveillance, and reconnaissance platforms.

Question. Will DOD require any new authorities?

Answer. I believe that existing authorities are adequate. Should a new group threaten the United States, we can respond as necessary under U.S. domestic and international law. I have not encountered a situation during my tenure as Chairman in which we did not have the necessary and sufficient authorities. If confirmed and this occurred during my tenure, I would consult within the executive and with Congress to determine whether additional authorities or tools have become necessary or appropriate.

Question. Are there steps DOD should take to better coordinate its efforts to combat terrorism with those of other Federal departments and agencies?

Answer. Improving interagency coordination was a key finding in our Decade of War study. The Joint Staff regularly and actively participates in both the National Security Staff's Counterterrorism Security Group and the President's Counterterrorism Board of Directors. Our combatant commands support our efforts and work closely with U.S. Embassies, interagency partners, and local actors. Institutionally, the Department is deliberately and carefully integrating lessons learned in our doctrine, training, planning and operations. We seek to support similar efforts where and when they exist in other organizations.

Question. What do you view as the role of DOD in countering al Qaeda and affiliated groups in cyberspace?

Answer. Defense of cyberspace requires a public-private effort to provide the best protection possible for our Nation. We are making significant progress. Cyber is an essential capability for Joint Force 2020. DOD works with interagency and commercial partners in order to counter threats from non-state actors in cyberspace and other domains. We will continue to employ a robust defensive posture on our military networks. In the event of a cyber attack, DOD has processes in place to identify it with interagency partners, defend against the attack, and share information with industry to mitigate effects.

INTERNATIONAL PEACEKEEPING CONTRIBUTIONS

Question. In testimony before the House Committee on Foreign Affairs (July 29, 2009), Ambassador Susan Rice, then U.S. Ambassador to the United Nations, stated that the United States "is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women I should note—to U.N. peacekeeping operations."

What is your view on whether the United States should contribute more military personnel to both staff positions and military observers in support of U.N. peacekeeping operations?

Answer. In Afghanistan, our military commitment is shifting from combat operations to maintaining a long-term relationship with the people of Afghanistan in concert with our NATO allies. This mission shift allows us to consider other opportunities for U.S. forces and personnel to contribute to U.N. peacekeeping missions around the world on a very selective basis and under the right conditions. Our experience shows that even a small number of U.S. personnel can play an out-sized role in improving the effectiveness of U.N. operations.

Question. If confirmed, would you support identifying methods through which the DOD personnel system could be more responsive to requests for personnel support from multilateral institutions like the United Nations?

Answer. We have been responsive to requests from the U.N. for personnel support. This year, for the first time in nearly 2 decades, a U.S. general officer is helping to lead peacekeepers in a U.N. field mission. By all accounts, this officer has

done a terrific job in Liberia. He is even supervising members of the Chinese People's Liberation Army. Additionally, when the U.N. requested U.S. officers for the new mission in South Sudan, U.S. Africa Command provided three of its own staff officers to deploy immediately until the Services could provide long-term fills. We are currently working with Africa Command on a similar solution for the mission in Mali. As I told Secretary General Ban Ki-moon during his visit this spring, we look forward to exploring even more opportunities to offer our leaders in support of the U.N. and other multilateral institutions.

INTERAGENCY COLLABORATION

Question. The collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies has played a significant role in the success of counterinsurgency and counterterrorism operations in recent years. However, much of this collaboration has been ad hoc in nature.

What do you believe are the most important lessons learned from the collaborative interagency efforts in Afghanistan, Iraq, and elsewhere?

Answer. Among other lessons, it seems clear to me that we have learned that countering insurgent and terrorist threats demands the integration of all instruments of national power toward a common purpose. Over the past decade, our interagency coordination has been occasionally uneven due to policy gaps, inconsistent resources, and differences in organizational culture. While we struggled early on to harness the full extent of our whole-of-government effort, over time, our military and civilian organizations have learned to better leverage each other's strengths. If confirmed, I am committed to institutionalizing these lessons learned even as we reset and prepare for the future.

Question. How do you believe these efforts can be improved?

Answer. It begins with leadership. We've learned that we need to stress the value of interagency coordination at all levels. For DOD, this means exposing our military personnel to a range of interagency organizations to facilitate understanding of different agency cultures, equities, capabilities, and limitations. We also incorporate interagency partners into our training and education programs, building the kinds of relationships that increase our overall effectiveness. More can be done, and if confirmed, I will work with this Congress to enhance these programs.

Question. How can the lessons learned in recent years be captured in military doctrine and adopted as "best practices" for future contingency operations?

Answer. As Chairman, I led a "Decade of War" effort to examine this question and to ensure that we do not lose the lessons of 10 years of war. Codifying our work is key. Critical doctrinal publications such as Joint Pub 3–08, "Inter-organizational Coordination during Joint Operations," capture the best practices of our recent experience. The current version was published in June 2011, and importantly, our interagency partners contributed to writing it. If confirmed, I plan to begin a formal update of this publication in the coming year.

Question. Interagency collaboration on an operational or tactical level tends to address issues on a country-by-country basis rather than on a regional basis (e.g. international terrorists departing Mali for safe havens in Libya).

How do you believe regional strategies that link efforts in individual countries can best be coordinated in the interagency arena?

Answer. Our performance in crisis situations rests on how well we collaborate on a routine basis. Therefore, I support a whole-of-government planning, operations and resourcing framework to ensure our country plans are mutually-reinforcing. The military develops Theater Campaign Plans and Functional Campaign Plans that address regional and trans-regional issues. We seek input from interagency partners in the development of these plans to de-conflict, if not complement efforts. State is beginning to develop Joint Regional Strategies to address regional foreign policy priorities and drive country strategies. This new regional perspective will improve our ability to coordinate DOD plans with State plans.

RESPONSIBILITY TO PROTECT

Question. The U.S. Government has recognized the "responsibility to protect" (R2P)—that is, the responsibility of the international community to use appropriate means to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, by encouraging states to protect their own populations, by helping states build the capacity to do so, and by acting directly should national authorities fail to provide such protection. In its 2010 QDR, DOD names "preventing human suffering due to mass atrocities" as one of a long list of potential contingencies that DOD might be called on to address. DOD has begun to explore some

of the implications of R2P, by considering "mass atrocity prevention and response operations".

In your view, how high a priority should the "responsibility to protect" be for the U.S. Government as a whole?

Answer. Preserving the capacity of the United States and its partners to prevent human suffering is a means of promoting our values and strengthening our influence around the world. Although neither the United States nor any other country recognizes the "responsibility to protect" as a legal basis for the use of military force, the U.S. Armed Forces can carry out these types of missions if called upon to do so. Prioritization is not a decision for the military to make.

Question. In your view, what should be the role of DOD, if any, in fulfilling the responsibility to protect?

Answer. The role of DOD will be to support our government's policy decision. The whole-of-government approach should involve an appropriate mix of diplomatic, economic, and/or military measures. The role of DOD will be to provide options and assess the risk associated with those options. We will also make a recommendation on the strategy for any specific situation to include those involving atrocities.

Question. In your view, what is the proper application of R2P doctrine with respect to the situation in Syria?

Answer. The conflict in Syria is as complex as any I have seen. We have an obligation to think through the efficacy and consequences of any direct U.S. military action in Syria, especially if it could create conditions that would cause more civilian casualties, unleash chemical weapons, or bring the United States into a broader regional conflict. Even as we consider the use of force, we must continue to work with our allies and partners in the region to prevent their destabilization, provide humanitarian aid, and support the Syrian opposition. The United States is providing nearly $815 million in aid to help the victims of this conflict, including emergency medical care and supplies, food, and shelter.

OPERATION OBSERVANT COMPASS & THE LORD'S RESISTANCE ARMY

Question. Despite pressure by the Ugandan People's Defense Forces (UPDF) and efforts by U.S. Special Operations personnel to support them, elements of the Lord's Resistance Army (LRA)—including Joseph Kony—continue to operate and commit atrocities against civilian populations in the Central African Republic, Democratic Republic of the Congo, and South Sudan. Some observers have identified operational concerns with this mission, including that: (1) supported forces are trying to find an elusive foe in an area roughly the size of California, much of which is covered in thick jungle; (2) technical support to U.S. forces and their UPDF partners from the defense and intelligence community continues to be inadequate; and (3) limitations continue to be placed on the ability of U.S. Special Operations personnel to accompany UPDF partners outside of main basing locations, thereby limiting the level of direct support they can provide.

In your view, what is the objective of Operation Observant Compass?

Answer. The strategy is comprised of four elements: (1) protect civilians; (2) promote DD/RRR (disarmament, demobilization, reintegration, repatriation, and resettlement); (3) increase humanitarian access/support; and (4) remove Joseph Kony and senior LRA leaders from the region. DOD plays a role in all four pillars but is the primary agent for implementing the fourth element.

Question. Do you support the continuation of DOD's current level of support to this mission?

Answer. In the near-term, the current level of military support is appropriate. DOD is currently weighing options to determine the future level of support. DOD must prioritize limited resources among numerous competing priorities, requirements and risks to other missions. Cost is another factor being considered given the current budget constraints.

HUMAN TERRAIN IN CONFLICT

Question. In 2009, then-Secretary Gates helped launch the Minerva Initiative and the Human Social Culture Behavior Modeling Program to develop deeper social, cultural, and behavioral expertise for policy, strategy and operational purposes in the Middle East and Far East.

How have these programs contributed to our understanding the complex human terrain of these parts of the world?

Answer. Yes. The Minerva Initiative examines the social and political dynamics of present and future conflict. Research conducted under its auspices validated the COMISAF policy of "courageous restraint" (e.g. exercise patience before using force); enriched our understanding of the radicalization processes, and produced a method

for empirically characterizing tribal cohesiveness, a predictor of the susceptibility to al Qaeda influence. The Human Social Culture Behavior Modeling (HSCB) Program, which forecasts instability globally, has been fielded at PACOM, SOUTHCOM, STRATCOM, and SOCOM.

Question. Are we adequately resourcing these programs and how can we improve our capabilities to understand the perceptions, attitudes, ethnic identities, religious beliefs and predispositions of the audiences we seek to reach and interact with in these regions?

Answer. Although the HSCB Modeling program concludes its 4 year program in fiscal year 2013, we continue to fund many other social science research efforts. As we learned in Iraq and Afghanistan, cultural and regional skills are key to succeeding in Irregular Warfare. Accordingly, I have mandated that they be covered in at all levels of Joint Professional Military Education curricula and in Joint Doctrine publications on Stability Operations, Counterinsurgency Operations, and Special Operations.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

Question. Criminal networks are not only expanding their operations, but they are also diversifying their activities, resulting in a convergence of transnational threats that has evolved to become more complex, volatile, and destabilizing. The Director of National Intelligence recently described transnational organized crime as "an abiding threat to U.S. economic and national security interests," and stated that "rising drug violence and corruption are undermining stability and the rule of law in some countries" in the Western Hemisphere. In July 2011, the President released his Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security. One of the priority action areas designated in the strategy is "enhancing DOD support to U.S. law enforcement."

What is your understanding of the President's strategy to combat transnational criminal organizations?

Answer. The President's Strategy to Combat Transnational Organized Crime integrates all elements of national power to combat transnational organized crime and related threats to national security. Ultimately, the strategy seeks to reduce transnational organized crime to a manageable public safety concern.

Question. What is your understanding of the Department's role within the President's strategy?

Answer. DOD is not the lead agency responsible for combatting transnational organized crime. DOD instead plays an appropriate and critically important role supporting law enforcement to counter threats to national security.

Question. In your view, should DOD play a role in providing support to the U.S. law enforcement and the Intelligence Community on matters related to transnational organized crime?

Answer. DOD provides unique supporting capabilities to address the full range of transnational criminal threats, including military intelligence support to law enforcement, military-to-military capability development, and military operational activities against threats to the U.S. DOD supports U.S. law enforcement and the Intelligence Community as part of a whole-of-government approach, consistent with current authorities.

MASS ATROCITIES PREVENTION

Question. President Obama identified the prevention of mass atrocities and genocide as a core U.S. national security interest, as well as a core moral interest, in August 2011 under Presidential Study Directive 10.

Among interagency partners, what is DOD's role in addressing atrocity threats, and what tools does DOD have for preventing or responding to atrocities?

Answer. DOD has developed Joint Doctrine for conducting Mass Atrocity Response Operations. Based on this doctrine, atrocity prevention and response is now incorporated into DOD plans and planning guidance. In addition, DOD has conducted a comprehensive review of training in this area and is working to strengthen the capacity of UN peacekeeping operations to respond to atrocity events.

Question. Has DOD developed planning processes toward this effort so that it will be able to respond quickly in emergency situations?

Answer. Yes, DOD has developed planning processes toward this effort. All DOD components have been directed to integrate atrocity prevention and response into their policies and plans. Specific plans are further developed and implemented at the geographic combatant command level, in coordination with the Office of the Secretary of Defense and the Joint Staff.

Question. In your view, is the situation in Syria a mass atrocity?

Answer. In my view, the situation in Syria is tragic and an atrocity. By some estimates as many as 100,000 combatant and non-combatants have been killed, with over 5 million displaced.

COUNTER THREAT FINANCE

Question. Identifying and disrupting key individuals, entities, and facilitation routes enabling the flow of money that supports terrorism, production of IEDs, narco-trafficking, proliferation, and other significant national security threats could have an outsized impact on confronting these threats. In August 2010, the Department issued a Counter Threat Finance (CTF) Policy Directive which recognized the CTF discipline as an essential tool in combating criminal networks and terrorist organizations and called for the integration of CTF capabilities into future force planning and the continued support to interagency partners conducting CTF operations.

What is your assessment of the Department's efforts to date to institutionalize and support these capabilities?

Answer. Upsetting the financial supply lines of our adversaries is a proven way to disrupt threats to U.S. national security. DOD Threat Finance Cells already have a track record of success in Iraq and Afghanistan. We need this capability in the Department. DOD Directive 5205.14 (CTF), updated in November 2012, institutionalizes counter threat finance within DOD. Ultimately, our success in counter threat finance will depend on our ability to integrate efforts with other U.S. Government agencies, multinational organizations, and host nations.

Question. What is your assessment of the current ability of the Department to provide support to other U.S. Government departments and agencies conducting counter threat finance activities?

Answer. DOD currently supports the efforts of other government agencies with its unique capabilities, including long-term planning, network analysis, intelligence analysis and tools, and the integration of intelligence into operations. The result is a well-coordinated, capable, and robust counter threat finance posture. If confirmed, I will continue to remain fully engaged in the interagency process to counter threat finance activities.

Question. What changes, if any, would you recommend to DOD's current counter threat finance efforts?

Answer. The Department is examining its current counter threat finance efforts. We are focused on incorporating lessons learned from Iraq and Afghanistan and further strengthening and institutionalizing our counter threat finance capability. We may recommend additional training and education for the force.

SECTION 1208 OPERATIONS

Question. Section 1208 of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), as amended by subsequent bills, authorizes the provision of support (including training, funding, and equipment) to regular forces, irregular forces, and individuals supporting or facilitating military operations by U.S. Special Operations Forces to combat terrorism.

What is your current assessment of this authority?

Answer. Combatant commanders continue to view section 1208 as a key tool in the ongoing fight against terrorism. The ability for Special Operations Forces to leverage willing partners who possess access to areas, people, and information denied to our forces is critical to tactical and strategic success. This authority has allowed us to respond quickly to global challenges while maintaining appropriate civilian oversight, including Secretary of Defense approval and congressional notification. The Department is appreciative of Congress' continued support for this authority. If confirmed, I will continue to keep you informed through our annual report and briefings.

ACTIVE-DUTY AND RESERVE COMPONENT END STRENGTH

Question. Last year, DOD announced its 5-year plan to reduce Active-Duty end strengths by over 100,000 servicemembers by 2017, and the Reserve components by another 21,000 over the same period. These cuts do not include any additional personnel reductions that could result from sequestration or any agreement to avoid sequestration.

What is your view of the role of the Reserve components as the Active components draw down?

Answer. Twelve years of combat operations has transformed our Reserve component from a strategic reserve to a full-spectrum force critical to our overall military readiness. Recent combat deployments, as well as peacekeeping, humanitarian relief and homeland defense missions, have resulted in our Reserve component being far

more operationally capable and experienced than before. We have yet to determine the final steady-state balance between the Active and Reserve component, in part because of continuing budget uncertainty. But going forward, the Reserve component will be an essential part of the total force.

Question. What additional military personnel reductions do you envision if the sequester continues into 2014 and beyond?

Answer. Because military personnel cannot be reduced quickly, a continuation of sequester funding levels would require DOD to take disproportionate cuts from the modernization and readiness portions of the fiscal year 2014 budget. To ensure these accounts do not bear an excessive portion of budget reductions, DOD would seek to significantly draw down the size of the military after fiscal year 2014.

Question. In your view, what tools do DOD and the Services need to get down to authorized strengths in the future, and which of these require congressional authorization?

Answer. In my view, DOD's existing force management tools provide the necessary flexibility to enable the Services to get down to authorized end strength. At this time, the Services are not requesting additional force management tools.

RELIGIOUS GUIDELINES

Question. In your view, do policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. Yes. Our official policy states, "DOD places a high value on the rights of members of the Military Services to observe the tenets of their respective religions or to observe no religion at all." (DODI 1300.17, "Accommodation of Religious Practices Within the Military Services"). By both policy and practice, commanders are committed to ensuring members of the Joint Force of deep religious faith, as well as those of no religious faith, can serve in a climate of mutual respect and trust.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact unit cohesion and good order and discipline?

Answer. Yes. Commanders consider requests for accommodation of individual expressions of belief, to include apparel, grooming and worship practices. Requests are given equal consideration as long as they do not negatively impact mission accomplishment, military readiness, unit cohesion, good order, discipline, or any other military requirement.

PREVENTION OF AND RESPONSE TO SEXUAL ASSAULTS

Question. In 2012, for the fourth year in a row, there were more than 3,000 reported cases of sexual assault in the military, including 2558 unrestricted reports, and an additional 816 restricted reports (restricted, meaning that, in accordance with the victim's request, they were handled in a confidential manner and not investigated). Moreover, a recent survey conducted by DOD indicates that the actual number of sexual offenses could be considerably higher, as 6.1 percent of active duty women and 1.2 percent of active duty men surveyed reported having experienced an incident of unwanted sexual contact in the previous 12 months.

What is your assessment of the current DOD sexual assault prevention and response program?

Answer. We have taken swift, deliberate action to change a military culture that had become too complacent of discrimination, harassment, and assault. The Secretary and I, along with the Joint Chiefs, remain personally committed to eradicating sexual assault within our ranks and to improving processes and programs as part of our comprehensive approach. The Services have achieved significant progress in many areas. They have added specialized training for investigation and litigation, provided broader access to victim's advocates and Special Victim's Counsel, and hired Highly Qualified Experts to evaluate our progress. We are focused on taking care of victims, preventing the conditions that make assault possible, and enforcing respectful unit environments.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. Our primary concern remains the safety and well-being of the victim. We are taking swift and deliberate action to reinforce a professional work environment, prevent and respond to predatory and precursor behaviors, and better protect victims. Should a sexual assault occur, we prefer the victim come forward with an unrestricted report, to allow for thorough investigation and litigation. However, con-

fidential reporting, or restricted reporting, allows a victim to access services to meet their personal needs without the additional anxiety of a criminal investigation. Moving initial disposition authority to O–6 commanders or higher has increased unrestricted reporting, and access to Special Victim's Counsel has increased victims' willingness to change a restricted report to an unrestricted report. However, both restricted and unrestricted reporting options remain essential to our response to sexual assault.

Question. What is your understanding of the adequacy of DOD oversight of military service implementation of DOD and Service policies for the prevention of and response to sexual assaults?

Answer. The Sexual Assault Prevention and Response Office (SAPRO) oversees the Department's sexual assault policy and works with the Services' offices to execute the Services' sexual assault prevention and response plans. SAPRO also works with the civilian community to develop and implement innovative prevention and response approaches to the programs. They continue to lead on this issue by informing and advising commanders at all levels. Despite their best efforts, we have not yet turned the tide on this crime in our ranks. Therefore, I will continue to support initiatives for strengthening oversight and accountability.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults have occurred?

Answer. The commander is central to our ability to effect institutional change. We must hold commanders accountable at every level for reinforcing the highest standards of respect and trust that all of our men and women in uniform—and the American people—deserve. The sexual assault crisis in the military is a result, in large part, of a climate that had become too complacent. We have already refined our assessments of command climate by updating the surveys that specifically enable servicemembers to evaluate their commanders on unit climate and sexual assault response. Additionally, we have moved initial disposition authority for incidents of sexual assault to the O–6 commanders or higher. We will not let up in our efforts to drive the crime of sexual violence from our ranks.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. The commander's role in the military justice process is longstanding and essential to the effectiveness of our Joint Force. Our commanders are responsible for the efficiency of their units first, but more broadly, it is in their hands that the defense of the Nation rests. Because of the tremendous responsibility placed in commanders, they must also have broad authority to enforce discipline and execute their duties. This is a foundational element of the military justice system. The central imperative in commanders' responsibility to accomplish their assigned missions, in peacetime and in war, is the good order and discipline of the men and women they lead. Commanders regularly consult with their judge advocates, including when deciding whether to prosecute alleged offenses. Removing commanders from the military justice process in this way would send the message that there is a lack of faith in the officer corps and that commanders cannot be trusted to mete out discipline. Such a message would surely undermine good order and discipline. Absolving commanders of their role in the military justice system would potentially undermine the military's ability to adequately address this issue. Commanders must be held accountable for maintaining a climate that does not tolerate sexual assault. Responsibility and accountability go hand-in-hand: in order to hold commanders accountable for the good order and discipline of their units, they must hold that responsibility and be empowered by the system. Disempowering commanders will not help the military tackle this problem.

Question. Article 60 of the Uniform Code of Military Justice (UCMJ) requires the convening authority to take action on the sentence issued by a court-martial and authorizes a convening authority, in his sole discretion, to take action of the findings of a court-martial, including setting aside a finding of guilty or changing a finding of guilty to a finding of guilty of a lessor included offense.

What is your view about the authority of a convening authority to set aside or modify findings of guilt and authority to reduce a sentence imposed by court-martial?

Answer. Article 60 of the UCMJ currently grants broad authority and discretion to convening authorities to dismiss findings of guilt after trial. That authority, which dates back well over 200 years, was necessary when the military justice system lacked many of the procedural safeguards inherent in the system today. In the past, the military justice system lacked attorneys serving as trial and defense counsel, independent trial judges, and an appellate process. Article 60 was necessary so that commanders, with the advice of their staff judge advocates, could ensure the

proceedings, and in particular the findings, were fair and just. Many changes to the military justice system, which began with the Military Justice Improvement Act of 1968, now provide the necessary due process and safeguards. Licensed military attorneys now serve as prosecutors and defense counsel, independent military judges preside over courts-martial, and convicted servicemembers are entitled to a robust appellate process. Due to these changes, there is little or no need for a convening authority to dismiss the findings after a panel (jury) has found the accused guilty. A convening authority should have the discretion, however, to dismiss minor offenses under appropriate circumstances, such as to prevent an accused from the burden of a felony conviction when found guilty of minor misconduct but acquitted of major offenses. Examples of such minor misconduct include underage drinking and brief absences without leave, which on their own would not normally be adjudicated by courts-marital. Rather, a convening authority should have the flexibility to adjudicate such offenses in an alternate fashion. Convening authorities should also retain the ability to modify sentences, which is an essential component of our plea bargain process.

ASSIGNMENT POLICIES FOR WOMEN IN THE MILITARY

Question. The Department, in January, rescinded the policy restricting the assignment of women to certain units which have the primary mission of engaging in direct ground combat operations, and has given the Military Services until January 1, 2016, to open all positions currently closed to women, or to request an exception to policy to keep a position closed beyond that date, an exception that must be approved by the Chairman of the Joint Chiefs of Staff and the Secretary of Defense. The Services are working now to develop gender-free physical and mental standards for all military occupations, presumably with the goal of allowing individuals, regardless of gender, to serve in those positions if they can meet those standards.

If confirmed, what role will you play in the development of these standards?

Answer. Women continue to serve with distinction throughout the Armed Forces, and the successful integration of women into currently closed positions requires thoughtful planning and deliberate action as we proceed. I am working with the Services to provide quarterly reports to the Secretary of Defense on the progress of requirements review and validation, the timeline for opening closed occupations, limiting factors to executing implementation, positions being considered for an exception to policy, and an assessment of newly integrated positions. All our standards should be reviewed to make sure they are essential to the occupation and task. Full implementation should occur by January 1, 2014. Ultimately, we're acting to strengthen the Joint Force.

Question. Will you ensure that the standards will be realistic and will preserve, or enhance, military readiness and mission capability?

Answer. The Service Chiefs and I identified guiding principles to better align our policies with the experiences we have had over the past decade of war. This means setting clear, essential, gender-neutral standards of performance for all occupations based on what it actually takes to do the job. With the Joint Chiefs, I am closely monitoring each of the Services as they develop their implementation plans and providing quarterly reports to the Secretary of Defense. Effective planning and implementation requires that we appropriately integrate women into the organizational culture of certain military occupations.

Question. Do you believe that decisions to open positions should be based on bona fide military requirements?

Answer. Yes. Performance standards exist to ensure individuals can accomplish the tasks required of the mission. Eligibility for training and development should consist of qualitative and quantifiable standards reflecting the knowledge, skills, and abilities necessary for each occupation as required by Public Law 103–160, section 543 (1993).

Question. If so, what steps will you take, if confirmed, to ensure that such decisions are made on this basis?

Answer. I will continue to work with the Joint Chiefs to ensure changes are carefully reviewed and implemented so our service women are set up for long-term success with viable career paths. This deliberate process will anticipate second- and third-order effects while guarding against unintended consequences. Our force deserves our full faith and commitment that we get this right.

Question. Some family members have expressed concerns about assigning women to what are currently male-only combat units.

To what extent do you believe that this will be a problem in the implementation of this policy?

Answer. I think families recognize the bravery and sacrifice of women in combat, especially over the past decade of war. The successful integration of women into currently closed positions requires we be thoughtful and deliberate in planning. One of my guiding principles is to also ensure a sufficient cadre of midgrade and senior female enlisted and officers are assigned to commands, to become established members of the command and to act as mentors to younger women as they integrate into the unit. These mentors will help establish a climate of trust and support.

Question. If it is a problem, what steps would you take if confirmed to address it?

Answer. I will continue to hold the Services accountable to open all specialties, as the Secretary of Defense and I must personally approve any request for exceptions to policy. If members of our military can meet the qualifications for a job, then they should have the right to serve, regardless of creed, color, gender or sexual orientation.

RISING COSTS OF MEDICAL CARE

Question. In testimony presented to Congress in February 2009, the Assistant Director of the Congressional Budget Office asserted that "medical funding accounts for more than one-third of the growth projected for operations and support funding between 2009 and 2026." In April 2009, then Secretary of Defense Gates told an audience at Maxwell Air Force Base that "health care is eating the Department alive." In recent years, the Department has attempted to address the growth in overall health care costs by identifying efficiencies as well as by proposing increased cost shares for military retirees.

What reforms in infrastructure, benefits, or benefit management, if any, do you think should be examined in order to control the costs of military health care?

Answer. Quality health care is a critical component to having a fit and ready force. We are examining fiscal year 2014 options to slow the growth of health care costs while preserving the quality and enhancing the range of health care services available to the Military Family. Reform to control costs is essential to making healthcare more sustainable. If confirmed, I will continue to assist the Secretary of Defense in this comprehensive review of benefit payment structures, organizational structure, systems, and policies to improve affordability.

Question. What is your assessment of the long-term impact of rising medical costs on future DOD plans?

Answer. Health care costs consume 10 percent of the department's budget. In real terms, costs have tripled since 2001 and are forecasted to nearly double again by 2030. Increasing health care costs will inhibit future force readiness as competing requirements confront a decreasing top line. Health care is key to retaining high quality servicemembers and to keeping faith with our entire military family. I will continue to work closely with DOD leadership and Congress to find reasonable and responsible ways to slow this growth.

Question. If confirmed, what actions would you initiate or recommend to mitigate the effect of such costs on the DOD top-line?

Answer. Over the last several budget cycles, Congress has permitted small, necessary increases in the TRICARE Prime enrollment fees. These adjustments were an important step to managing costs, but they are not enough to sustain the benefit in the long term. Given today's budget environment, we must find a mutually acceptable compromise to reduce health costs while still maintaining the quality of care our force and our veterans deserve. If confirmed, I will continue to work closely with the Secretary of Defense and this Congress to do so.

SYSTEMS AND SUPPORT FOR WOUNDED WARRIORS

Question. Servicemembers who are or have been wounded and injured in combat operations deserve the highest priority from their Service for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from active duty when appropriate, and continuing support beyond retirement or discharge. Yet, as the revelations at Walter Reed Army Medical Center (WRAMC) in 2007 illustrated, the Services were not prepared to meet the needs of significant numbers of returning wounded servicemembers. Despite the enactment of legislation and continuing emphasis, many challenges remain, including a growing population of servicemembers awaiting disability evaluation.

What is your assessment of the progress made to date by DOD, the Department of Veterans Affairs (VA), and the Services to improve the care, management, and transition of seriously ill and injured servicemembers and their families?

Answer. We have made substantial progress in medical care over the last 12 years of war. From first responder care to joint battlefield surgical care, from the Air

Force's enroute care to advanced rehabilitation provided by the Department of Veterans Affairs, the medical advances we've made are, quite literally, lifesaving and world changing. In other arenas, particularly those surrounding family and transition, we have been slower to make progress. We are structured to fight and win wars, but are not as well prepared to manage a large population of transitioning servicemembers. We are making progress within the boundaries of law, but I am committed to improving our efforts and results.

Question. What are the strengths upon which continued progress should be based?

Answer. We can make further progress by leveraging the collaboration on research and treatment between the private medical research and healthcare sectors and our Centers of Excellence. These partnerships have made significant strides in the care of our Wounded Warriors and on the health of our Total Force. We have successfully returned many of our Wounded Warriors to service. We have also established robust, day-to-day collaboration with the Department of Veterans Affairs. It is not uncommon for VA providers to speak directly to battlefield providers, and such end-to-end feedback directly benefits veterans' care. We also have uniformed servicemembers working in VA facilities and VA benefits personnel working in our medical facilities, to better serve the large population of servicemembers transitioning to civilian life.

Question. What are the weaknesses that need to be corrected?

Answer. Individual case management needs further improvement. This involves a servicemember transitioning from the Active Force to DOD retiree or eligible veteran status. The key components of this process remain the implementation of a single electronic health record, which follows the servicemember through transition, and a single tracking tool for case management. Our ability to communicate across our individual bureaucracies continues to be an area requiring our full attention and effort.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase support for wounded servicemembers and their families, and to monitor their progress in returning to duty or to civilian life?

Answer. As the conflict in Afghanistan winds down, I recognize the importance of preserving the knowledge, skills, and advances made in caring for our wounded servicemembers over the past decade. Last month, I asked the Defense Health Board to make a high priority the ability to sustain current practices and continuing advancements in treatment and rehabilitation for our seriously wounded servicemembers and their families.

Question. Studies conducted as a result of the revelations at WRAMC pointed to the need to reform the disability evaluation system (DES). The Integrated Disability Evaluation System (IDES) was established to integrate DOD and Department of Veterans Affairs disability systems to improve and expedite processing of servicemembers through the disability evaluation system.

What is your assessment of the need to further streamline and improve the DES?

Answer. In addition to the changes we have already made, Senator Dole's and Secretary Shalala's commission recommended further statutory changes to limit DOD to the "ability" business and of the VA to the "disability" business in keeping with each department's core competencies. I support their commission's recommendations. Barring legislative change to establish a single system, we have gone about as far and as fast as we can with separate processes and systems.

Question. If confirmed, how will you address any need for change?

Answer. I will continue to do my very best to expedite transition and disability processing within the bounds of law and my authorities. I will advocate for governance process improvements and other system upgrade to streamline and simplify the process.

SUICIDE PREVENTION AND MENTAL HEALTH RESOURCES

Question. The numbers of suicides in each of the Services continues to concern the Committee.

In your view, what role should the Joint Chiefs of Staff play in shaping policies to help prevent suicides both in garrison and in theater and to increase the resiliency of all servicemembers and their families, including members of the Reserve components?

Answer. The Joint Chiefs have a shared responsibility to address military suicides with the same devotion we have shown to protecting the lives of our forces in combat. I am working closely with the chiefs, our interagency partners, and the White House to increase our understanding of the factors leading to suicide and how to best leverage care networks to keep our servicemembers and veterans alive.

Question. If confirmed, what actions will you take to ensure that sufficient mental health resources are available to servicemembers in theater, and to the servicemembers and their families upon return to home station?

Answer. If confirmed, I will continue to champion the fielding of effective treatments for mental health issues, traumatic brain injury, and combat stress. This includes the robust system of behavioral health care resources that are already available in the Afghanistan Theater of Operations. I will also continue my support of the Services to reduce the stigma and remove barriers to seeking mental health services for both servicemembers and their family members. This effort must include steps to ensure subordinate commands praise help-seeking behavior and promote reaching out by providing examples of servicemembers who have benefitted from mental health assistance or counseling.

MILITARY QUALITY OF LIFE

Question. The committee is concerned about the sustainment of key quality of life programs for military families, such as family support, child care, education, employment support, health care, and morale, welfare and recreation services, especially as DOD faces budget challenges.

If confirmed, what further enhancements, if any, to military quality of life programs would you consider a priority in an era of intense downward pressure on budgets, and how do you envision working with the Services, combatant commanders, family advocacy groups, and Congress to achieve them?

Answer. The entire enterprise is under scrutiny, and we are seeking a way to balance the needs of providing security to the Nation and ensure the long-term viability of the All-Volunteer Force. Part of our evaluation has focused on providing a quality of life for servicemembers and their families that fosters successful recruitment, retention, and career progression. We are also looking to modernize and achieve fiscal sustainability for the compensation and retirement systems. The mental health of our servicemembers is also a priority. We will work to ensure that the downward pressure of budgets does not adversely impact this vital area. I have my Joint Staff positioned on working groups, task forces and other venues to work together with the Services and other concerned parties to ensure we keep faith with our military family in these areas.

FAMILY READINESS AND SUPPORT

Question. Military members and their families in both the Active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of growing concerns among military families as a result of the stress of frequent deployments and the long separations that go with them.

What do you consider to be the most important family readiness issues for servicemembers and their families?

Answer. According to recent Family Readiness surveys, military families are most concerned about pay and benefits and retirement. DOD is fully engaged through the Pay and Retirement Working Group, which feeds recommendations to the Military Compensation and Retirement Modernization Executive Committee to address these concerns. In my judgment, families are also attuned to the need for our compensation system to be sustainable.

Question. If confirmed, how would you ensure that family readiness needs are addressed and adequately resourced?

Answer. If confirmed, I will continue to support the Services as they assess military family needs and program effectiveness. Unsustainable costs and smaller budgets mean we must examine every warrior and family support program to make sure we are getting the best return on our investment. We must promote the most effective programs across the force and carefully reduce duplicative efforts. This ongoing effort includes current studies—via DODEA, DECA, and a number of university partnerships—to identify best practices and evaluate the value of existing programs. This effort also includes: the restructuring of medical facilities [included in the fiscal year 2014 budget] to make them more efficient, without sacrificing quality or continuity of care as well as fee adjustments that exempt disabled retirees, survivors of servicemembers who died on active duty, and their family members.

Question. How would you address these family readiness needs in light of global rebasing, deployments, and future reductions in end strength?

Answer. As stated above, if confirmed I will continue to work with the Services to meet the changing needs of our military families. Part of this effort involves working with the White House and the Services to support community-based partnerships to improve education, employment, and wellness support for current and

transitioning members. The Services have also adjusted force size and rotation, redoubled transition support, and invested in world-class health care for our wounded. This includes the fielding of effective treatments for mental health issues, traumatic brain injury, and combat stress. It also entails the push to reduce the stigma and remove barriers to seeking mental health services for both servicemembers and their family members.

Question. If confirmed, how would you ensure support is provided to Reserve component families related to mobilization, deployment and family readiness, as well as to active duty families who do not reside near a military installation?

Answer. We have a duty to ensure every family has access to quality resources, regardless of component or location. If confirmed, I will continue to support the Services' effort to leverage public-private partnerships within the communities. We will also continue to leverage the State Joint Force Headquarters of the National Guard to help members access child care, mental health services, employment opportunities and many other services that bolster family readiness.

Question. If confirmed, what additional steps will you take to enhance family support?

Answer. In my 2012 Strategic Direction to the Joint Force, I identified "Keeping Faith with our Military Family" as one of my four focus areas during my tenure as Chairman. Keeping faith with our military family recognizes the military family's extraordinary contributions, preserves trust, and supports them in the ways they need most. If confirmed, I will continue this focus with the Services. Today, we are actively involved in Family Support Working Groups, Resource Management Decision Working Groups and other venues to ensure program effectiveness, share best practices, and reduce duplication of efforts. America's citizens have also stepped forward. From the local to the national level, thousands of organizations, higher learning institutions, and businesses have partnered to support our Military Family.

OPERATIONAL ENERGY BUDGETING

Question. Since Congress created the Office of the Assistant Secretary of Defense for Operational Energy Plans and Programs, much progress has been made in a few short years in these programs.

In what specific areas, if any, do you believe the Department needs to improve the incorporation of energy considerations into the strategic planning and force development processes?

Answer. We have a comprehensive Department strategy which addresses energy challenges and leverages opportunities for the current and future force. For all new weapon systems, there is now an Energy Key Performance Parameter that must be considered during the system requirements process. Operationally, we are making strides to improve electrical generation efficiency in Afghanistan through the use of micro-grids, reducing the individual soldier battery requirements through solar power technology, and testing advanced renewable energy technologies in the battlefield environments. We have made much progress and will continue to focus on incorporating energy considerations in wargames and joint exercises in order to improve our strategic planning and force development.

Question. In what specific areas, if any, do you believe the Department should increase funding for operational energy requirements, energy efficiency, alternative energy, and renewable energy opportunities?

Answer. Each Service has invested significant resources to address operational energy requirements. My primary emphasis remains on reducing operational energy dependence to provide increased operational flexibility, combat effectiveness, force protection, and mobility options for Joint Commanders. I am focused on fully understanding the energy requirements of our Joint Force and will continue to support the Service initiatives to reduce our energy demands across the force.

LAW OF THE SEA CONVENTION

Question. You have previously expressed your support for U.S. accession to the United Nations Convention on the Law of the Sea.

Do you still believe that the United States should join the Law of the Sea Convention (LOSC), and, if so, why?

Answer. Yes, I testified in support of the United States becoming a party to the LOSC before the Senate Foreign Relations Committee in May 2012. Being a party to LOSC enhances the United States' security posture by reinforcing freedom of navigation and over flight rights vital to ensuring our global force posture and demonstrating our commitment to the rule of law. It strengthens our credibility and brings the full force of our influence in challenging excessive maritime claims.

DETAINEE TREATMENT POLICY

Question. Do you support the policy set forth in the July 7, 2006, memorandum issued by the Deputy Secretary of Defense stating that all relevant DOD directives, regulations, policies, practices, and procedures must fully comply with Common Article 3 of the Geneva Conventions?

Answer. Yes.

Question. Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the Department of Defense Detainee Program, dated September 5, 2006?

Answer. Yes.

Question. If confirmed, will you ensure that all DOD policies promulgated and plans implemented related to intelligence interrogations, detainee debriefings, and tactical questioning comply with the Common Article 3 of the Geneva Conventions and the Army Field Manual on Interrogations?

Answer. Yes.

Question. Do you share the view that standards for detainee treatment must be based on the principle of reciprocity, that is, that we must always keep in mind the risk that the manner in which we treat our own detainees may have a direct impact on the manner in which U.S. soldiers, sailors, airmen, or marines are treated, should they be captured in future conflicts?

Answer. I continue to share the view that the way in which we treat detainees may have a direct impact on the manner in which U.S. forces are treated should they be captured in future conflicts.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as Chairman of the Joint Chiefs of Staff?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR KAY R. HAGAN

ARMY CAMOUFLAGE PROGRAM

1. Senator HAGAN. General Dempsey, I understand the Army has conducted an extensive development program for the next-generation of camouflage patterns for combat uniforms. I commend the Army for working to ensure our warfighters have the best possible signature management and concealment in their combat ensembles. My understanding is that a decision has been made on the family of patterns that will be issued to Army soldiers but that the announcement has been delayed.

As we remain deployed in Afghanistan, I am concerned that this delay is preventing our soldiers from having the best camouflage possible. I am further concerned as this delay is having a severe impact on what is left of the industrial base in the United States that manufactures the textiles and uniforms that support the

armed services. Orders for the current Army camouflage pattern have slowed dramatically, as procurement officers have slowed purchasing so as to not have inventory of a soon-to-be obsolete pattern. This is causing layoffs and possible plant closings across the United States. What is the status of the Army camouflage program and when do they plan on making the announcement?

General DEMPSEY. Soldiers in Afghanistan are not at risk of harm associated with the current camouflage pattern. Deployed forces are provided the Operation Enduring Freedom Camouflage Pattern (OCP) uniform, with matching individual equipment. The OCP is the optimal camouflage solution for that operating environment and has proven effective in providing our soldiers with the necessary concealment capability.

The Army is nearing completion for the scientifically-based camouflage study, which constituted the most extensive uniform camouflage study ever undertaken with extensive soldier involvement. No final decision has been made regarding any camouflage pattern or the Army's timeline for introducing a future pattern uniform.

We recognize and are sensitive to the issues facing industry while this decision is pending. In anticipation of a potential pattern change, the Army has taken fiscally prudent steps to avoid building large inventories of uniforms and Organizational Clothing and Individual Equipment in the current Universal Camouflage Pattern (UCP) that would otherwise be rendered obsolete and require disposal. The Army's objective is to spend wisely, and thereby avoid having a large stockpile of items in UCP that may not be used.

AFGHAN WOMEN

2. Senator HAGAN. General Dempsey, Afghan women have made remarkable hard-fought strides since 2001. During my recent trip to Afghanistan and through other discussions here in Washington, I recently learned that we are beginning to terminate or descope many programs that are intended to build Afghan society, specifically programs involving women and domestic issues. The targets established by the Afghan Government for female recruitment to the Afghan National Security Force (ANSF) are 5,000 women in the Afghan National Police (ANP) by the end of 2014 and 10 percent of the overall Afghan National Army (ANA) force size. While cultural factors have made recruiting and retaining Afghan female police officers and army personnel more challenging, the effort to expand female participation in the ANSF is under-resourced and under-prioritized. Recent hearings have identified that there are numerous examples of descoping and cancellation of programs to support, recruit, professionalize, and train women in the ANSF.

Please provide your views on how best we can sustain and enhance our earlier efforts to recruit, train, and mentor women into the ANSF so that these hard-won gains will continue to benefit Afghanistan after our drawdown.

General DEMPSEY. There is no simple solution to an issue directly related to the cultural and social realities of Afghanistan. Current measures to ensure the continued recruitment of women for all elements of the ANSF must remain in place. Financial incentives and international encouragement will be the primary tools to promote the recruitment, support, and training of women in the ANSF. I see two elements that must be addressed to maintain progress. The first is maintaining the standards within the ANSF to ensure it remains a positive and respected organization with critical roles for women in the Army and Police. The second is sustainment and enhancement of ANSF public messaging and efforts to recruit and train women. Eventually, this could help to change the cultural acceptance of women serving in these roles within Afghan society. In any case, our continued involvement in the development of the ANSF is our best chance to encourage positive change in this issue over time.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

SEQUESTRATION AND A HOLLOW FORCE

3. Senator INHOFE. General Dempsey, in your professional judgment, are defense budget cuts currently hollowing out the readiness and training of our Armed Forces?

General DEMPSEY. Prior to sequestration, the Joint Force faced the simultaneous challenge of reconstituting the force and restoring its ability to conduct the full spectrum of operations—much broader operations than the limited mission conducted in Afghanistan. Now, with sequestration, we are prioritizing the readiness of our deployed and next to deploy forces at the expense of reconstituting the majority of the nondeployed force. While this approach provides ready forces to meet current and

near-term force requirements, it comes at the expense of modernization and future readiness. In broad terms, current defense budget constraints are creating a gap between our strategy and the means required to accomplish it. The cuts are deep. More challenging, they are historically steep. We are in fact hollowing out the readiness of the force.

4. Senator INHOFE. General Dempsey, has the President been made aware of this assessment?

General DEMPSEY. Yes.

5. Senator INHOFE. General Dempsey, if sequestration continues into 2014, will the hollowing out of the armed forces accelerate?

General DEMPSEY. I am very concerned about the loss of readiness across the Department. This challenge may not accelerate, but it is sure to persist.

The fiscal year 2013 sequestration cuts were not strategy based or strategy uniformed. The impact of sequestration and other budget constraints are beginning to emerge in unit level readiness reports. The longer-term effects caused by the cancellation of large force exercises and deferred maintenance are difficult to measure at this time but will certainly impose significant strain on long-term institutional readiness. The continuation of sequestration into 2014 will compound these effects since readiness and modernization are essentially the only levers available to achieve the magnitude of cuts required by the sequestration mechanism. By definition, continuation of sequestration will result in a less ready, less modern force. Due to the reality that it takes longer to restore readiness than it does to lose it, continued sequestration will pose institutional challenges far beyond 2014.

6. Senator INHOFE. General Dempsey, do you currently have a plan to reverse this deteriorating trend?

General DEMPSEY. One of the overarching priorities of the Strategic Choices and Management Review (SCMR) was to look first at savings gained from reducing overhead and structural costs ("tail") in order to minimize the impact on the capability and readiness of the force ("tooth"). As stated by the Secretary, a top priority in future year budget plans is to build a ready force. We have a responsibility to defend the country, no matter the size of our budget. The Services and defense agencies are now in the midst of determining the shape, size, and readiness of a military operating with severely reduced long-term funding.

A plan to "reverse" deterioration would depend on how long the sequestration mechanism remains in effect, how small we make the force, and how much savings we can harvest from institutional reform.

7. Senator INHOFE. General Dempsey, what has the Secretary's Strategic Choices review found with respect to risk for our military under sequestration? In other words, under sequestration, what can't we do that we must do?

General DEMPSEY. The SCMR showed that we will not be able to implement immediate significant cuts strategically. If significant and abrupt cuts are directed, we will risk fielding an unprepared force.

We are looking for ways to make these immediate cuts in the least damaging way, but because up to half of the Department's budget is placed off limits from savings—for example, we cannot generate quick savings from cutting personnel and infrastructure—the only way to implement an abrupt 10 percent reduction is to impose disproportionate reductions in training, maintenance, and investment. Readiness, in some cases, would continue to decline beyond current degraded levels. We would also be forced to make disproportionately large cuts in funding for modernization programs, eroding our technological superiority and damaging our Better Buying Power initiatives.

8. Senator INHOFE. General Dempsey, in addition to devastating readiness, how will the sequester in fiscal year 2014 impact the Department of Defense (DOD) plans in the Pacific? Army and Marine Corps end strength? The Joint Strike Fighter? Shipbuilding? Missile Defense? Military space programs?

General DEMPSEY. Over a longer term, sequester in fiscal year 2014 through fiscal year 2021 would seriously disrupt our forces and programs, requiring that we substantially modify and scale back the new defense strategy.

Continued sequestration would inevitably disrupt DOD's investment programs, including the Joint Strike Fighter, Shipbuilding, Missile Defense, and Military space programs. Under current mechanical rules that govern the sequester process, every one of our more than 2,500 procurement programs, research projects, and military construction projects would be indiscriminately reduced. Some military managers

would be forced to buy fewer weapons. Reductions in quantities will likely cause unit costs of weapons to rise, which will in turn demand further cuts in quantities.

9. Senator INHOFE. General Dempsey, in your advance policy question response you said: "The recent Strategic Choices and Management Review affirmed the fundamental soundness of the [January 2012] Defense Strategic Guidance," but you also said, "The Department is still in the process of determining what revisions might be necessary to align ends, ways, and means given the additional $500 billion in cuts," and " . . . we are at risk of strategy insolvency if sequestration is implemented as currently prescribed by law." You seem to be saying simultaneously that in the context of sequestration, our current strategic guidance works fine, is under revision, and doesn't work. Will sequestration require a new defense strategy? Please answer yes or no and explain why.

General DEMPSEY. Yes. Full sequestration will cause us to relook the Defense Strategic Guidance (DSG) in terms of changing objectives and timelines. The missions that the military is called to do were re-affirmed in the SCMR. However, to complete these missions successfully, with further reduced means resulting from sequestration, we will need to rebalance our ends, ways, and means. For example, there may be things that can no longer be done simultaneously due to readiness or availability of units at a given time. If we fail to adjust the ends and ways with the sequestration cuts that require $50 billion every year, the resulting decrease in readiness and modernization could render the existing strategy insolvent.

10. Senator INHOFE. General Dempsey, in your professional opinion, should defense strategies continue to be adjusted to meet diminishing budgets or should defense budgets be guided by a sound defense strategy that meets our national security objectives?

General DEMPSEY. We need to have a budget informed strategy, not a budget driven strategy. Our budget should be guided by an agreed upon strategy that meets our national security objectives. Adjusting our ends, ways, and means in order to maintain an acceptable balance is a part of any strategy; however, the strategy should not be derived solely from the budget.

11. Senator INHOFE. General Dempsey, in your view, do we have adequate and ready forces today to be able to simultaneously carry out operational plans for two major contingency operations? If not, how does this impact your assessment to commit forces to a major regional contingency?

General DEMPSEY. It would depend on which two major contingency operations, and the nature, size, and scope of the simultaneity and desired end states. We regularly conduct "bundled" plan assessments to determine our ability to meet simultaneous requirements of specific operational plans. In certain high priority, resource demanding and high consequence scenarios, we are challenged to meet the demands of our operational plans with adequate and ready forces. In these instances, we review the mitigation options and residual risk resulting from delayed timelines and modified objectives to assess the risk to forces and successful plan execution.

My assessment on the feasibility of committing force to contingencies is always informed by other global commitments and the degree to which our most important national security interests are effected.

DEFENSE STRATEGY

12. Senator INHOFE. General Dempsey, you talk about strategy in terms of balancing ends, ways, and means, and the need to balance ambition and means. This sounds eerily similar to the rationalization used by European nations to reduce defense spending to the extent that defense spending at 2 percent of Gross Domestic Product (GDP) is a distant memory and we are looking at an average of our allies that will approach 1 percent of GDP. Our defense strategy must address threats to national security. Do you agree that sequestration will result in unacceptable risk to the military's ability to address national security threats creating a situation of strategic insolvency?

General DEMPSEY. Sequestration's mechanism and magnitude, unmitigated, will increase risk to the military's responsibilities as they are currently defined and create unacceptable risk to our national security. My sense is that if sequestration continues the Nation will have a military that is increasingly unready, steadily losing technology overmatch to challengers and unable to maintain global presence and posture. It is a military that will be viewed with increasing concern by our longtime allies and with increasing satisfaction by our potential adversaries. It is a military

that will offer our civilian leaders fewer options and higher opportunity costs when they decide to employ military force. I will provide additional specifics related to impacts of sequestration in my next classified Chairman's Risk Assessment submitted with PB15.

13. Senator INHOFE. General Dempsey, if we continually rebalance ends, ways, and means due to resource constraints, our military strategy becomes resource-driven and not threat-driven, eventually resulting in a strategy that only works at the level of unacceptable risk. The Quadrennial Defense Review (QDR) is supposed to be threat driven by design. Are you committed to a QDR that provides recommendations that are not resource-constrained?

General DEMPSEY. I am committed to conducting the QDR in a manner that focuses on the threats in our current and predicted environment during the time horizon covered by the QDR.

14. Senator INHOFE. General Dempsey, how will you know when the risk to our national interests assumed by a reduction in defense budgets and a subsequent revised defense strategy becomes unacceptable?

General DEMPSEY. Risk to the strategy becomes unacceptable when we no longer have trained and ready troops to respond to contingencies that threaten our national security interests.

LEGACY

15. Senator INHOFE. General Dempsey, in your professional judgment, at full sequestration will the elimination of brigades, ships, and squadrons incur unacceptable risk to our national security by not having enough forces to carry out even one major contingency operation with enough reserves to deter a second adversary? For example, does a potential looming crisis or conflict with Iran constrain your options to take or propose other military actions due to resource limitations?

General DEMPSEY. I am concerned that full sequestration is significantly impacting military readiness, increasing risks especially in the event of multiple contingencies.

16. Senator INHOFE. General Dempsey, given the current path of the readiness of the armed forces, in your professional judgment, when will the Commander in Chief be at that point of making immoral decisions?

General DEMPSEY. Risk rises significantly when we no longer have trained and ready troops to respond to contingencies that threaten our national security interests. I am evaluating the impact of full sequester on readiness and plan to provide my assessment to Congress once complete.

17. Senator INHOFE. General Dempsey, while I understand that no military leader wants to shy away from a battle, whether it be with an adversary or otherwise, what would be your course of action if given an order to deploy troops into harm's way that are of insufficient numbers, degraded capability, or not ready?

General DEMPSEY. My military advice would depend on the nature of the threat. But let me assure you that if the Nation is threatened, we will deploy in its defense. That said, I am very concerned that we will have fewer options, that our deterrent effect will be diminished, and that military action will result in more casualties if we fail to maintain our high state of readiness because of budget uncertainty.

18. Senator INHOFE. General Dempsey, how will you know when this point has come?

General DEMPSEY. We are watching for several indicators. Sequester increases unready forces, misaligned global posture, reduced security cooperation, and decline of the All-Volunteer Force. I am especially concerned about the All-Volunteer Force. Today we have the most seasoned, professional military force in history. Budget reductions, inflexibility, and uncertainty increasingly threaten training, readiness, recruiting, and retention.

19. Senator INHOFE. General Dempsey, each American who is graced with the privilege to serve and sacrifice for this great Nation at some point becomes keenly aware of the history and legacy that they will leave to those that follow. What do you hope will be your legacy as Chairman of the Joint Chiefs of Staff and how do we avoid the legacy of being in charge during the age of a hollow force?

General DEMPSEY. Every military leader—myself included—works tirelessly to preserve the culture of service you describe in defense of our Nation. During this period of historic transition, I want to set the conditions for the force of tomorrow. The fiscal pressures we face increasingly challenge our ability to field a future force that is balanced and has sufficiently levels of readiness. To achieve this, we need the certainty of an approved budget, the flexibility to make tradeoffs, and time to absorb budget cuts. The responsibility for tomorrow's force rests on the efforts of us all—those in uniform and our elected officials.

READINESS AND FLYING HOUR CUTS

20. Senator INHOFE. General Dempsey, due to a recently approved reprogramming, the Air Force was able to move $208 million into flying hour funds. Why couldn't DOD do this before April 9, 2013? Was it due to a lack of flexibility in moving funds within the DOD budget?

General DEMPSEY. Yes, both the NDAA and fiscal year 2013 enacted budgets were 3 and 6 months late respectively, which resulted in a 6 month Continuing Resolution that limited our flexibility (transfer authority) to move money between major budget categories and into flying hour funds. The Air Force's limited Operations and Maintenance transfer authority of $15 million was insufficient to restore any reasonable portion of the $591 million flying hour reduction resulting from sequestration in fiscal year 2013. Consequently, the lack of flexibility and reduction in Operations & Maintenance funds resulted in the Air Force grounding some flying squadrons on April 9, 2013. The reprogramming action completed in July gave the Air Force the authority to shift $1.6 billion from other appropriations into critical Operations & Maintenance funds to minimize the impact on readiness, $208 million of which was applied towards the Air Force flying hour program.

21. Senator INHOFE. General Dempsey, I believe DOD was short approximately $11 billion in overseas contingency operations (OCO) funding and has requested that $9.6 billion be reprogrammed from the base budget. If DOD received full funding for overseas contingency operations, what impact would that have had on DOD operations and readiness as a whole, to include Air Force flying hours?

General DEMPSEY. The President's fiscal year 2013 OCO budget fully funded wartime operations based on our best estimates 2 years ago. However, during execution of the fiscal year 2013 budget in the spring of 2013, the Department identified a shortfall of between $7–$10 billion, conservatively, in OCO funds due to a combination of sequestration reductions against both the Base and OCO O&M budgets and higher than forecasted wartime operating costs, including fuel, retrograde transportation, etc.

To ensure we could properly conduct wartime operations and to help minimize some of the devastating impacts to base budget readiness, the Department requested $9.6 billion in reprogramming authority from Congress. Because it was unclear how much of the reprogramming action would be approved, the Services continued scrutinizing their budget activities to find additional resources to address the funding shortfall. Ultimately, Congress approved the majority of the requested fiscal year 2013 reprogramming actions, allowing the Department to appropriately fund wartime operations and mitigate a portion of the impacts to readiness in the Air Force Flying Hour Program. Ultimately, the curtailed readiness activities will have a cumulative effect in fiscal year 2014, which will be amplified with further sequestration.

22. Senator INHOFE. General Dempsey, how many additional hours will have to be dedicated to bring all these units and its aircrews back up to mission-ready status?

General DEMPSEY. As of today, there are 18 squadrons in the Air Force still flying at reduced levels of readiness. An additional 7,000 flying hours at a cost of $116 million above the PB14 request and 3–6 months would be necessary to bring these remaining 18 squadrons from current (lower than Basic Mission Capable) flying rates back to pre-sequester mission status (Combat Mission Ready flying rates).

Prior to sequestration, a substantial number of Air Force squadrons were already operating at lower than optimal goals due to previous Budget Control Act (BCA) reductions and the effects of long-term high operations tempo. On 9 April, a total of 31 squadrons were stood down, including 13 combat-coded (fighter, bomber, and AWACS) units and 18 institutional units (Weapons School, Aggressors, Thunderbirds, etc.). Through efficiencies and the $208 million from the DOD reprogramming request, the Air Force was able to shift funds and increase the flying rates of the

13 combat coded units back to Combat Mission Ready (CMR) rates for the remainder of fiscal year 2013. It will take 3–6 months at this CMR rate before these squadrons return to pre-sequestration mission ready rates. The efficiencies and reprogramming also allowed the remaining 18 institutional units to resume flying, albeit lower than Basic Mission Capable (BMC) rates.

The Air Force will continue to have readiness challenges due to the BCA and sequestration, beyond the units that were stood down. To bring all Air Force flying squadrons back to full mission readiness goals needed to meet Defense Strategic Guidance requirements, it would take approximately 2 years, an additional $3.2 billion per year in fiscal year 2014 and fiscal year 2015, and a reduction in current deployment tempo (e.g. deploy-to-dwell at 1:3 or better).

23. Senator INHOFE. General Dempsey, how much will that cost?

General DEMPSEY. As of today, there are 18 squadrons in the Air Force still flying at reduced levels of readiness. An additional 7,000 flying hours at a cost of $116 million above the PB14 request and 3–6 months would be necessary to bring these remaining 18 squadrons from current (lower than Basic Mission Capable) flying rates back to pre-sequester mission status (Combat Mission Ready flying rates).

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24. Senator INHOFE. General Dempsey, what happens to these units on October 1, 2013, when sequestration hits again?

General DEMPSEY. Given the nature of the cuts in fiscal year 2013, we had no flexibility in managing squadron readiness. If sequester hits in fiscal year 2014, we will be able to rotationally stand-down units, or fly them at reduced rates, similar to actions we took in fiscal year 2013. The net effect of cuts spread over the full fiscal year versus just 7 months will lead to readiness levels slightly higher than under sequester in fiscal year 2013, but still well below pre-sequester—and already sub-optimal—readiness levels. This will significantly erode our training and force development efforts, and increase risk in our ability to fill OPLAN and the Secretary of Defense ordered missions.

IRAN NUCLEAR WEAPONS

25. Senator INHOFE. General Dempsey, in your professional military opinion, do you think sanctions will prevent Iran from obtaining nuclear weapons capability?

General DEMPSEY. The United States and its allies have put in place against Iran tough, smart, and crippling sanctions. However, sanctions alone were not designed to, nor will they, prevent Iran from obtaining a nuclear capability. The purpose of these sanctions is to bring Iran back to the negotiating table with the P5+1.

26. Senator INHOFE. General Dempsey, what timeline do you think Israel is on for taking kinetic action after Prime Minister Netanyahu's remarks this weekend?

General DEMPSEY. We do not think Israel has made a decision to strike Iran. We fully support Israel's right to self-defense.

27. Senator INHOFE. General Dempsey, does a potential looming crisis or conflict with Iran constrain your options to take military action in other parts of the world due to resource limitations? Specifically, are you concerned that taking action in Syria, combined with readiness and resource impacts due to budget cuts and seques-

tration, invites too much strategic risk if friction with Iran results in a conflict in the Gulf as well?

General DEMPSEY. The Department maintains a robust military presence in the region to deter or counter destabilizing activities, reassure allies and partners, and safeguard the region's vital links to the international community. We are currently postured to respond to contingencies in the Gulf and are watching Syria very closely. Military involvement in Syria may impact contingency plans for Iran. The impacts depend on the level of military intervention. A small-scale intervention along the lines of training and equipping an opposition force would likely have little effect on our readiness vis-a-vis Iran. However, a larger scale intervention that entails implementing a no fly zone, suppressing enemy air defenses, and/or executing punitive strikes against regime forces will likely draw from resources that could be used in an Iran contingency. So, depending on the nature of the Iranian contingency, heavy involvement in Syria could strain our ability to sustain our forces simultaneously in the Gulf. Moreover, the risk could increase when readiness and resource constraints from the budget cuts are entered into the equation.

In terms of sequestration, a reduction of U.S. force presence in the Middle East (due to sequestration) will degrade military options to respond to contingencies, place U.S. interests, citizens, and military forces at higher risk, and strain relationships with regional partners. This in turn, will reinforce Iranian beliefs that U.S. threats of military action lack credibility and may strengthen Iranian resolve in P5+1 negotiations and embolden Iran to increase activities that destabilize the region. These effects go well beyond Iran and will decrease DOD options to shape and react to future events as well as weaken mil-mil relationships with regional partners, which U.S. foreign policy has often leveraged for broader diplomatic gains.

MILITARY ASSISTANCE TO EGYPT

28. Senator INHOFE. General Dempsey, the Egyptian military seems to be the primary stabilizing institution in Egypt. What is your position on whether or not we should cut off aid to the Egyptian military?

General DEMPSEY. The situation in Egypt is rapidly evolving. Ultimately, the decision to extend military aid to Egypt rests with the President. I believe we must remain engaged with the Egyptian military at some level.

29. Senator INHOFE. General Dempsey, if aid is cut off, should we restore it as soon as possible?

General DEMPSEY. If the decision is made to terminate or suspend aid to the Egyptian military, we should make it clear from the start under which it will be restored.

MILITARY OPTIONS IN SYRIA

30. Senator INHOFE. General Dempsey, has the President given you specific objectives in Syria that your military options should support—or has he only asked you for military options?

General DEMPSEY. The President has articulated his priorities and what he views as our core national interests in Syria. Likewise, the NSS has described a set of objectives which were derived from these core national interests. In support of these objectives, we have developed a range of military options.

31. Senator INHOFE. General Dempsey, if no U.S. military action is taken to alter the balance of military power between Assad and the armed opposition, what does the military think the most likely outcomes are?

General DEMPSEY. The crisis in Syria is tragic, dynamic, and complex. It is a deeply-rooted, long-term conflict among multiple factions that will continue to fight after Assad's rule ends. The Syrian people face a long and difficult struggle. Potential outcomes could include the status quo, increased spillover in the Levant that compels a regional actor to attempt to alter the balance between the Regime and the opposition, or the fracturing of the country into sectarian based provinces.

32. Senator INHOFE. General Dempsey, in your professional military opinion, what are the military options that could best accomplish changing the balance of military power between the Assad regime and the armed opposition without boots-on-the-ground, assuming: (1) vetted rebels are provided with light arms and anti-tank weapons and training; (2) no kinetic action against Syrian integrated air defense system; (3) limited strikes in Syria would be allowed as would flight into Syrian air-

space; (4) airstrikes would last no more than 2 weeks; (5) collateral damage to civilians is to be minimized. Under those parameters, assuming legal justifications were in place: (1) what could you accomplish in terms of altering the balance of military power; (2) what lines of military effort would you recommend; (3) what are the risks associated with those lines of effort; and (4) what is the cost of your recommended course(s) of action? Please provide an assessment of the impact on your ability to handle an Iranian conflict following such an action.

General DEMPSEY. Within the framework and the constraints and objectives articulated above, there are military options available, which we have fully briefed to the national security staff.

At the unclassified level, these options would include strikes with standoff weapons on key Syrian Regime infrastructure, logistics nodes, and combat forces command and control nodes that could degrade regime forces. Striking attack helicopters on their ramps with standoff weapons would have an important impact on regime close air support capability, though the locations of those helicopters varies. Contrary to what some have suggested, although fixed wing tactical aircraft are being used by the regime against the opposition, they are not the principal firepower element being used to target the opposition. For this reason, striking runways, again as some have suggested, is not an optimal use of expensive standoff weapons, to say nothing of the fact that the regime would rapidly repair runway damage and resume operations. While the above strikes would have an effect on the balance of military power, they are not likely to be decisive.

Rather, the regime is primarily targeting the opposition through artillery and rocket attacks and ground forces operations. We believe that suppressing these attacks would require a campaign that would roll-back certain (though not necessarily all) elements of the integrated air defense system and subsequently enable a campaign against Assad's ground forces. Details of such a campaign would be classified, but such a campaign is feasible. Contrary to depictions of our prior responses as involving a massive campaign, this would not require enormous resources, but would require a moderate number of ISR, tactical aviation, and traditional support aircraft such as tankers, AWACS and personnel recovery resources, as well as regional bases and defenses for those bases. Principal risks to this approach would be: (a) the risk of retaliation from Syria against regional partners and U.S. bases within those countries; and (b) the risk to U.S. aircraft from mobile surface-to-air missile systems.

To effect a positive and longstanding result, U.S. support should contribute to enabling a substantial number of moderate opposition fighters over an extended period of time. Such an endeavor to build a moderate opposition force capable of defeating regime forces and consolidating and holding territory would require at least 2 years. This extended large-scale train and equip effort is probably the wisest course of action; however, it is not without substantial obstacles. Preferably, strikes would be deferred until an opposition force is capable of maintaining and exploiting at least some of the gains provided by the strikes.

The two options outlined above could complement one another and cause the balance of military power to shift. However, we believe it is unrealistic to expect this shift to occur rapidly. Both sides are in an existential struggle for survival, and have demonstrated considerable resiliency. We are concerned that some consider such a campaign to be easy. Once the first 2 weeks pass without a clear solution to the conflict, there would most certainly be an appetite for more action. Thus, we need to understand that the United States would likely be drawn into a protracted conflict, and would need to be prepared for the expense and follow-on actions in a post-Assad Syria that would likely be demanded.

Finally, we need to be prepared to fund either or both options. Our initial estimate for a train and equip mission is in the hundreds of millions dollars per year. The cost of the strikes depends on the number of munitions expended, but costs would start in the tens of millions and could easily increase to hundreds of millions.

Regarding Iran, we are currently postured to respond to contingencies in the Gulf and we monitor Iranian actions very closely. If action against Iran were sequential to action in Syria, we would use forces already anticipated for such a conflict. If such action were to occur in parallel, some of the forces we would deploy would not be at optimal levels of readiness.

AFGHANISTAN POST-2014 TROOP PRESENCE AND BILATERAL SECURITY AGREEMENT

33. Senator INHOFE. General Dempsey, is the zero option of no U.S. troops in Afghanistan after 2014 a real option given the results we have seen in Iraq with a similar precipitous withdrawal?

General DEMPSEY. We have presented the President with a range of options to consider. I have not been asked to prepare a zero option, nor do I recommend one. Our post-2014 presence will be predicated on a number of things, including the ongoing Bilateral Security Agreement (BSA) negotiations, performance of the ANSF, and an invitation from the government of the Islamic Republic of Afghanistan. We also developed a complementary drawdown plan that would support a range of options, with mitigating factors included.

34. Senator INHOFE. General Dempsey, what mission sets and commensurate levels of troops do you recommend for Afghanistan post-2014?

General DEMPSEY. Our post-2014 mission will be to train, advise, assist, and counter terrorism. Several factors determine the size of the post-2014 mission, including the continued progress of the ANSF and the level of train, advice, and assist required to further that progress, the outcome of the BSA negotiations, and threat assessments. In addition, the North Atlantic Treaty Organization (NATO) is currently in the planning stages for post-2014 Resolute Support Mission, of which the United States will be the leading troop contributing nation. We assess that a range of 8–12K will be required.

35. Senator INHOFE. General Dempsey, General Dunford says that above all, the Afghans need to know the United States is committed to an enduring partnership. It would seem that announcing a desired number of U.S. troops in Afghanistan post-2014, pending successful BSA negotiations, would send a strong message—when will the administration announce the desired troop levels for post-2014?

General DEMPSEY. The United States has been extremely clear in our commitment to the people of Afghanistan post-2014. I have recommended that the administration announce U.S. troop levels for post-2014 after the conclusion of the BSA and formal invitation by the President of Afghanistan to remain.

36. Senator INHOFE. General Dempsey, after letting the Taliban raise the flag and the country name they used when they governed Afghanistan on the political office the United States helped arrange in Doha, Qatar, the Afghan people and President Karzai were understandably upset. Are the chances for a U.S.-led peace process, or reconciliation process, dead?

General DEMPSEY. While the reconciliation process in Afghanistan has thus far been exceedingly complex and challenging, is has not stopped moving forward. It remains an important element of fostering stability in Afghanistan. We will continue to support our Afghan partners in their efforts to meet with the Taliban and reach a political settlement that provides peace and security for the people of Afghanistan.

37. Senator INHOFE. General Dempsey, are we forcing this issue and doing more harm than good?

General DEMPSEY. A reconciliation process inevitably introduces additional complexity into internal conflict in any nation, as well as uncertainty among the elements making up both sides of the conflict. There will be both progress and setbacks along the way in any such negotiation process. Afghanistan is no exception. Nonetheless, a political solution has been required to end most insurgencies (witness the ongoing process in Colombia), and we support reconciliation as a part of the end game solution in Afghanistan. The Department of State is taking the necessary measured steps to support the peace process. A reconciled Afghanistan is in the best interest of all parties involved. President Karzai acknowledges this, and continues to encourage the peace process, albeit on his terms.

U.S. AFRICA COMMAND

38. Senator INHOFE. General Dempsey, what is your threat assessment of U.S. Africa Command's (AFRICOM) area of responsibility (AOR)—is the threat growing, stabilized, or receding?

General DEMPSEY. [Deleted.]

39. Senator INHOFE. General Dempsey, do you believe we have the forces in place in U.S. European Command (EUCOM) and AFRICOM to be able to both remain engaged in Africa and respond, if necessary, to threats as they evolve?

General DEMPSEY. DOD is prepared to respond to threats and crises as they arise while remaining engaged in AFRICOM and EUCOM.

AFRICOM forces remain engaged in priority missions such as countering violent extremist organizations and partnership building within Africa, in accordance with

the President's priorities for the continent. Meanwhile, we have taken a number of steps to be better prepared for crisis operations, particularly in Northern Africa. For example, the Marine Corps has resourced additional Marine Security Guard (MSG) Detachments to meet regional threats and address Department of State security concerns. While relieving an embassy under attack is highly complex, we also maintain Marine FAST platoons and other forces in the region to be able to rapidly reinforce an embassy in advance of a problem. Among these forces is a dedicated Special Marine Air Ground Task Force-Crisis Response (SPMAGTF–CR) in Spain capable of quickly responding to a variety of threats in Africa or Europe.

DOD has also developed and adopted rules that will allow force sharing between combatant commands (COCOMs) for brief durations to ensure rapid response in the event of a crisis. DOD and the Department of State work together to ensure that high risk facilities are properly secured with DOD support, as required. Finally, DOD monitors specified crisis response forces throughout the world and makes adjustments to position and posture forces based on threat requirements.

40. Senator INHOFE. General Dempsey, do you believe we have dedicated enough intelligence assets to the continent of Africa?

General DEMPSEY. [Deleted.]

41. Senator INHOFE. General Dempsey, what is you assessment of combining AFRICOM with EUCOM?

General DEMPSEY. Assigning combatant commands under the current structure has led to productive engagement, planning, and operations in the respective areas of responsibility. However, depending on the magnitude of budget cuts to DOD, we may need to consider combatant command consolidations among a number of other difficult staff consolidation and reduction decisions. Combining AFRICOM and EUCOM would be one of several options we would consider.

CIVILIAN FURLOUGHS

42. Senator INHOFE. General Dempsey, what can DOD do to end civilian furloughs now?

General DEMPSEY. The Secretary of Defense instructed all components to monitor funding closely for the remainder of fiscal year 2013. On 6 August, the Secretary announced that this goal was accomplished, and reduced the total furlough days for most civilians from 11 to 6 days. None of us want to see this occur again in 2014, but the sequestration reductions will be more severe next year than this year.

43. Senator INHOFE. General Dempsey, will DOD use civilian furloughs next year to cut personnel costs?

General DEMPSEY. The $37 billion in fiscal year 2013 budget cuts mandated by sequestration, combined with short timelines that limited our options, were a major cause of these furloughs. We would hope to avoid furloughs in the future because of their deleterious effects on morale and their potential to cause our best civilians to seek employment elsewhere. However, a $52 billion sequestration top line cut in fiscal year 2014 would perpetuate our readiness shortfalls, likely requiring additional civilian personnel actions. These actions could include furloughs, but we believe under a longer-term view would more likely be weighted towards reductions in civilian billets leading to a reduction-in-force action.

44. Senator INHOFE. General Dempsey, how long will it take before you realize this is a penny-wise pound-foolish approach to cost savings?

General DEMPSEY. We already realize the drawbacks of civilian furloughs—they are as distasteful to us as any other budget reduction mechanism. However, in fiscal year 2013, sequestration was applied by congress on a short timeline, limiting our options and resulting in drastic measures like readiness stand-downs and furloughs that were not strategically or managerially sound. To avoid even more far reaching effects on training, we furloughed most of our civilian employees for up to 6 days. This impacted morale and productivity in most of our support operations, but we were left with no other alternative in finding $37 billion in savings in such a short period of time.

Going forward, the SCMR has defined the decision-space faced by the Department's senior leadership. This, in turn, will inform the Services and defense agencies in developing their fiscal year 2015–2019 budgets later this year, as well as ultimately inform the Department's next QDR early next year.

SEXUAL ASSAULT

45. Senator INHOFE. General Dempsey, at the hearing on June 4, 2013, concerning sexual assault, you committed to review what our allies have done to structure their military justice systems. Have you had an opportunity to review the military justice systems of our allies?

General DEMPSEY. My legal counsel has personally met with representatives from the UK, Canada, Australia, New Zealand, Germany, and the Netherlands to discuss their military justice systems. He has briefed me and issued a written assessment of his review to Congress. In addition, I have spoken to several of my counterparts.

46. Senator INHOFE. General Dempsey, what have you learned about those systems and why they were changed?

General DEMPSEY. In most or all of their systems, commanders retain the ability to deal with minor military infractions through summary proceedings, analogous to our nonjudicial punishment system or adverse administrative actions.

- None of our allies mentioned above retain the commander in the role of the convening authority; however, this was not done in response to sexual assault. Most or all of their systems were changed in order to better protect the rights of the accused, often in response to judicial challenges.
- There is no analytic evidence to suggest that the changes they made improved reporting, investigation, or prosecution.
- Our allies' militaries are much smaller, and thus do not handle the volume of military justice cases that the U.S. Armed Forces do. Many of their systems do not allow for expeditionary justice (in combat or deployed environments) or are incapable of doing so.

IMPACT OF SENATE APPROPRIATIONS COMMITTEE FUNDING REDUCTION FOR B–61 BOMB

47. Senator INHOFE. General Dempsey, what are the military and geo-political implications of the Senate Appropriations Committee's recommendation to reduce funding for the B–61 Life Extension Program (LEP) by $168 million?

General DEMPSEY. A $168 million reduction to the B–61 LEP would slip the delivery of the first production unit past fiscal year 2019 and impact our commitment to our NATO and Asian allies. Additionally, the Commander of U.S. Strategic Command stated that the program is important to the long-term viability of the B–2A strategic mission and is needed regardless of changes to NATO commitments.

This reduction would also limit the DOD and Department of Energy from leveraging interoperable technology for other strategic weapons. We would need to adjust the budget and scope for those programs, resulting in delays to the overall Nuclear Weapons Council Baseline Plan.

RELIGIOUS EXPRESSION

48. Senator INHOFE. General Dempsey, have the Armed Forces gone too far in suppressing religious expression?

General DEMPSEY. No. DOD continues to place a high value on the rights of all military servicemembers to practice their faith and observe the tenets of their respective religions, to include the right to hold no religious beliefs. Whenever possible, commanders approve requests for accommodation of servicemembers' religious practices. This is both our policy and our practice.

49. Senator INHOFE. General Dempsey, if a soldier's religious faith is an important part of their resilience in dealing with the stresses of military service, is there any reason why they should be prohibited from fully exercising that faith and sharing it with others in the Services?

General DEMPSEY. We recognize that the spiritual dimension and religious faith do indeed play an important role in building and enhancing resilience for a number of our servicemembers. Commanders are conscientious about allowing them to practice their faith. We also know that some of our servicemembers do not hold to any particular religious belief, and we respect their rights as well. The only reason why a servicemember may be unable to fully exercise his or her faith or to share that faith with others is if doing so would have an adverse impact on mission accomplishment, military readiness, unit cohesion, standards, or good order and discipline. Servicemembers are free to share their faith with others, but must not force unwanted, intrusive attempts to convert others of any faith or no faith to one's beliefs.

50. Senator INHOFE. General Dempsey, since the Services still respect the rights of Americans to not bear arms in national defense because of sincerely held religious beliefs, is it not just as important to respect the rights of those to serve to express their religious beliefs?

General DEMPSEY. Yes. DOD does respect the rights of all servicemembers to hold and express sincere religious beliefs. Granting conscientious objector status, to which your question appears to refer, is but one example of how seriously U.S. military leadership takes the rights of its members to hold and express sincere religious, moral, and ethical beliefs. By both policy and practice, commanders are committed to ensuring members of the U.S. military of deep religious faith, as well as those of no religious faith, can serve in a climate of mutual respect and trust.

51. Senator INHOFE. General Dempsey, should a military chaplain be allowed to express the views of their faith in performing their official duties, even if those views are not shared by all?

General DEMPSEY. Yes. U.S. military chaplains are not restricted in expressing the views of their faith. They enter the military as fully qualified religious ministry professionals who represent specific religious organizations. Chaplains perform all the offices, functions, sacraments, ordinances, and ceremonies required of a ministry professional for that religious organization. Chaplains are also trained to offer religious ministry to, and be respectful of, those of all faiths and those of no faith. Chaplains volunteer for Military Service with the understanding that they will be required to function in a pluralistic environment. They willingly support the free exercise of religion by all members of the Military Services, their family members, and other persons whom they are authorized to serve.

WOMEN IN COMBAT

52. Senator INHOFE. General Dempsey, assuming a person meets the necessary high physical standards that the Services are developing for troops in frontline combat units, is it your professional military opinion that both men and women must be allowed to be assigned to those units?

General DEMPSEY. The elimination of the 1994 Direct Ground Combat Definition and Assignment Rule which provides greater flexibility assigning the best qualified individuals where they are needed most regardless of gender. Greater flexibility and wider pool of skilled personnel creates a more agile and responsive force generation model for greater readiness.

53. Senator INHOFE. General Dempsey, is it your professional military opinion that our Nation should put women, based solely on meeting objective physical standards, in frontline combat positions against a potential enemy that will seek to exploit captured American women soldiers in an unspeakably cruel fashion with the goal of undermining our national will to engage in combat?

General DEMPSEY. As the Services review their standards for each military specialty, they are considering several criterion. Physical capability is just one of those. Our women in uniform are vital to mission readiness. The Department is committed to removing any barriers that prevent servicemembers from rising to their highest potential, based on their ability and not constrained by gender-restrictive policies. This is also in part due to the realization that the character of warfare has changed. Combat is far more fluid and asymmetrical where the distinctions between frontline, direct combat areas and rear, support areas no longer exists. Any decision regarding the assignment of women to combat-related duties or to combat units should be based on our obligation to maintain a high state of mission readiness and should be approached carefully and deliberately.

54. Senator INHOFE. General Dempsey, is there any place in your analysis of the potential role of women in combat, to objectively consider women's health, privacy, and cultural issues in the ultimate decision whether to assign women to frontline combat units?

General DEMPSEY. Yes. The health, privacy and culture of women in combat are not new factors in determining how we employ women in the military and will be considered during our assessment. Ultimately the guiding principles we established at the onset will determine how we employ women in the future.

- Preserve unit readiness, cohesion, and morale.
- Ensure the opportunity to succeed with viable career paths.
- Retain the trust and confidence of the American people by promoting policies that maintain the best quality and most qualified people.

• Validate occupational performance standards, both physical and mental, for all military occupational specialties.
• Ensure a cadre of midgrade/senior women enlisted and officers are assigned to commands at the point of introduction to ensure success in the long run.

TRICARE FEES

55. Senator INHOFE. General Dempsey, prior to sending fee increase proposals to Congress, why doesn't DOD sit down with beneficiary associations and Congress to design fee increases that are reasonable and acceptable to everyone?

General DEMPSEY. Military health benefit reform has been shaped over the last 8 years by program and policy experts, Members of Congress, constituencies, and subject matter experts from within and outside of the Department. The Department's proposals have been and will continue to be based on sound principles, as well as feedback from these stakeholders.

56. Senator INHOFE. General Dempsey, it seems to me that DOD should wait on the Military Compensation and Retirement Modernization Commission to report its recommendations before asking Congress to make piecemeal changes to personnel benefits. Do you agree or disagree, and why or why not?

General DEMPSEY. The Commission has a unique opportunity to make real and substantive change. We also recognize that comprehensively reviewing all areas of military pay and benefits, developing recommendations for change, and vetting them within DOD and with other Departments takes time. We would like to take that time, but sequestration has radically changed the budget reality and demands more rapid action from the Department and Congress if we are to sustain long-term readiness and modernization.

57. Senator INHOFE. General Dempsey, wouldn't development of a comprehensive package of compensation and retirement benefit changes, to include health benefit changes, make more sense rather than a piece-meal approach that wouldn't get us to an optimal solution for controlling DOD's sky-rocketing personnel costs?

General DEMPSEY. If we had the luxury of time to allow development of a comprehensive package before making any changes, we would support it. However, given the enormous pressure the DOD budget is under, we need to act with urgency on both efficiencies and compensation reform if we are to maintain an acceptable level of military capability, capacity, and readiness to be able to conduct our military missions. I am not convinced that there is excessive risk in getting compensation and benefits under control through carefully, but quickly, considered individual actions.

ADEQUATE FORCES

58. Senator INHOFE. General Dempsey, in your professional judgment, how far can we go with the elimination of brigades, ships, and squadrons before we incur unacceptable risks to our national security?

General DEMPSEY. The SCMR's purpose was to look at these numbers. We are taking the SCMR results and continuing to analyze impacts and assess options. The QDR will use the foundations that the SCMR provided to best determine how far we can go without reaching unacceptable risk.

59. Senator INHOFE. General Dempsey, aside from the issue of the hollowness of our forces, will sequestration require the elimination of more brigades, ships, and squadrons to the point where we will not have enough forces to carry out even one major contingency operation with enough Reserves to deter a second adversary?

General DEMPSEY. No, I do not believe that we will reach that point. As long as we have access to the Reserves, we will have enough forces to deter a second adversary; however it will take time to ensure they are fully trained and ready for the contingency along with the time to get them from the homeland to the fight. In essence, we will be able to do fewer things simultaneously, and new contingencies may force us to take risk in other regions. We will be less flexible. That much is clear.

60. Senator INHOFE. General Dempsey, does a potential looming crisis or conflict with Iran constrain your options to take military action in other parts of the world due to resource limitations? Specifically, are you concerned that taking action in Syria, combined with readiness and resource impacts due to budget cuts and seques-

tration, invites too much strategic risk if friction with Iran results in a conflict in the Gulf as well?

General DEMPSEY. We are currently postured to respond to contingencies in the Gulf and are watching Iran very closely. Any use of additional forces than those that are deployed right now or those that are next to deploy will require time to train and equip to ensure they are ready to respond as replacements and this will cause increased stress on the force in regards to dwell time. However, our global reach and strike capabilities contribute to our ability to deter and assure, helping to mitigate this concern.

ARMY END STRENGTH AND MISSION EXECUTION

61. Senator INHOFE. General Dempsey, can you provide us an assessment of the impact of the reduction of 10 Brigade Combat Teams (BCT) on DOD's ability to meet the requirements of the National Military Strategy (NMS)?

General DEMPSEY. These BCT reductions will reduce the part of the force that the Army actually increased over the last 10 years to fight our wars. With the planned drawdown of these forces, and the conclusion of two long-term stability operations, we can manage our strategy with the reductions the Army has planned. Also, the Defense Strategic Guidance deemphasized long duration stability operations and reinforced the importance of defeating and denying the objectives of an adversary. The Army is realigning and resizing consistent with this guidance.

62. Senator INHOFE. General Dempsey, what are your concerns with regards to the reduction of 10 Army BCTs?

General DEMPSEY. As these reductions are driven by the Army's drawdown of its temporary endstrength and are consistent with the Defense Strategic Guidance, I am not overly concerned with this reduction in forces. I am concerned that sequestration will force further reduction of ground forces end strength that decreases military options available to respond to contingencies and increase risk to the force.

63. Senator INHOFE. General Dempsey, what is your position regarding a reduction of 100,000 soldiers should the full effects of sequestration go into effect?

General DEMPSEY. Our Nation needs an Army that can conduct full spectrum operations as part of the Joint Force to meet the NMS objectives. It must be appropriately sized, structured, and equipped in order to defend the Nation and defeat our adversaries. We grew ground forces to meet the large requirements of OIF and OEF. As this war period comes to a close, we are assessing what is needed for the future in the context of constrained resources. My instincts are that a reduction of ground forces to levels required by full sequestration would pose significant risk to our national security.

64. Senator INHOFE. General Dempsey, please provide an assessment of the impact of the reduction of 100,000 soldiers on DOD's ability to meet the requirements of the national military strategy.

General DEMPSEY. At full sequestration, our national military strategy will need to change.

65. Senator INHOFE. General Dempsey, what are your views regarding the mix of Active and Reserve Force structure should the Army be forced into reduction of another 100,000 soldiers?

General DEMPSEY. The Army uses an established, comprehensive, and transparent process to determine the optimal number and mix of Active and Reserve component forces. We will need to work together to emerge with the right mix of capabilities and capacity to accomplish core missions with acceptable risk in accordance with the Defense Strategic Planning Guidance (DSG).

QUESTIONS SUBMITTED BY SENATOR ROGER F. WICKER

UH–1N REPLACEMENT OPPORTUNITIES

66. Senator WICKER. General Dempsey, as evidenced by the recent relief of 17 officers at Minot Air Force Base and the reports of the Defense Science Board (DSB) Standing Task Force on Nuclear Weapons Surety, there is still a serious neglect of priority and budget for the sustainment of the Air Force's Priority One Nuclear Enterprise. This lack of prioritization and resourcing manifests in a nuclear enterprise that continues to conduct critical mission activities with outdated and insufficiently

supported aircraft and ground vehicles, to include the woefully inadequate 40-plus-year-old UH–1N helicopter.

The Air Force has acknowledged the need to replace the UH–1N for over a decade. The aircraft's inadequate speed, range and payload, and obsolescent sensors and monitoring equipment are well-documented. The use of an antiquated airframe such as the UH–1N to provide security for Intercontinental Ballistic Missile (ICBM) sites reflects a lack of proper resource prioritization by DOD.

As Chairman and Vice Chairman of the Joint Chiefs, you are required to provide cross-Service oversight and recommendations that lead to the most effective and efficient use of the greater defense industrial capabilities. There are inexpensive and cost-effective solutions available to replace the Vietnam-era Huey being fielded by other Services that are far more reliable, capable, and safe.

As demonstrated in the Senate Armed Services Committee markup of the NDAA for Fiscal Year 2014, I would like to understand the current plan for replacing the existing UH–1N fleet. In addition, I would like your commitment that this issue will be addressed in the upcoming fiscal year 2015 budget submittal. Despite being an Air Force priority for over 10 years, why has the replacement of the UH–1N fleet not been realized?

General DEMPSEY. The requirement for a more responsive capability to meet ICBM security needs remains valid, but budget constraints in both the near-term and the foreseeable future make committing to new acquisition programs challenging. A formal replacement strategy for the UH–1N is due to the SASC on February 1, 2014. As potential solutions, the Air Force is pursuing a variety of replacement options to include Excess Defense Articles at low or no cost. We remain committed to remaining involved and attentive to this requirement.

67. Senator WICKER. General Dempsey, the leadership of Air Force Global Strike Command (AFGSC) recently commented that: "I have had an urgent and compelling need since 1996 in terms of speed, range, and payload . . . the UH–1 does not meet the need. How much longer are we willing to wait and take this risk?" Has there been any change to the ICBM security force posture that you believe makes the replacement of the UH–1 less compelling or a more acceptable security risk?

General DEMPSEY. No, the ICBM security force posture has not changed. The requirement to replace the UH–1s remains valid. However, based on budget constraints, the Air Force currently plans to sustain the UH–1 for another 6–10 years vice replacing them. The Air Force will mitigate risk by upgrading UH–1 cockpits and making them night-vision-compatible combined with other critical safety improvements. The Air Force also recently received three UH–1s from the Marine Corps, which will increase capacity and availability. In addition, the Air Force and Army are examining options for the Army to transfer additional UH–1s to the Air Force.

68. Senator WICKER. General Dempsey, there are aircraft being fielded by DOD today that are significantly more capable and less costly to own and operate than the UH–1N. In your leadership role on the Joint Requirements Oversight Council (JROC), have you, or will you, direct the Air Force to prioritize consideration of in-production DOD aircraft as a replacement for the UH–1 rather than continue to assume the associated security risks?

General DEMPSEY. The JROC does not direct service acquisition decisions. Rather, it defines and validates Joint force requirements that are then submitted to both budget and acquisition processes. The JROC does validate the results of analyses of alternatives, and will be alert to consideration of all possible alternatives, including in-production aircraft. When the decision is made to replace the UH–1N, a full and open competition will be conducted to find the helicopter that meets the mission requirements and provides DOD the most capable replacement at the most economically feasible cost. This may ultimately be an aircraft that is already in production, but those efficiencies will be evident through the proper source selection process.

69. Senator WICKER. General Dempsey, the Combat Rescue Helicopter (CRH) mission requirements were determined to be overly robust and expensive to justify the CRH's use for the domestic support missions currently conducted by the UH–1N. There is concern that the lack of urgency regarding fielding of a UH–1 replacement may indicate an attempt to merge CRH and UH–1N missions in the future. Did the JROC review of the CRH program validate any requirement to provide site and convoy security for the Nation's ICBM force or for supporting the Air Force District of Washington VIP airlift/evacuation missions currently supported by the UH–1N?

General DEMPSEY. The CRH's primary mission is to recover isolated personnel from hostile or denied territory. It will also execute humanitarian missions, civil

search and rescue, disaster relief, casualty/medical evacuation, and non-combatant evacuation operations. CRH is not being produced to replace the UH–1N; rather it will replace the Air Force's aging HH–60G Pave Hawk helicopter fleet. Thus, JROC review and validation of the CRH requirements did not include missions currently supported by the UH–1N, such as providing site and convoy security for the Nation's ICBM force or supporting the Air Force District of Washington VIP airlift/evacuation missions. However, this would not preclude the CRH from being called upon to execute missions currently being performed by other vertical lift platforms.

[The nomination reference of GEN Martin E. Dempsey, USA, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 24, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment as the Chairman of the Joint Chiefs of Staff and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 152 and 601:

To be General

GEN Martin E. Dempsey, 8511

[The biographical sketch of GEN Martin E. Dempsey, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF GEN MARTIN E. DEMPSEY, USA

Source of commissioned service: USMA

Educational degrees:

U.S. Military Academy - BS - No Major
Duke University - MA - English
U.S. Army Command and General Staff College - MMAS - Military Arts and Sciences
National Defense University - MS - National Security and Strategic Studies

Military schools attended:

Armor Officer Basic and Advanced Courses
U.S. Army Command and General Staff College
National War College

Foreign language(s):

French

Promotions:

Promotions	Date of Appointment
2LT	5 Jun 74
1LT	5 Jun 76
CPT	8 Aug 78
MAJ	1 Sep 85
LTC	1 Apr 91
COL	1 Sep 95
BG	1 Aug 01
MG	1 Sep 04
LTG	8 Sep 05
GEN	8 Dec 08

Major duty assignments:

From	To	Assignment
Jan 75	May 76	Platoon Leader, B Troop, 1st Squadron, 2d Armored Cavalry, U.S. Army Europe and Seventh Army, Germany
May 76 ...	Sep 77	Support Platoon Leader, 1st Squadron, 2d Armored Cavalry, U.S. Army Europe and Seventh Army, Germany
Sep 77	Jun 78	S–1 (Personnel), 1st Squadron, 2d Armored Cavalry, U.S. Army Europe and Seventh Army, Germany
Jul 78	Jan 79	Student, Armor Officer Advanced Course, U.S. Army Armor School, Fort Knox, KY
Apr 79	Jan 80	Motor Officer, 1st Squadron, 10th Cavalry, 4th Infantry Division (Mechanized), Fort Carson, CO
Jan 80	Oct 80	Commander, A Troop, 1st Squadron, 10th Cavalry, 4th Infantry Division (Mechanized), Fort Carson, CO
Oct 80	Jun 81	S–3 (Operations), 1st Squadron, 10th Cavalry, 4th Infantry Division (Mechanized), Fort Carson, CO
Jun 81	Jul 82	Commander, Headquarters and Headquarters Troop, 1st Squadron, 10th Cavalry, 4th Infantry Division (Mechanized), Fort Carson, CO
Aug 82 ...	May 84	Student, Duke University, Durham, NC
Jun 84	Jul 87	Instructor, later Assistant Professor, Department of English, U.S. Military Academy, West Point, NY
Aug 87 ...	Jun 88	Student, U.S. Army Command and General Staff College, Fort Leavenworth, KS
Jul 88	Sep 89	Executive Officer, 4th Battalion, 67th Armor, 3d Armored Division, U.S. Army Europe and Seventh Army, Germany
Sep 89	May 91	S–3 (Operations), later Executive Officer, 3d Brigade, 3d Armored Division, U.S. Army Europe and Seventh Army, Germany and Operations Desert Shield/Storm, Saudi Arabia
Jul 91	Jun 93	Commander, 4th Battalion, 67th Armor, 1st Brigade, 1st Armored Division, U.S. Army Europe and Seventh Army, Germany
Jul 93	Jun 95	Chief, Armor Branch, Combat Arms Division, Officer Personnel Management Directorate, U.S. Total Army Personnel Command, Alexandria, VA
Aug 95 ...	Jun 96	Student, National War College, Fort Lesley J. McNair, Washington, DC
Jul 96	Jul 98	Commander, 3d Armored Cavalry Regiment, Fort Carson, CO
Jul 98	Oct 99	Assistant Deputy Director for Politico-Military Affairs, Europe and Africa, J–5, The Joint Staff, Washington, DC
Oct 99	Aug 01	Special Assistant to the Chairman of the Joint Chiefs of Staff, The Joint Staff, Washington, DC
Sep 01	Jun 03	Program Manager, Saudi Arabian National Guard Modernization Program, Saudi Arabia
Jun 03	Oct 04	Commanding General, 1st Armored Division, U.S. Army Europe and Seventh Army Operation Iraqi Freedom, Iraq
Oct 04	Jul 05	Commanding General, 1st Armored Division, U.S. Army Europe and Seventh Army, Germany
Aug 05 ...	May 07	Commander, Multi-National Security Transition Command-Iraq/Commander, NATO Training Mission-Iraq, Operation Iraqi Freedom, Iraq
Aug 07 ...	Mar 08	Deputy Commander, U.S. Central Command, MacDill Air Force Base, FL
Mar 08 ...	Oct 08	Acting Commander, U.S. Central Command, MacDill Air Force Base, FL
Dec 08	Mar 11	Commanding General, U.S. Army Training and Doctrine Command, Fort Monroe, VA
Apr 11	Sep 11	Chief of Staff, U.S. Army, Washington, DC
Sep 11	Present	Chief of the Joint Chiefs of Staff, Washington, DC

Summary of joint assignments:

Assignments	Date	Grade
Assistant Deputy Director for Politico-Military Affairs, Europe and Africa, J–5, The Joint Staff, Washington, DC	Jul 98–Oct 99	Colonel
Special Assistant to the Chairman of the Joint Chiefs of Staff, The Joint Staff, Washington, DC	Oct 99–Aug 01	Colonel
Commander, Multi-National Security Transition Command-Iraq/Commander, NATO Training Mission-Iraq, Operation Iraqi Freedom, Iraq	Aug 05–May 07	Lieutenant General
Deputy Commander, U.S. Central Command, MacDill Air Force Base, FL	Aug 07–Mar 08	Lieutenant General
Acting Commander, U.S. Central Command, MacDill Air Force Base, FL	Mar 08–Oct 08	Lieutenant General
Chairman of the Joint Chiefs of Staff, Washington, DC	Sep 11–Present	General

Summary of operational assignments:

Assignments	Date	Grade
Executive Officer, 3d Brigade, 3d Armored Division, U.S. Army Europe and Seventh Army, Operations Desert Shield/Storm, Saudi Arabia	Jan 91–Feb 91	Lieutenant Colonel
Commanding General, 1st Armored Division, U.S. Army Europe and Seventh Army, Operation Iraqi Freedom, Iraq	Jun 03–Oct 04	Brigadier General/ Major General

Assignments	Date	Grade
Commander, Multi-National Security Transition Command-Iraq/Commander, NATO Training Mission-Iraq, Operation Iraqi Freedom, Iraq	Aug 05–May 07	Lieutenant General

U.S. decorations and badges:
Defense Distinguished Service Medal (with Oak Leaf Cluster)
Distinguished Service Medal (with three Oak Leaf Clusters)
Defense Superior Service Medal
Legion of Merit (with two Oak Leaf Clusters)
Bronze Star Medal with "V" Device
Bronze Star Medal
Meritorious Service Medal (with two Oak Leaf Clusters)
Joint Service Commendation Medal
Army Commendation Medal
Army Achievement Medal (with Oak Leaf Cluster)
Combat Action Badge
Parachutist Badge
Joint Chiefs of Staff Identification Badge
Army Staff Identification Badge

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by GEN Martin E. Dempsey, USA, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Martin E. Dempsey.

2. **Position to which nominated:**
Chairman of the Joint Chiefs of Staff.

3. **Date of nomination:**
June 24, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
March 14, 1952; Jersey City, NJ.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Diane Sullivan Dempsey.

7. **Names and ages of children:**
Christopher, 34.
Megan, 33.
Caitlin, 30.

8. **Government experience:** List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational, or other institution.
None.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Member, Veteran of Foreign Wars.
Member, Association of the U.S. Army.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.
None.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?
I, Martin E. Dempsey, agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?
I, Martin E. Dempsey, agree, when asked before any duly constituted committee of Congress, to give my personal views, even if those views differ from the administration in power.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

MARTIN E. DEMPSEY.

This 23rd day of May, 2013.

[The nomination of GEN Martin E. Dempsey, USA, was reported to the Senate by Chairman Levin on July 30, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 1, 2013.]

[Prepared questions submitted to ADM James A. Winnefeld, Jr., USN, by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. On previous occasions you have answered the committee's policy questions on the reforms brought about by the Goldwater-Nichols Act, the last time being in connection with your first nomination to be Vice Chairman of the Joint Chiefs of Staff.

Has your view of the importance, implementation, and practice of these reforms changed since you testified before the committee at your last confirmation hearing?

Answer. My views have not changed. I have served in various joint capacities throughout my naval career and I've now had the privilege to serve 2 years as Vice Chairman of the Joint Chiefs of Staff. My recent experience confirms the tremendous advancements created by this landmark legislation. I do not see a need to change the provisions of this legislation at this time.

Question. In light of your experience as Chairman, do you see any need for modifications to Goldwater-Nichols? If so, what modifications do you believe would be appropriate?

Answer. Reflecting on my recent experience, I do not believe changes to Goldwater-Nichols are necessary at this time. However, if confirmed, I will remain alert to opportunities or shortcomings that might indicate that changes to the legislation are warranted.

DUTIES

Question. Based on your experience as Vice Chairman, what recommendations, if any, do you have for changes in the duties and functions set forth in section 154 of title 10, U.S.C., and in regulations of the Department of Defense (DOD), that pertain to the Vice Chairman of the Joint Chiefs of Staff and the organization and operation of the Joint Staff in general?

Answer. If confirmed, I do not foresee recommending any changes to the law. I will, however, remain attuned to potential issues and opportunities for improvement.

RELATIONSHIPS

Question. Please describe your understanding of the relationship of the Vice Chairman of the Joint Chiefs of Staff to the following officials:

The Secretary of Defense.

Answer. The Vice Chairman performs the duties assigned to him and other such duties as may be assigned by the Chairman, with the approval of the Secretary of Defense. Additionally, in the absence or disability of the Chairman, the Vice Chairman acts as the Chairman and performs the duties of the Chairman until a successor is appointed or until the absence or disability ceases. These duties would include providing military advice to the Secretary of Defense. The Vice Chairman may also provide the Secretary of Defense advice upon the Secretary's request in his capacity as a military adviser.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense has been delegated full power and authority to act for the Secretary of Defense on any matters upon which the Secretary is authorized to act. As such, the relationship of the Vice Chairman with the Deputy Secretary is similar to that with the Secretary.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Vice Chairman performs the duties assigned to him as a member of the Joint Chiefs of Staff and such other duties as assigned by the Chairman, with the approval of the Secretary of Defense. When there is a vacancy in the office of the Chairman, or during the absence or disability of the Chairman, the Vice Chairman acts as Chairman and performs the duties of the Chairman until a successor is appointed or the absence or disability ceases. If confirmed, I look forward to continuing my close working relationship with the Chairman.

Question. The Under Secretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)).

Answer. Title 10, U.S.C. and current DOD directives establish the Under Secretaries of Defense as the principal staff assistants and advisers to the Secretary regarding matters related to their functional areas. With particular regard to the

Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)), the Vice Chairman serves on many deliberative panels focused on resource decisions, including the Deputies Advisory Working Group as its Vice Chair and as Chairman of the Joint Requirements Oversight Council (JROC). If confirmed, I look forward to continuing to work very closely with the USD(AT&L) on continuing improvements to the requirements process and providing senior-level focus on key acquisition programs.

Question. The Under Secretary of Defense (Comptroller) (USD(C)).

Answer. I recognize the importance of the Vice Chairman working closely with the Under Secretary of Defense (Comptroller) in appropriately managing and providing oversight of the budgetary and fiscal processes of the Joint Staff required to achieve the budgetary goals prescribed by the Secretary of Defense and Chairman of the Joint Chiefs of Staff.

Question. The Under Secretary of Defense for Policy (USD(P)).

Answer. The Vice Chairman and USD(P) work together to represent defense and military interests in interagency affairs. They often co-lead or serve together on various ad hoc committees or projects as directed by Congress or as assigned from time to time by Secretary of Defense or by the Chairman of the Joint Chiefs, such as the Nuclear Weapons Committee or the Deputy's Management Action Group. The Vice Chairman and USD(P) also serve together on the Deputies Committee, monitoring the work of various interagency policy committees as well as supporting the Principals Committee and the National Security Council. If confirmed, I plan to continue my frequent interaction with the USD(P).

Question. The other Under Secretaries of Defense.

Answer. Within their assigned areas, Under Secretaries exercise policy and oversight functions and interact frequently with the Joint Staff. They may issue instructions and directive-type memoranda that implement policy approved by the Secretary. These instructions and directives are applicable to all DOD components. In carrying out their responsibilities, and when directed by the President and Secretary of Defense, communications from the Under Secretaries to commanders of the unified and specified commands are transmitted through the Chairman of the Joint Chiefs of Staff. If confirmed, I will continue to work closely with the Under Secretaries of Defense.

Question. The Director of Cost Assessment and Program Evaluation.

Answer. Title 10, U.S.C., and current DOD directives establish the Director of Cost Assessment and Program Evaluation as a principal advisor to the Secretary of Defense and other senior officials of DOD on cost assessment and program evaluation. If confirmed, I look forward to continuing to work closely with the Director under the auspices of the Vice Chairman's resourcing and requirements functions, as well as benefitting from the extensive and independent analysis provided by the Cost Assessment and Program Evaluation office towards making informed resourcing decisions.

Question. The Assistant Secretaries of Defense.

Answer. With the exception of the Assistant Secretaries of Defense for Public Affairs, Legislative Affairs, and for Networks and Information Integration, all Assistant Secretaries of Defense are subordinate to one of the Under Secretaries of Defense. In carrying out their responsibilities, and when directed by the President and Secretary of Defense, communications from the Under Secretaries to commanders of unified and specified commands are transmitted through the Chairman of the Joint Chiefs of Staff. If confirmed, I will continue to work closely with the Assistant Secretaries in a manner similar to that of working with the Under Secretaries.

Question. The Secretaries of the Military Departments.

Answer. Title 10, U.S.C., section 165 provides that, subject to the authority, direction, and control of the Secretary of Defense, and subject to the authority of the combatant commanders, the Secretaries of Military Departments are responsible for administration and support of forces assigned to unified and specified commands.

The Chairman, or Vice Chairman when directed or when acting as the Chairman, advises the Secretary of Defense on the extent to which program recommendations and budget proposals of the military departments conform with priorities in strategic plans and with the requirements of the combatant commanders. The Vice Chairman has numerous interactions with the Service Secretaries in the various management forums within the Department. Finally, in his role as the Chairman of the JROC, the Vice Chairman has considerable interaction with the Service Secretaries' acquisition staffs. If confirmed, I look forward to continuing my close and productive working relationship with the Service Secretaries and their staffs.

Question. The Chiefs of Staff of the Army and Air Force and the Chief of Naval Operations.

Answer. The Service Chiefs serve two significant roles. First, they are responsible for the organization, manning, training, and equipping of their respective Services. Without the full support and cooperation of the Service Chiefs, no combatant commander can be ensured of the readiness of his assigned forces for missions directed by the President and Secretary of Defense. Second, as members of the Joint Chiefs of Staff, they are advisors to the Chairman and the Secretary of Defense as the senior uniformed leaders of their respective Services. The Service Vice Chiefs play a key role on the JROC, chaired by the Vice Chairman. If confirmed, I will continue to work closely with the Service Chiefs and their Vice Chiefs to fulfill the combatant commanders' warfighting and operational requirements, and on other relevant policy matters.

Question. The Chief of the National Guard Bureau.

Answer. The Chief of the National Guard heads a joint activity of DOD and is the senior uniformed National Guard officer responsible for formulating, developing and coordinating all policies, programs and plans affecting more than half a million Army and Air National Guard personnel. Appointed by the President, he serves as principal adviser to the Secretary of Defense through the Chairman of the Joint Chiefs of Staff on National Guard matters. He is also the principal adviser to the Secretary and Chief of Staff of the Army and the Secretary and Chief of Staff of the Air Force on all National Guard issues. As National Guard Bureau Chief, he serves as the department's official channel of communication with the Governors and Adjutants General. As a member of the Joint Chiefs of Staff, the Chief of the National Guard Bureau has the specific responsibility of addressing matters involving non-Federalized National Guard forces in support of homeland defense and civil support missions. If confirmed, I will continue to work closely with the Chief of the National Guard Bureau to provide support as required.

Question. The Combatant Commanders.

Answer. The combatant commanders fight our wars and conduct military operations around the world. The Chairman provides a vital link between the combatant commanders and other elements of DOD and, as directed by the President, may serve as the means of communication between the combatant commanders and the President or Secretary of Defense. When there is a vacancy in the office of Chairman or in the absence or disability of the Chairman, the Vice Chairman acts as Chairman when interacting with the combatant commanders. Having served as a combatant commander, I have clear insight into the capabilities and limitations of combatant command staffs. If confirmed, I will continue to work closely with the combatant commanders to enable their warfighting capabilities and provide other support as required.

MAJOR CHALLENGES

Question. What do you consider to be the most significant challenges you have faced in your first term as Vice Chairman of the Joint Chiefs of Staff?

Answer. In a world of accelerating change that is growing more rather than less dangerous, I have faced a number of challenges in what I have labeled the three portfolios of policy, investment, and people.

In the policy portfolio, we have been grappling with a host of threats to our national security interests . . . in Afghanistan, Iran, and the Korean Peninsula; with the continuing evolution of al Qaeda and its affiliates; in the aftermath of the Arab Awakening in Libya, Syria and Egypt; and within the increasingly complex cyber domain. Maintaining a balanced approach to securing our interests in these areas in a declining budget environment requires constant effort.

In the investment portfolio, we continue to struggle with budget challenges that are quietly eroding our readiness to defend this nation today and have impacted our ability to prepare for tomorrow. I was confirmed on the day the Budget Control Act was passed, and have discovered that the Vice Chairman has a unique role in encouraging the various elements of the Department in coming to grips with the reality of decreasing budgets

In the people portfolio we are trying to manage the enormous uncertainty to which our military and civilian members and their families are exposed as Congress struggles to come to agreement on a budget. We have also expended considerable effort to ensure proper care for our wounded, ill, and injured members, as well as finding every lever we can to eliminate the pernicious insider threat of sexual assault.

Much remains to be done in all three of these portfolios. If reconfirmed, I look forward to continuing to serve this great Nation in uniform, and pledge to work with this committee to strike the right balance among ends, ways, and means of protecting our country and its interests.

Question. What new challenges do you expect to face if you are confirmed for a second term?

Answer. If confirmed, my foremost challenge will be to continue supporting the Secretary and Chairman in guiding the force through fiscal contraction while sustaining readiness and protecting our Nation and its security interests. The challenges I listed above will persist—indeed, they may become worse as the Department's fiscal uncertainty deepens—and require constant attention and visionary leadership. As always, new problems will emerge: new crises and contingencies; new hurdles in tending to the capability, capacity, and readiness of the force; and new challenges faced by our most important resource, namely our people.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I will renew my efforts to support the Chairman and Secretary. There is much to be done. There is more progress to be made balancing the ends, ways and means of strategy—particularly in preserving as many of our "ends" as possible by refining our "ways" as the "means" continue to decline—this means new ways of applying force and refreshing our plans on how and where we do it. We need to continue our press for a more efficient Department, leveraging congressional assistance where possible in doing so. We must ensure our people navigate the shoals of a changing financial and operational environment—and we need to remain persistent in our determination that they perform to the highest possible standards in terms of integrity, conduct, and respect for taxpayer dollars. Finally, I will use my leadership of the Joint Requirements Oversight Committee (JROC) and the budgeting and acquisition sides of the investment triangle to find the right balance among the capability, capacity, and readiness of our force. In these and other ways I will lend my best efforts to ensuring our Nation is safe.

PRIORITIES

Question. Recognizing that challenges, anticipated and unforeseen, will drive your priorities to a substantial degree, if confirmed, what other priorities, beyond those associated with the major challenges you identified in the section above, would you set for your second term as Vice Chairman?

Answer. There are a number of specific areas I will maintain high on a list of priorities. Among these are:

- Working closely with interagency stakeholders, U.S. Central Command (CENTCOM) and International Security Assistance Force (ISAF) to ensure the trajectory of our efforts in Afghanistan remain on track.
- Ensuring the Department is fully prepared to support the President regarding any decision he may make regarding use of force in any of several areas where it may become necessary.
- Maintaining unrelenting emphasis on every possible aspect of conquering the insider threat of sexual assault in our ranks.
- Continuing to ensure the Department's budget decisions are based on strategy and that they emphasize improved efficiency before reducing military capability, capacity, or readiness.
- Highlighting the importance of readiness in an environment where it will be tempting to preserve politically-attractive capacity and capability at its expense.
- Maintaining emphasis on wounded warrior programs even as the number of new wounded members declines due to the transition in Afghanistan—these heroes require care long after they return home.
- Building on a good trajectory of requirements and acquisition reform and remaining vigilant regarding current and future programs—there is much to be done in this area.
- Ensuring the Department maintains a collegial and influential relationship with the National Nuclear Security Administration to ensure the needs of our nuclear infrastructure are met.
- Pressing for high-leverage technical innovation that is relevant to the current and future warfighting environment.
- Working closely with my fellow senior military leaders to ensure we all serve with distinction and integrity.

JOINT REQUIREMENTS OVERSIGHT COUNCIL

Question. The Vice Chairman of the Joint Chiefs of Staff serves as the Chairman of the JROC, which has the responsibility to review and validate Service requirements.

Are there any recommendations that you would make to modify the JROC or its authority or the requirements process?

Answer. I do not believe additional formal changes or modifications to the JROC, its authority, or the requirements process are needed at this time. The JROC's authority as detailed in title 10, U.S.C., section 181, is sufficient to allow the JROC to carry out its responsibilities for overseeing the joint military requirements process. We continue to make every effort within existing authorities to improve JROC processes and products.

Question. Has the 'trip-wire' process, to bring troubled programs back to the JROC for a review and to consider performance trade-offs to mitigate further cost growth and/or schedule delays before the program faced a Nunn-McCurdy review, been regularly employed on large programs that have experienced significant cost growth and schedule delays?

Answer. The trip wire process continues to function well. We have expanded the trip-wire process to include both schedule delays and quantity changes, in addition to cost growth, when validating capability documents. Only a few programs have recently exceeded trip-wire values. The most recent case was a review of the Warfighter Information Network-Tactical Increment 2 for an IOC schedule delay of greater than 12 months.

However, rather than waiting for trip-wires to be breached, we try to proactively engage programs and their requirements. I recently signed out a Key Performance Parameter (KPP) Relief JROCM (015–13) which was intended to encourage acquisition managers, in coordination with the appropriate requirements sponsors, to officially request requirements relief where KPPs appear out of line with a cost-benefit analysis. This has resulted in KPP changes for the Three Dimensional Expeditionary Long-Range Radar, Joint Light Tactical Vehicle, and Armored Multi-Purpose Vehicle.

Question. Has the JROC altered requirements, either for performance or procurement quantities, as a result of such reviews?

Answer. As previously stated, only a few program reviews have been required as a result of their exceeding trip-wire values. In the case of Warfighter Information Network-Tactical (WIN–T) Increment 2, the JROC acknowledged that the schedule delay was driven primarily by the extension of fielding schedules and funding alignment and no change was made to performance or procurement quantities.

On the other hand, there have been performance parameter changes due to cost-benefit analysis resulting from the KPP Relief JROCM, which encourages requirements reviews when appropriate. Whether for a trip-wire breach or a proactive scrub of the requirements, we have recently made KPP changes to the following programs: Long Range Strike-Bomber (LRS–B), Joint Strike Fighter, Joint Light Tactical Vehicle, Unmanned Carrier Launched Airborne Surveillance and Strike, Armored Multi-Purpose Vehicle, WIN–T, Three Dimensional Expeditionary Long-Range Radar, Common Point Ground System, Air and Missile Defense Radar, and Global Positioning System Modernization.

Question. Weapon Systems Acquisition Reform Act of 2009 (WSARA) required the Secretary of Defense to ensure that trade-off analyses are conducted on cost, schedule, and performance as part of the requirements development and approval process. Such analyses enhance DOD's understanding of what performance factors are the critical ones driving costs and schedules.

What is your view of the modifications to the JROC process made by WSARA?

Answer. I fully support the major revisions to the joint warfighting requirements process that were made in early 2012. This includes updates to governing documents and the means by which supporting bodies carry out their responsibilities in accordance with title 10, U.S.C., section 181, and applicable portions of the WSARA (primarily sections 105 and 201). We critically assess the impact of requirements on the cost, schedule and performance of programs as a matter of routine when those programs are in front of the JROC.

Question. What additional steps do you believe that Congress or DOD should take to ensure that trade-offs between cost, schedule, and performance objectives for major weapon systems are made at an appropriately early point in the acquisition process?

Answer. DOD is striving to push capability gap information out to industry earlier in the acquisition process. By partnering early with industry and providing timely insight into our vision for future capabilities, DOD is better able to leverage industry science and technology (S&T) efforts and, informed by early S&T development, provide feasible and affordable options for acquisition decisions. A recent example of this approach is the Army's Future Vertical Lift Initial Capabilities Document which defined capability gaps in the 2030 and beyond Joint Operational Environment. There is no doubt more we can do in this area.

The JROC also considers cost, schedule, and performance tradeoffs as early as the analysis of alternatives (AoA) review.

Question. Are there any other recommendations that you would make to modify the JROC or its authority or the requirements process?

Answer. I do not believe additional changes or modifications to the JROC, its authority, or the requirements process are needed at this time. The JROC's authority as detailed in title 10, U.S.C., section 181, is sufficient to allow the JROC to carry out its responsibilities for overseeing the joint military requirements process. That said, we continue to make every effort within existing authorities to improve internal JROC processes and products.

Question. How would you assess the effectiveness of the JROC in the DOD acquisition process?

Answer. The changes to the JROC process have enabled a much closer relationship with USD(AT&L) by ensuring that requirements and their associated costs are continually evaluated through the acquisition life-cycle. We currently have an excellent relationship with USD(AT&L), to include their participation as one of the statutory experts invited to JROC meetings. Their insights are most valuable as we consider requirements alternatives, while at the same time we work closely with them to ensure requirements are kept under control and, in some cases, prudently trimmed as informed by a cost, schedule, performance and warfighter needs.

Question. What is your vision for the role and priorities of the JROC in the future?

Answer. The JROC is our key body shaping the future Joint Force (title 10, U.S.C., section 181). The priorities for the JROC and the JCIDS process are to: (1) debate strategic and operational requirements and make difficult choices earlier; (2) strive for better upfront fidelity on cost/schedule/performance tradeoffs; (3) require greater analytic rigor and risk/portfolio analysis; and (4) ensure a more dynamic/iterative process throughout a program's lifecycle. Additionally, the JROC could play an important role in retuning system requirements in the face of the dramatic resource reductions stipulated by the full BCA caps.

Question. Do you believe the JROC process is sufficient to understand and identify where there are opportunities for multi-service collaboration or where programs could or should be modified to take advantage of related acquisition programs?

Answer. Yes. We developed and expanded opportunities for multi-service collaboration for several programs during the past couple of years, including ground and amphibious combat vehicles and long range air search radars. This is always a difficult issue for the individual Services, but we have managed to make progress in this area thanks to a group of open-minded Service Vice Chiefs.

Question. What principles guide your approach to inviting, and helping ensure the sufficient participation of other stakeholders in the JROC?

Answer. Over the past several years, the JROC has been refined into a more lean executive body where key leaders and advisors have frank and open discussions. In addition to the statutory members and advisors, combatant commanders participate when appropriate. I strongly believe in the importance of including these stakeholders, and I turn to them with an offer to speak on every issue, and they have been forthcoming. In short, we have created a smaller more intimate forum that still includes the major stakeholders, which has led to a more fulsome discussion of requirements issues.

JOINT CAPABILITIES INTEGRATION AND DEVELOPMENT SYSTEMS

Question. What is your perspective on the responsiveness of the Joint Capabilities Integration and Development Systems (JCIDS) process in addressing joint capabilities needs?

Answer. We work requirements based on urgency: life/death requirements for current conflicts are worked in days; requirements to address conflicts that appear to be imminent are worked in weeks to ensure that systems can be fielded in time; enduring warfghting requirements are worked as quickly as possible using our streamlined JCIDS. While we still look for ways to continuously improve the JCIDS process, it has been dramatically enhanced and addresses requirements through a more efficient and interactive process. Combatant commander input is better incorporated to ensure joint capabilities produced are more timely, precise and needs-based. The most recent changes to the process consolidate guidance documents, streamline procedures, mandate shorter document lengths, and reduce timelines to increase effectiveness and responsiveness.

Question. What level of involvement in the joint requirements process and the JROC do you believe is appropriate for the COCOMs?

Answer. As the primary customers for the capabilities delivered by acquisition, the combatant commanders play a critical role in the joint requirements process at all levels, to include the JROC. Combatant command input during the requirements-generation process helps ensure that joint-capability outcomes more accurately match the current and future needs of the dynamic security environment. As such, we closely review Combatant Commander Integrated Priority Lists and they are invited to participate in every meeting. It is the norm for these commanders to have a representative in a meeting that covers a topic of importance to them.

Question. Do you think that JCIDS needs to be changed? If so, what are your views on how it could be improved to make the process more responsive to users' needs while efficiently investing resources in a fiscally constrained budget environment?

Answer. Revisions made in early 2012 were a big step forward in improving JCIDS, and the next scheduled review and revision of key documents is ongoing. These documents include: The Chairman of the Joint Chiefs of Staff Instruction (CJCSI) 5123.01 (JROC Charter), CJCSI 3170.01 (JCIDS Instruction), and the JCIDS Manual. Recent changes to JCIDS emphasize flexibility and speed in requirements generation, review, and validation. The changes also enable, when necessary, reassessment and adjustments to previously validated documents when poorly crafted requirements and timelines are identified. Preserving, and building upon, these JCIDS revisions will promote greater efficiencies and future success. In addition, we are working closely with USD(AT&L) to ensure that the Defense Acquisition System and the Joint Requirements processes are tightly synchronized and integrated to ensure that requirements are valid, feasible and affordable.

Question. The requirements development process is not a stand-alone process, but instead is required to work collaboratively with the acquisition and budgeting processes.

What steps are needed to better align the requirements development process with the acquisition and budgeting processes to make for a more efficient and effective process for delivering capabilities?

Answer. The pending update to the Department of Defense Instruction (DODI) 5000.02 and the revisions to JCIDS guidance documents will improve coordination between our requirements and acquisition processes. Additionally, I initiated and attend a quarterly leadership forum with USD(AT&L) and Director-CAPE to help align requirements, acquisition, and resourcing. These meetings have included macro discussions on the process as well as a few individual programs, and I look forward to expanding the concept. Developing a more synchronous and flexible relationship between military requirements, acquisition, and budgets will enable DOD to deliver its warfighter capabilities at more reasonable costs.

ACQUISITION REFORM AND ACQUISITION MANAGEMENT

Question. What is your view of the changes made by the WSARA?

Answer. The WSARA has been important in making sure new defense programs start on a sound footing to avoid the high cost of fixing problems late in the acquisition process. It also helped foster a culture within DOD focused on the continuous improvement of our acquisition processes and their associated outcomes. I am very encouraged by the cooperation we have built with USD(AT&L), which was encouraged by the tenets of the WSARA.

Question. What role, if any, do you believe the JROC should play in the oversight and management of acquisition programs after requirements have been established?

Answer. The JROC has an enduring title 10 oversight responsibility to ensure that an acquisition program's requirements are realistic and relevant throughout the life of the acquisition. The WSARA also required the Secretary of Defense—via the Chairman and the JROC—to ensure that trade-off analyses are conducted on cost, schedule, and performance as part of the requirements development and approval process. We are seeing this play out, as the JROC has made several midstride adjustments to requirements to reflect emerging realities during acquisition, always ensuring warfighter needs are fully considered.

Question. What role, if any, do you believe the JROC should play in reviewing the progress of major defense acquisition programs or other acquisition programs?

Answer. The progress of major defense acquisition programs is monitored by the JROC often through Milestone C. JROC oversight is required to ensure that an acquisition program's requirements throughout its life are realistic and relevant. The WSARA also requires the Secretary of Defense—via the Chairman and the JROC—to ensure that trade-off analyses are conducted on cost, schedule, and performance as part of the requirements development and approval process. A good example of this is the JROC's continuing interest in the F–35, to include the helmet associated

with the aircraft. The JROC requires periodic and detailed updates on JSF performance, cost and schedule to ensure KPPs are appropriate in light of cost.

Question. Do you see a need for any change in the role of the Chairman or the Vice Chairman of the Joint Chiefs of Staff in the requirements determination, resource allocation, or acquisition management processes?

Answer. No, I do not see a need for any change at this time.

Question. What is your view of the role played by Configuration Steering Boards (CSB) in preventing cost growth due to requirements creep?

Answer. CSBs provide an important senior level forum for acquisition and requirements officials to review and assess requirements to achieve balance between weapon system performance and affordability over a program's lifecycle. They institutionalize Military Service, Office of the Secretary of Defense (OSD), and Joint Staff review of potential requirements trade-offs. While the CSBs are gathering momentum, my understanding is that USD(AT&L) is very supportive of using this process to help identify areas where requirements may need refinement.

Question. What do you see as the proper relationship between CSBs and the JROC in managing requirements for acquisition programs?

Answer. CSBs provide an important senior level forum for acquisition and requirements officials to review and assess requirements to achieve balance between weapon system performance and affordability over a program's lifecycle. A key output of a CSB could be a recommendation to the appropriate validation authority—the JROC in the case of KPPs—to review or relax a requirement in order to achieve a better balance between performance and affordability.

Question. What is your view of the Nunn-McCurdy requirements for Major Defense Acquisition Programs that fail to meet cost, schedule, and performance objectives?

Answer. The Nunn-McCurdy requirements have introduced rigor into our processes and better scrutiny of Major Defense Acquisition Programs regarding cost, schedule, and performance objectives. I particularly appreciate the flexibility within the process to account in particular for price increases solely due to quantity decreases.

Question. What do you see as the proper relationship between the JROC and those DOD officials charged with implementing the Nunn-McCurdy requirements?

Answer. I do not recommend any changes at this time. The current relationship between the JROC and DOD officials charged with implementing the Nunn-McCurdy requirements is appropriate. The JROC's role is to validate the criticality to national security of the systems based on the estimated increase in cost.

URGENT NEEDS PROCESSES

Question. In your view, what specific steps should the Department take to better manage the joint urgent needs process?

Answer. The Department exercises sound management of the Joint Urgent Needs process. DOD Directive 5000.71 (Rapid Fulfillment of Combatant Commander Urgent Operational Needs) was recently approved. It established the Warfighter Senior Integration Group to lead and facilitate agile and rapid responses to validated combatant commander urgent operational needs. In addition, we recently added the ability for combatant commanders to request rapid capability fielding if conflict is imminent (rather than ongoing) through a Joint Emergent Operational Needs (JEON) document. I believe we have struck the right discipline and balance between addressing truly urgent and emergent warfighter needs and merely using the system to circumvent the rigor of the deliberate process (while at the same time we are streamlining the latter process).

Question. What is your sense of where DOD might consolidate urgent needs entities and/or processes and how cost savings could be achieved through such consolidation?

Answer. This is an area where we have taken many steps, and seen important results, over the past several years. To further improve upon our efforts, the Department is reviewing the entities and processes that we use to fill urgent capability gaps in light of our drawdown from Afghanistan. Without pre-judging any results, it is possible we could consolidate these entities, and we will remain vigilant for such opportunities. The goal will be to ensure the Department is still poised to quickly address evolving threats as we draw down from our wartime footing, while ensuring the efforts are properly-scaled for anticipated future requirements.

Question. Do you believe that the Joint Staff should take steps to integrate the Joint Urgent Needs process with the individual services' processes? If so, please explain?

Answer. We are currently reviewing our urgent needs processes, to include seeking efficiencies and deconfliction between the Services' processes and joint processes. Despite the success of our joint processes, I believe we will find that each Service will still need a way to address critical needs that are specific to their component.

NUCLEAR WEAPONS COUNCIL

Question. If confirmed as Vice Chairman of the Joint Chiefs of Staff, you will continue to serve as a member of the Nuclear Weapons Council.

What would your priorities be for the Nuclear Weapons Council (NWC)?

Answer. Sustaining a safe, secure, and effective nuclear arsenal is a key priority in the 2010 Nuclear Posture Review (NPR), central to the responsibilities of the NWC. I have worked closely with the other NWC members to develop a plan for the Nuclear Enterprise that is responsible and affordable to ensure a safe, secure, and effective nuclear arsenal for the long term. The refinement and execution of this plan continues to be my priority. We will need to remain vigilant, as the effects of potential full sequestration levels of funding on the Enterprise are not yet fully understood.

Additionally, I will continue to work with other NWC members to ensure modernization of our aging nuclear facilities and investment in nuclear enterprise-related human capital, to accelerate dismantlement of retired warheads, and to improve our understanding of foreign nuclear weapons activities.

Question. What changes if any would you recommend to the organization, structure, or function of the NWC?

Answer. I have served as a member of the NWC for the past 2 years and have no firm change recommendations at this time. However, if confirmed, I will continue work with the NWC chairman and members to assess the organization, structure and function of the NWC, and where warranted, provide recommendations for changes to increase effectiveness and value in support of the nuclear mission for national security. I will also remain alert for any need to adjust governance of the Nuclear Enterprise's activities.

INTEGRATION OF SPACE PROGRAMS

Question. What is your view on the need to institute a more integrated approach to both the military and intelligence sides of the space community?

Answer. I believe we are making progress in this area. The military and intelligence space communities participate in a number of joint forums and joint program development. We expect senior leaders to be innovative in identifying and implementing integrated programs. This is necessary for efficacy and efficiency in a much more constrained budget environment. However, when the needs of either community diverge to the extent that joint solutions impose impractical cost and risk, careful consideration should be given to viable independent, yet complementary solutions.

SPACE PROGRAM MANAGEMENT

Question. In many instances the military and intelligence space programs have experienced technical, budget, and schedule difficulties. In some instances these difficulties can be traced to problems with establishing realistic, clear, requirements and then maintaining control over the integrity of the requirements once established. If confirmed as chairman of the JROC you will be involved in determining these requirements.

How in your view can or should the space systems requirements process be improved?

Answer. All weapon systems requirements are closely scrutinized to best meet the needs of the Joint Force in terms of cost, schedule, and performance. If confirmed, I will continue to work with senior leaders to improve early and continuous coordination between OSD, the military, and intelligence communities throughout the space acquisition requirements process. The active participation of the U.S. Strategic Command (STRATCOM) Commander has been most helpful in this regard.

Question. In general, space programs take many years to move from conception to launch. The result is that the technology in the satellites is significantly outdated by the time the satellites are launched and operational, which in turn, can lead to a decision to terminate a program early, and look to a newer technology. This vicious cycle results in significantly increased costs for space systems as sunk costs are never fully amortized.

How in your view can this cycle be addressed?

Answer. The WSARA is designed to help ensure that new defense acquisition programs start on a sound footing, to avoid the high cost and schedule impacts of fixing problems later in the acquisition process.

Some aspects of this phenomenon will be very difficult to fix, as satellites by nature of their complexity and rigorous requirement for reliability take considerable time to design, build, and launch. However, I believe we can make improvements in our space programs by ensuring early, ongoing and rigorous reviews of costs, requirements, and performance, and their alignment. Again, bringing the expertise available from the STRATCOM Commander will be a key element in placing this cycle on a tighter rotation.

SPACE COOPERATION

Question. Do you support arms control limitations on space capabilities?

I continue to support the principles outlined in the 2010 National Space Policy, which states that the United States will pursue bilateral and multilateral transparency and confidence-building measures to encourage responsible actions in, and the peaceful use of, space. The Department should only consider proposals and concepts for arms control measures that are equitable, effectively verifiable, and enhance the national security of the United States and its allies.

Question. Would you support the United States signing the so-called European Union Code of Conduct for Outer Space Activities?

Answer. The Department is currently supporting the State Department in negotiations on the European Union's proposed International Code of Conduct for Outer Space Activities. This is an effort to develop a pragmatic first set of guidelines for safe activities in space. If confirmed, I remain committed to continuing our support to evaluating proposed drafts of the Code and considering appropriate steps to establish rules of the road for space operations that are consistent with our national security interests and access to space.

OPERATIONALLY RESPONSIVE SPACE

Question. Do you support the concept of operationally responsive small satellites and what do you see as the most promising opportunities for small satellites?

Answer. I support resilience in space programs and we are continuing to review and support programs that best meet the needs of the Joint Force in future conflicts and given fiscal constraints. Given unlimited funding I would want to push further and faster on this program. Under the current environment we will need to be very selective in pursuing operationally responsive space, and should select only those that provide best value. The most promising concepts would be for rapid reinsertion of communications and surveillance capability in the wake of the initial stages of a conflict with a space-capable adversary.

Question. Do you believe that smaller less complicated less expensive satellites can play a role in providing resiliency or redundancy for space systems?

Answer. I support resilience in space programs and we are continuing to review and support programs that best meet the needs of the Joint Force in future conflicts, within fiscal constraints. Such programs could include smaller less complicated less expensive satellites, and it could also include adding payloads to other satellites.

PROMPT GLOBAL STRIKE

Question. DOD is currently working on technologies that if successful could lead to the decision to develop and deploy conventional, non-nuclear, prompt global strike capability.

Do you believe that a prompt global strike capability should be developed and deployed?

Answer. Although a decision has not been made to deploy such a capability, I believe it would have potential utility in a variety of time-sensitive scenarios and would thus provide greater flexibility to the President for taking kinetic action if required. There are potential future circumstances that may require a capability to address high value, time sensitive and defended targets from ranges outside the current conventional technology. Therefore, we continue to look for affordable technology risk reduction and maturation of engineering concepts.

Question. If your answer to the previous question is yes, what is your vision of the capability that should be developed for prompt global strike and the types of targets that would underpin the need to develop the capability?

Answer. If a decision is made to develop and deploy a capability, it should have specific attributes. The capability should influence, dissuade, or defeat an adversary using conventional weapons to rapidly penetrate or circumvent access-denied areas.

It could be useful in situations ranging from a rapid strike against a known terrorist leader, to hitting a rogue regime's mobile missile that is positioned for launch, to quickly interfering with the ability of an adversary to target one of our space assets. This is an example of how we are actually trying to constrain requirements so we don't end up with gold plated systems we can't afford. So while it should be both prompt and accurate, not requiring the capability to hit any target on the globe or hit hard and deeply buried targets should allow us to hold an adequate set of targets at risk at lower cost.

NUCLEAR WEAPONS

Question. If confirmed, you will continue to be a member of the Nuclear Weapons Council, and work closely with the National Nuclear Security Administration and its Stockpile Stewardship Program.

What, in your view, are the longer-term Stockpile Stewardship Program goals and what are the key elements that should be addressed from a DOD perspective?

Answer. Congress established the Stockpile Stewardship Program with the aim of creating the computational capabilities and experimental tools needed to allow for the continued certification of the nuclear weapons stockpile as safe, secure, and reliable without the need for nuclear weapons explosive testing. The Secretaries of Defense and Energy are statutorily required to certify annually to Congress the safety, security, and reliability of the nuclear weapons stockpile.

I believe these goals are appropriate and the program is effective; today's stockpile has been certified without a need for further nuclear testing. But the stockpile is aging. The Nuclear Weapons Council has developed a long-term plan that includes life extension programs to address aging concerns and enhance safety and security in a responsible manner. I believe the plan is executable and affordable. If confirmed, I will work across the interagency to ensure this plan is continuously updated and implemented.

Question. In your view is the Stockpile Stewardship Program providing the tools to ensure the safety, reliability, and security of the nuclear weapons stockpile without testing and if not what tools are needed?

Answer. I believe that the Stockpile Stewardship Program provides the requisite tools, as attested to by the national security lab directors in their annual assessment letters. These tools are critical as we life-extend our aging nuclear weapons. As we sustain the program, it is important these tools allow us to assess the full range of life extension programs to include: refurbishment of existing warheads, reuse of nuclear components from different warheads, and replacement of nuclear components.

Question. Do you believe the administration's 1251 report sets forth an appropriate road map for the modernization of the nuclear weapons complex and the strategic delivery systems?

Answer. The administration's section 1043 report, which has replaced the 1251 report, describes an appropriate roadmap for ensuring the future safety, security, and reliability of the nuclear stockpile and associated delivery platforms as well as for modernizing the nuclear weapons complex. The plan described in the 1043 report represents a strong commitment to the nuclear mission and is an important element of assurance that the U.S. deterrent remains strong. Additionally, this plan reflects the work of the Nuclear Weapons Council in developing an executable and affordable long-term plan for the Nuclear Enterprise.

Question. Do you agree that the full funding of the President's plan for modernizing the nuclear weapons complex, commonly referred to as the 1251 report, is a critical national security priority?

Answer. Funding of the 1043 report, which has replaced the 1251 report, is a critical national security priority. The President's fiscal year 2014 budget request again includes a significant commitment from DOD to modernizing the nuclear weapon complex and supporting the long-term plan for extending the life of the weapons in our enduring stockpile. If confirmed, I will support the continued modernization and sustainment of our nuclear weapons delivery systems, stockpile, and infrastructure.

Question. Prior to completing this modernization effort do you believe it would be prudent to consider reductions below New Strategic Arms Reduction Treaty (START) limits for either the deployed or nondeployed stockpile of nuclear weapons?

Answer. U.S. objectives in future negotiations with Russia must consider multiple factors. It is my view that any reductions in the numbers of deployed and nondeployed nuclear weapons, either strategic or non-strategic, would need to be negotiated in a manner that strengthens deterrence of potential adversaries, maintains strategic stability with Russia and China, and assures our allies and partners. The timing and size of reductions, if any, would have to be closely coupled to the status

of the modernization effort. If confirmed, I will support the Department's continuing assessment of the proper force size and capabilities required for an effective nuclear deterrent.

NEW START TREATY AND FUTURE REDUCTIONS

Question. The New START treaty has now entered into force. Under the terms of the treaty both sides have 7 years to come into compliance with the treaty.

Do you believe that there is any opportunity to come into compliance in less than 7 years and what would be the conditions under which such compliance could be achieved?

Answer. I believe the United States will be compliant by the February 2018 deadline although we have not made a final decision on the compliant force structure. Continued funding support from Congress is required to ensure the required activities of the department and the Services can be executed in a timely fashion for compliance. While achieving the limits on delivery vehicles will take nearly the entire compliance period, it may be possible to accelerate other elements of compliance, such as achieving the total deployed warhead limit of 1550 up to a year early.

Question. Do you believe that reductions in the total number of warheads, both Reserve and operationally deployed, is feasible prior to the expiration of the New START treaty and, if so, under what conditions?

Answer. The treaty requires the Parties to ensure their strategic offensive forces are at or below the treaty's three central limits 7 years after entry into force, which will occur on February 5, 2018. DOD is on schedule to comply with this obligation. The treaty expires in 2021 and may be extended one time for 5 years if both the United States and Russia agree. Once we are in compliance with the central limits, it is technically feasible to further reduce the total number of warheads; however I would only recommend such reductions through negotiations with Russia.

NUCLEAR TRIAD MODERNIZATION

Question. Under the NPR, the administration has committed to begin modernization of each leg of the nuclear triad including development of new nuclear cruise missiles and extending the life of nuclear weapons. This process will continue over the next 30 years and longer, and will be very expensive.

If confirmed, would you agree to review the requirements and cost of these initiatives, identify any opportunities for cost savings, and report back to the committee on a periodic basis if you identify such opportunities?

Answer. Yes. This falls under my responsibilities as Vice Chairman, and I would be pleased, if confirmed, to report any opportunities for cost savings to the committee. I am currently paying close attention within the bounds of my authority to development of the Long Range Strike Bomber, and intend to do the same for the new SSBN. I serve as a member of the Nuclear Weapons Council and have contributed over the past 2 years at developing an affordable and executable strategy for the Nuclear Enterprise that includes life extension programs of nuclear weapons.

NUCLEAR WEAPONS EMPLOYMENT STRATEGY

Question. President Obama recently issued new guidance on nuclear weapons employments strategy, consistent with the 2010 NPR.

Do you support the President's new nuclear weapons employment guidance, and did you have an opportunity to provide input to the formulation of the new guidance?

Answer. Yes. I support the President's new guidance. The Commander of STRATCOM and I and our staffs both participated in the analysis process. The two of us and General Dempsey participated in senior leader meetings during development of the guidance, where, based on the recommendations of the Joint Chiefs of Staff and the Commander of STRATCOM we provided our military advice to both the Secretary of Defense and the President.

Question. Do you agree with the President's assessment that the United States can ensure its security, and the security of our allies and partners, and maintain a strong and credible strategic deterrent while safely pursuing up to a one-third reduction in deployed strategic nuclear weapons below the level established in the New START treaty? Please explain your views.

Answer. Yes. I agree with this assessment. We can ensure our security and that of our allies and partners, and maintain a strong and credible strategic deterrent while pursuing further reductions beyond the New START treaty central limits. However, to be clear on this point, we must continue to adequately invest in the modernization of our nuclear infrastructure as long as nuclear weapons exist. Further, my advice is that further reductions in strategic nuclear weapons, beyond the

New START treaty central limits, should occur as part of a negotiated position with Russia. Both General Dempsey and I have made this recommendation to the Secretary of Defense and to the President.

Question. Please explain the risks and benefits of pursuing up to a one-third reduction in deployed nuclear weapons, including the implications of the vast disparity in tactical nuclear weapons between Russia and the United States.

Answer. From our post-NPR analysis and close work with STRATCOM, the Navy, and the Air Force, I am confident we can ensure our security and that of our allies and partners, and maintain a strong and credible strategic deterrent while pursuing further reductions beyond the New START treaty central limits. However, to be very clear on this point, we must continue to adequately invest in the modernization of our nuclear infrastructure as long as nuclear weapons exist. Also, further reductions in strategic nuclear weapons, beyond the New START treaty central limits, should occur as part of a negotiated position with Russia in order to preserve strategic stability.

As we negotiate further reductions with Russia, to include their larger number of non-strategic nuclear weapons, I'm encouraged by the administration's efforts to expand the scope of those reductions to include both strategic and non-strategic nuclear weapons that are both deployed and non-deployed. I believe this is a prudent approach that will maintain strategic stability with Russia and adequately meet the President's goals of reducing the role and number of nuclear weapons.

STRATEGIC SYSTEMS

Question. Over the next 5 years, DOD will begin to replace or begin studies to replace all of the strategic delivery systems. For the next 15 plus years, DOD will also have to sustain the current strategic nuclear enterprise. This will be a very expensive undertaking.

Do you have any concerns about the ability of the Department to afford the costs of nuclear systems modernization while meeting the rest of the DOD commitments?

Answer. Yes. I am concerned that in the current budget environment will we be challenged to complete these modernization programs; thus, if confirmed, I will be paying very close attention to these programs as they develop and mature. The modernization of the strategic delivery systems and sustainment of the strategic nuclear enterprise is important to maintaining a safe, secure, and effective nuclear deterrent and is essential to deterring potential adversaries and assuring our allies. As with any funding choices in a fiscally constrained environment we will make decisions that will provide the best possible systems that are fiscally prudent while managing appropriate risk.

Question. If confirmed will you review the modernization and replacement programs to ensure that they are cost effective?

Answer. Yes. This falls under the responsibilities of Vice Chairman and I will continue to review the modernization and replacement programs to ensure that they are cost effective. I am already closely monitoring the Long Range Strike Bomber program and am satisfied that it is currently on track.

Question. The Department will begin to issue guidance from the recent decision to revise the Nuclear Employment Strategy.

Do you support this change in strategy?

Answer. Yes. As Vice Chairman I had the opportunity to participate, along with the Commander, STRATCOM, in the discussion of the new strategy and to provide the inputs from the Joint Chiefs.

Question. Will you keep Congress fully informed of additional guidance issued in response to this changed strategy?

Answer. Yes. I have and will continue to fully inform Congress of additional guidance issued as a result of the change in the Nuclear Employment Strategy.

FUTURE TECHNOLOGIES

Question. During the Cold War, DOD pursued three key technologies to offset the numerical superiority of Soviet conventional forces: precision guided munitions, stealth technology, and satellite-based navigation. These three technologies have given U.S. forces unparalleled superiority until now. Our technology edge, however, in these areas is beginning to erode. Last year, DOD published seven strategic science and technology priorities.

Do you believe these priorities are still relevant today?

Answer. Yes. The Joint Staff participated in a DOD process in 2011 to publish seven strategic science and technology priorities: electronic warfare/protection, data to decisions, engineered resilient systems, cyber science and technology, counter

WMD, autonomy and human systems. These seven priorities are still relevant today in assuring our leadership and superiority in future conflicts.

Question. If not, what additional technology priority areas should DOD be pursuing?

Answer. These seven strategic areas remain fully relevant. We need to ensure that several key capabilities remain included within research and development in these areas, including greater cyber capability (with emphasis on network protection), fully protected precision navigation and timing that is semi-independent of the global positioning system constellation, high speed standoff weapons, and improved ability for intelligence, surveillance and reconnaissance through adverse weather and foliage.

BALLISTIC MISSILE DEFENSE

Question. Do you agree that the current Ground-based Midcourse Defense system, with interceptors deployed in Alaska and California, provides defense of the entire United States—including the east coast—against missile threats from both North Korea and Iran, and do you have confidence in that system?

Answer. Yes. I agree that the Ground-based Midcourse Defense system, supported by other elements of the ballistic missile defense architecture, provides defense of the United States from both a limited North Korean and Iranian long-range ballistic missile attack. I am confident in the system and say this even in light of the recent failure of a CE I missile test, of which we have now had three of four tests execute successfully. We still believe in this program and are determined that it succeed.

Question. On March 15, 2013, Secretary of Defense Chuck Hagel announced a series of initiatives to improve our homeland ballistic missile defense capabilities, including the planned deployment of 14 additional Ground-Based Interceptors (GBIs) in Alaska, to help stay ahead of the long-range missile threat from North Korea and Iran.

Do you support the initiatives announced by Secretary Hagel, and do you believe they will help us stay ahead of the threat from North Korea and Iran?

Answer. Yes. I support Secretary Hagel's initiatives and believe they will improve DOD's ability to counter future missile threats from Iran and North Korea, while maximizing the benefit from increasingly scarce taxpayer resources.

Question. As indicated in the 2010 Ballistic Missile Defense Review, the administration is pursuing a "fly-before-you-buy" approach to missile defense, and will test systems in an operationally realistic manner to demonstrate they will work as intended before we deploy them. Since a GBI flight test failure with the Capability Enhancement-II kill vehicle in 2010, the Missile Defense Agency has been working to fix the problem and plans to conduct an intercept flight test in the spring of 2014 to demonstrate the fix.

Do you agree with the "fly-before-you-buy" policy, and do you agree with Secretary Hagel that, before we deploy the additional GBIs, we need to test and demonstrate the fix so we demonstrate its capability and have confidence that it will work as intended?

Answer. Yes. I agree with the "fly-before-you-buy" approach to test systems in an operationally realistic manner. It is essential to correct system issues before they affect the deployed forces.

Question. Section 227 of the National Defense Authorization Act for Fiscal Year 2013 requires an Environmental Impact Statement (EIS) for possible future homeland missile defense sites in the United States, in case the President determines to proceed with such a deployment in the future. That EIS process is expected to be complete in early 2016.

Do you agree that the EIS process should be completed prior to making any decision relative to possible deployment of an additional homeland missile defense site in the United States, including possibly on the east coast?

Answer. I agree the Department must comply with the National Environmental Policy Act and conduct an EIS prior to the actual deployment of an additional missile defense site in the United States. It follows that it would be wise to obtain the results of the EIS before making any decisions.

Question. Do you agree with the Director of the Missile Defense Agency and the Commander of the Joint Functional Component Command for Integrated Missile Defense that there is currently "no validated military requirement to deploy an East Coast missile defense site"?

Answer. Yes. Technically there is currently no validated military requirement to deploy an East Coast Missile Defense Site. However, that could change based on the trajectory of the threat from Iran, so we continuously analyze this assessment and will update it as required if we conclude differently.

Question. Do you agree with their assessment that "investment in Ballistic Missile Defense System discrimination and sensor capabilities would result in more cost-effective near-term improvements to homeland missile defense" than deploying an east coast missile defense site?

Answer. Yes. The MDA Director has made a compelling case that, along with reliability improvements to the interceptor, better sensor and discrimination capability would reduce the number of interceptors required to engage a given target. Thus, I believe this is the more cost effective approach and so agree with their assessment, which is consistent with the Department's analysis. However, if the threat achieves a trajectory that would indicate greatly increased capacity for producing ballistic missiles, it could be necessary to deploy an East Coast missile defense site, so we continue to assess the requirement.

Question. Do you agree with the following statements regarding a potential East Coast missile defense site:

> General Jacoby (Commander, U.S. Northern Command (NORTHCOM)): "A third site, wherever the decision is to build a third site, would give me better weapons access, increased GBI inventory and allow us the battle space to more optimize our defense against future threats from Iran and North Korea."
>
> General Formica (Commander Space and Missile Defense Command): "Certainly, it brings increased capacity and increased capability than we have at Fort Greely."
>
> National Research Council: "A GBI site located in northeastern United States would be much more effective and reliable and would allow considerably more battle space and firing doctrine options.

I fully agree with the first two statements. The question is whether or not a third site will be required given the trajectory of Iran's ability to produce quantities of ballistic missiles that can threaten the United States. I generally agree with the third statement, except a GBI site in the United States will not increase reliability—only improved interceptors and sensors and other technical improvements will accomplish that objective.

Question. Do you agree that Presidents Bush and Obama put in place policies that called for additional missile defense sites in Europe to better defend against threats to the United States from Iran?

Answer. Yes.

Question. Is this presidentially directed requirement still valid and if not, what has changed to permit the elimination of this requirement for a third interceptor site?

Answer. We have subsequently determined that, while maintaining our commitment to the defense of our North Atlantic Treaty Organization (NATO) allies in Europe, it would be wiser and more fiscally prudent to invest in ballistic missile defense capability in terms of improved sensors and increased capacity at existing sites, while we evaluate the need for a third site in the United States. Engagement geometry and cost both favor this approach.

Question. You have focused on improving the cost effectiveness and affordability of our major weapon systems, including missile defenses. Missile defense systems are limited in quantity primarily by their very high cost, which is exacerbated in the current financial environment that includes sequestration.

What are your views on whether and how we can make missile defenses more cost-effective and affordable, and how we can manage our missile defense capabilities in a manner that best meets the needs of our combatant commanders?

Answer. We remain mindful of the fact that we are on a negative economic glideslope regarding regional ballistic missile defense, in which the offense is able to use relatively cheap missiles that are countered by relatively expensive defensive systems. In this regard, we should apply greater emphasis on more economic passive defense measures such as dispersal and hardening in order to make the most of our more complex defensive assets. We should also emphasize interoperability on a joint and coalition basis in order to use the full spectrum of offensive and defensive capabilities in a comprehensive joint manner so as to provide the best defense with the most economical use of resources. Candidly, we have more work to do in this regard, but are making progress. I have favored encouraging our coalition partners, including those in the Arabian Gulf region and the Western Pacific, to invest in ballistic missile defense capability in order to free resources for our own ballistic missile defense needs. Finally, I also favored moving a Terminal High Altitude Area Defense battery to Guam, which not only provides defense for Guam but also yields an asset that is globally deployable operating day-to-day in an actual operational environment in which it defends U.S. territory.

U.S.-IRAQ STRATEGIC RELATIONSHIP

Question. What is your assessment of the development of the U.S.-Iraq strategic relationship since the withdrawal of U.S. military forces at the end of 2011 consistent with the 2008 U.S.-Iraq Security Agreement?

Answer. The development of the U.S.-Iraq strategic relationship since 2011 has been a slow and deliberate process. The conflict in Syria, the Arab awakening, internal sectarian divisions, and Iran's ambitions for influence have dominated Iraq's focus. Sectarian violence and authoritarian moves by Prime Minister Maliki have also hindered some efforts. In many areas, U.S. and Iraqi strategic goals align, but in areas with less common ground such as Syria we continue to engage the Iraqis in order to transform them into true regional partners. Iraq's Foreign Military Sales (FMS) program offers a strong foundation to develop this strategic relationship, and the $14.3 billion in committed Iraqi national funds to FMS cases is a clear indication of the desire to continue to nurture our strategic relationship.

Question. What areas, if any, do you see for the enhancement of the military-to-military relationship between Iraq and the United States?

Answer. The main areas to enhance the U.S.-Iraq military-to-military relationship are the FMS program, the International Military Education and Training (IMET), and bilateral or multilateral exercises. The FMS program provides an avenue for Iraqi Security Forces to train on U.S. equipment and, in part, inside the United States. The IMET program helps develop Iraqi leaders through intermediate and senior level development education and long-term relationships with counterparts in the U.S. military. Both programs offer the opportunity to continue and enhance our military-to-military relationship. The U.S.-Iraq Strategic Framework Agreement and Joint Military Cooperation Agreement help ensure our military-to-military relationship remains on track.

Question. In your view, does the Office of Security Cooperation within the U.S. Embassy in Iraq have the right staffing levels and personnel to carry out its mission?

Answer. Based on assessments from the Chief of the Office of Security Cooperation in Iraq (OSC–I) and the U.S. Ambassador, I believe we have sufficient personnel to execute a coherent strategy between the Department of State and DOD. With the transition of Office of Security Cooperation in Iraq training sites during calendar year 2013 and the continued transition to FMS funded training, the previous need for 250(+) personnel in OSC–I has dissipated. I think we are on track to have the right number of personnel at the end of September 2013, using the glide path plan agreed upon by DOD, the U.S. Mission Iraq, and Main State. The Chief of OSC–I and the Ambassador will reassess the manning requirements once the last four sites transition later this year.

Question. What safeguards can be used to ensure Iraq does not employ F–16s in a way that increases sectarian strife within Iraq?

Answer. In addition to political influence based on our bilateral relationship, we would also retain the option of withholding F–16 training, support equipment, spare parts, or munitions. Iraqi misuse of F–16 aircraft would also complicate and potentially jeopardize FMS, Foreign Military Financing (FMF), and Individual Military Education and Training—which provides a credible deterrent. However, this issue offers no easy solution, and it is a challenge we face to some degree when we sell weapons systems to any partner.

SECURITY SITUATION IN AFGHANISTAN

Question. What is your assessment of the current security situation in Afghanistan?

Answer. The security situation in Afghanistan continues to improve, and the ANSF is proving they are willing and capable of assuming the lead in security operations. U.S. and coalition forces, working side by side with our Afghan partners, have reversed the Taliban's momentum and pushed insurgents out of population centers. The ANSF and ISAF continue to deprive the insurgents of key safe havens, command and control nodes, and support zones. They are now less capable, less popular, and less of a threat to the Afghan Government than a year ago. Despite this degradation, safe havens in Afghanistan and sanctuaries in Pakistan continue to provide Taliban senior leadership some freedom of movement and freedom of action. Additionally, Afghan Taliban and all its subgroups, including the Haqqani Network, remain capable of conducting isolated high profile attacks that, as intended, capture disproportionate attention. However, sustained counterterrorism pressure continues to degrade this ability.

TRANSITION OF SECURITY RESPONSIBILITY IN AFGHANISTAN

Question. In February of this year, President Obama announced that by February 2014 U.S. troop levels in Afghanistan will be reduced to 34,000. In June, the Afghan National Security Forces achieved Transition Milestone 2013, assuming the lead responsibility for security throughout Afghanistan.

Do you support the President's decision to reduce U.S. troop levels in Afghanistan to 34,000 by February 2014? Why or why not?

Answer. Yes. Transition Milestone 2013 represents a significant shift for our mission in Afghanistan. Over the past 11 years, the United States and our partners have led combat operations. Now the Afghans are taking the lead for their own security. ISAF's primary focus has shifted from directly fighting the insurgency to supporting the Afghan National Security Forces (ANSF). We match troop levels to the mission and our new mission requires fewer troops on the ground. The President's decision to drawdown U.S. forces was made based on the ISAF Commander's input, the real and tangible progress of the ISAF military campaign, and a comprehensive assessment of conditions on the ground, including an increasingly capable and confident ANSF.

Question. What is your understanding regarding the pace of those reductions in U.S. forces?

Answer. Troop reductions are based on our mission, ANSF capability and conditions on the ground. We are on path to meet our objective of 34,000 troops by February 2014, to include troops, bases, and equipment. It is important for the ISAF Commander to have the flexibility to meet his mission and sustain the right forces through this fighting season and he has the latitude to manage the glideslope from now to the end of the year as we settle into a supporting role.

Question. Do you support the June transition to the Afghan security forces of lead responsibility for security throughout Afghanistan?

Answer. I support the transition of responsibility for security to a capable and confident ANSF. ANSF improvement has enabled us to achieve transition Milestone 2013. There are occasional setbacks and deficiencies, but the ANSF continues to demonstrate its ability to defeat the Taliban and provide security to the Afghan people.

Question. In your view, is the campaign on track for the completion of the ISAF mission and the assumption by Afghan security forces of full responsibility for the country's security by December 2014?

Answer. Yes. The ANSF are at the forefront of the fight and are now responsible for maintaining and expanding security in the face of the insurgency. In late 2009, a concerted effort to grow the ANSF was initiated with the goal of generating and fielding trained and equipped Afghan combat elements and getting them into the fight. Unit partnering between Afghan and ISAF forces—enabled by the U.S. troop surge ordered by President Obama—provided the ANSF the space to develop combat capabilities and leadership skills from the tactical level on up. Moving into the 2013 fighting season, the insurgency now confronts a combined ANSF and Afghanistan Local Police (ALP) force of nearly 350,000 personnel who have secured over 87 percent of Afghanistan's population, and are leading 93 percent of all conventional operations. The only conventional operations they are not leading are a small number of unilateral conventional operations including security patrols around ISAF bases, route clearance patrols, and retrograde operations. These forces are operating with growing confidence, improved leadership, warfighting capability, and a vision for the future. They are a source of security, confidence, and pride for the Afghan people—factors the insurgents must consider as their influence and effectiveness in Afghanistan wanes.

BUILDING THE AFGHAN NATIONAL SECURITY FORCES

Question. In your view, is the current end strength level of 352,000 for the ANSF the appropriate level to provide security and stability in Afghanistan beyond 2014?

Answer. In my view, the 352,000 ANSF force level should continue beyond 2014. The extension of the ANSF "surge" force has been instrumental in breaking Taliban momentum. This force structure also enables our own troop reductions and retrograde operations. It is too early to assess the duration of this surge, but at a minimum, this extension would likely be necessary for at least 2 years following the end of the ISAF mission.

Question. What in your view are the greatest challenges to completing efforts to build the capacity of the ANSF to assume responsibility for Afghanistan's security?

Answer. Although not insurmountable, the main challenges we face in building the capacity of the ANSF are attrition, leadership, limited literacy and low technical competence. Low literacy rates, in particular, hamper the ANSF ability to meet

goals in more technical areas. This is of greatest concern in the Afghan Air Force. Under current conditions, the creation of a fully functional Afghan Air Force is still 4 to 5 years off. ANSF has made great strides and is showing significant improvement, but these issues continue to undermine positive recruiting, training, professionalization, and competency goals. These are not problems that can be solved in the short term, but ISAF is continuing to work with the MoI and the MoD to address training the force in areas of professionalism, leadership, literacy, and technical competency. Over time, and with our assistance, we are confident that the ANSF address these challenges.

Question. A recent audit report by the Special Inspector General for Afghanistan Reconstruction (SIGAR) raised concerns about DOD plans to purchase PC–12 aircraft and Mi-17 helicopters for the Afghan Special Mission Wing and recommended suspending the contracts for these purchases. The Department of Defense and the North Atlantic Treaty Organization Training Mission-Afghanistan/Combined Security Transition Command-Afghanistan did not concur with the SIGAR's recommendation on contract suspension.

What is your assessment of current plans to equip the Afghan Special Mission Wing with PC–12 aircraft and Mi-17 helicopters?

Answer. Our strategy in Afghanistan includes reducing the reliance on U.S. enablers by building the capability of the ANSF. Developing the Afghan Air Force and the SMW is a key element in reducing our requirement to provide aviation support to the ANSF. The fact is that Afghans are better able to fly and maintain these systems, which will be a necessary capability for the ANSF to prevail over the Taliban.

Question. What is your assessment of the impact to Afghanistan counterterrorism efforts if Mi-17 helicopters are not acquired?

Answer. It is critical for us to support a robust helicopter capability within the ANSF. Analysis shows that the Mi-17 is the best all-around helicopter for them. The ANSF is familiar with the Mi-17, which is well suited for transporting combat-ready Afghan troops throughout remote, high, hot, and rugged terrain with minimal ground support. It is easier for the ANSF to maintain this helicopter than more sophisticated aircraft. While it is unfortunate that the Mi-17 is the optimal vertical lift solution for the ANSF, we view it as critical for successful transition of security to the ANSF.

Question. Do you support the SIGAR recommendation to suspend the contracts to acquire these aircraft and helicopters for the Special Mission Wing? Why or why not?

Answer. We support the SIGAR audit in general but not the specific recommendation to suspend contracts for the Special Mission Wing. We, to include COMISAF, believe that we can overcome the difficulties of maintenance, training and personnel that were identified in the audit. It is in both Afghan and U.S. interest that the Afghans develop their own counterterrorism and counternarcotics capability on a timeline that supports our transition. These aircraft are essential for these tasks. That said, we acknowledge the maintenance and operational challenges that SIGAR identifies. We will work through these in concert with COMISAF. We cannot afford, however, the sequential approach that SIGAR recommends. Training, maintenance, personnel and aircraft procurement will continue apace with governing management to ensure coordinated fielding of ready capability. Notably in this context, the Mi-17 is the best aircraft to meet the SIGAR identified challenges. The Afghans have over 30 years of experience with the Mi-17 to include current operations. Any other aircraft would substantially worsen the challenges reported in the audit and set back fielded capability by years.

ENDURING STRATEGIC PARTNERSHIP WITH AFGHANISTAN

Question. Do you support maintaining an enduring strategic partnership between the United States and Afghanistan beyond 2014?

Answer. Yes. We remain committed to an enduring strategic partnership with Afghanistan. Such a partnership is in our national interest, and critical to our objectives of disrupting, dismantling, and defeating al Qaeda and preventing its return to Afghanistan, and denying the Taliban the ability to overthrow the Afghan Government.

Question. How would you describe the main U.S. strategic interests regarding an enduring relationship with Afghanistan and in that region?

Answer. We are committed to a long-term partnership with Afghanistan. It is in our national interest to ensure that Afghanistan never again becomes a safe haven for al Qaeda or its affiliates that pose a threat to our Homeland.

SPECIAL OPERATIONS IN AFGHANISTAN

Question. Special Operations Forces depend on general purpose forces for many enabling capabilities, including intelligence, surveillance and reconnaissance (ISR); logistics; and medical evacuation. Admiral McRaven, Commander of U.S. Special Operations Command, has said "I have no doubt that special operations will be the last to leave Afghanistan" and has predicted that the requirement for Special Operations Forces may increase as general purpose forces continue to be drawn down.

If confirmed, how would you ensure adequate enabling capabilities for Special Operations Forces as general purpose forces continue to draw down in Afghanistan?

Answer. If confirmed, I would work to ensure adequate enabling capabilities to support the SOF mission by working collaboratively with CENTCOM and NATO to determine requirements and fill them to the maximum extent possible. These enabling capabilities would be tailored to support our post-2014 mission and would be based on force levels that have yet to be decided.

Question. In April 2012, the U.S. and Afghanistan signed a memorandum of understanding on the "Afghanization" of direct action counterterrorism missions in Afghanistan—reflecting the shared intention of having Afghan security forces in the lead in the conduct of such operations with U.S. forces in a support role.

What is the status of efforts to put Afghan Special Operations Forces in the lead for such operations and why do you believe such a transition is important?

Answer. The ANSF SOF continue to make significant progress in operational effectiveness, and their independence, capacity, and competence. One hundred percent of ANA Special Operation Forces missions are Afghan led, and approximately 60 percent of Provincial Response Company police missions are Afghan led. With our mentorship, their ability to execute these types of missions continues to grow in sophistication. This capability is critical for GIRoA to demonstrate its ability to lead security operations.

Question. The Village Stability Operations (VSO) and Afghan Local Police (ALP) programs—both U.S. Special Operations missions—have been consistently praised by U.S. military leaders as critical elements of the counterinsurgency strategy in Afghanistan.

What are your views on the value of these programs and do you believe they should be part of the long-term strategy in Afghanistan (i.e. post-2014)?

Answer. These programs represent a visible expression of local security to many Afghans, particularly those in remote and isolated communities. GIRoA has identified VSO/ALP as a necessary pillar of its own long-term strategy. These programs provide a vehicle for GIRoA to extend governance to the local level.

PAKISTAN

Question. What is your assessment of the military-to-military relationship between the United States and Pakistan?

Answer. Our military-to-military relationship has improved in the past year, emerging from the crisis that occurred subsequent to the cross-border incident in late 2011 and subsequent closure of the ground lines of communication through Pakistan used for our logistics in Afghanistan. While Pakistan defines its interests in ways that overlap but are not identical to ours, our military-to-military ties allow us to engage Pakistan in areas of shared concern such as maintaining regional stability, curbing violent extremism, and countering the threat of improvised explosive devices. The Chairman, the Central Command Commander, and the ISAF Commander have frequent interaction with General Kayani, and the Office of the Defense Representative in Pakistan has close ties with counterparts. Pakistani counterinsurgency operations against extremist organizations have been helpful to our efforts in the region. Security assistance, Coalition Support Fund reimbursements, and cross-border coordination with ISAF and Afghan forces have helped enable these operations. The Pakistani military has also hosted several U.S. delegations this year to discuss the IED problem and other issues.

Question. Should that military-to-military relationship be enhanced, and if so, what steps would you recommend for doing so, if confirmed?

Answer. Military-to-military ties with Pakistan are an important aspect of the broader bilateral relationship. A key moment in this relationship will occur when General Kayani transitions out of his job this fall. The Office of the Defense Representative in Pakistan plays an important role in building and sustaining military-military ties with security assistance programs. As Pakistan's democratic consolidation progresses, we must ensure we maintain our military-to-military ties. Security cooperation cannot succeed without the buy-in of Pakistani military leadership and continued support of the U.S. Congress. I meet with Pakistani representatives when they are in Washington, but normally leave the central personal interactions to the

Chairman, the Central Command Commander, and the ISAF Commander in order to keep under control the number of different voices the Pakistani leadership hears. However, if confirmed, I will focus on ensuring our relations remain smooth and stable during the transition to General Kayani's successor, along with ways in which we can work productively with Pakistan to enhance security along the shared border with Afghanistan and stability in both Afghanistan and Pakistan.

IRAN

Question. Iran continues to expand its nuclear program and has failed to provide full and open access to all aspects of its current and historic nuclear program to the International Atomic Energy Agency.

What is your assessment of the military and political threat posed by Iran?

Answer. Iran's persistent, though often clumsy, efforts to undermine our partners and spread its influence pose a significant potential threat to the United States, our allies and partners, and our regional and global interests. Countering Iran's destabilizing hostile behavior requires addressing multiple threat vectors, including conventional military, unconventional state-sponsored terrorism, and nuclear challenges.

- Conventional Military Challenges. Iran is actively investing in the development of a range of conventional capabilities, including air, missile, and naval assets that have generated regional anxieties and could threaten our interests and personnel in the region. Iran continues to publicly threaten to use naval and missile forces to close the Strait of Hormuz or target U.S. interests and regional partners in response to increasing sanctions or an attack on the country.
- Unconventional Challenges. Iran is also one of the main State-sponsors of terrorism, proxy and surrogate groups, and unconventional attacks, including against U.S. personnel and interests. Over the past 3 decades, Iran has methodically cultivated a network of terrorist and militant groups capable of targeting regional and global targets. Iran also continues to provide arms, funding, and paramilitary training to extremist groups.
- Nuclear Challenges. Iran continues to pursue an illicit nuclear program that threatens to provoke a regional arms race, and undermine the global non-proliferation regime. Iran is proceeding with uranium enrichment and heavy-water nuclear reactor activities in violation of multiple United Nations Security Council resolutions, and Iran continues to develop ballistic missiles that could be adapted to deliver nuclear weapons.

Iran's security threats toward Israel will persist, and there remains a high potential that Iran will make a serious miscalculation of U.S. resolve leading to rapid escalation of conflict. Politically, Iran will seek to use its capabilities to enable greater influence in the region, particularly with our Gulf Cooperation Council partners and in the border nations of Iraq, Afghanistan, and Pakistan—where U.S. presence has decreased in recent years.

Question. What is your assessment of U.S. policy with respect to Iran?

Answer. I fully support the U.S. policy of preventing Iran from acquiring nuclear weapons. The United States is also pursuing a multi-vector strategy that I have labeled a strategic progression. This strategy initially began with outreach which, while unsuccessful, established the foundation required for pressuring Iran under the most intrusive sanctions regime in history. This pressure also includes diplomatic isolation through U.N. Security Council Resolutions, diplomatic engagement through the P5+1, and military pressure through contingency preparations and exercises. Should Iran fail to meet its obligations regarding cessation of nuclear weapons development, we have additional options to coerce Iran into doing so using military force that are available to the President. Meanwhile, we continue to sustain pressure on Iran's other nefarious activity, and we are reassuring partners through our presence in the Arabian Gulf region and through various security commitments.

Question. What more do you believe the United States and the international community can and should do to dissuade Iran from pursuing nuclear weapons?

Answer. We should maintain the current strategic progression, which is currently in what I would describe as the "pressure" stage. Should pressure not work and Iran continue to progress, it may become necessary to further increase pressure or transition to a more coercive stage. That is a policy question best addressed by President's national security team, in which the Chairman and I participate. If confirmed, I will work to ensure we are well prepared to pursue all military options necessary to achieve this end.

Question. In your view, what are the risks associated with reducing U.S. presence in the Middle East with respect to the threat posed by Iran?

Answer. A precipitous reduction of U.S. force presence in the Middle East would negatively impact our ability to deter aggression and assure our partners. We still maintain a large number of forces deployed to the region, and have managed minor reductions—such as a recent restoral of aircraft carrier presence to more traditional levels—by messaging our continued resolve, through our known ability to restore presence, and through our global strike capability. I would add that our ability to respond to an Iranian provocation is impacted more by the decline in readiness associated with budget reductions under the sequester mechanism than by a reduction in presence.

Question. In your view, what has been the effect of sanctions against Iran—how effective have they been and should additional unilateral or multilateral sanctions be levied against Iran?

Answer. Because of these sanctions, Iran's financial, trade, and economic outlook has deteriorated significantly. Inflation and unemployment are also growing. International sanctions have hindered Iran's weapons procurement efforts and driven up the costs of obtaining necessary components for its military. Sanctions also appear to have slowed Iran's progress on its nuclear program, making it increasingly difficult for Iran to import needed materials or skills. That said, should Iran maintain its defiance of the international community and continue to develop a nuclear weapon, it may be necessary to step up sanctions even further.

Question. In your view, what role should DOD play in countering Iran's support of international terrorism?

Answer. Iranian support for proxy terrorist activities around the world constitutes a serious threat not only for the stability of our partners and allies who are directly impacted by these activities, but also for U.S. interests. DOD counters Iran's destabilizing activities in multiple ways. The Department supports diplomatic and intelligence efforts that inhibit activities of Iranian proxy and terrorist groups. Additionally, we use DOD presence in the region to deter and, when directed by the President, disrupt Iranian aggression. Further, we use our strong security cooperation relationships with regional and global partners to counter Iran's destabilizing activities. We will continue to work with the intelligence community and our many regional partners to maintain awareness of—and where feasible disrupt—Iran's asymmetric efforts.

Question. Do you agree with President Obama that all options, including military options, should remain on the table with respect to Iran?

Answer. Yes. We keep all options credibly on the table to inhibit Iranian aggression and nuclear ambitions by maintaining a robust regional presence, conducting prudent planning for all contingencies, and exercising independently and with our many partners.

Question. What is your assessment of whether sanctions as currently enacted will stop Iran from acquiring a nuclear weapons capability?

Answer. The Departments of State and Treasury have put in place wide-ranging and unprecedented international sanctions. I believe they are having a dramatic effect on the Iranian economy and should continue. They appear to have made some difference, though not yet a decisive difference, in the Supreme Leader's calculations. Thus, it remains to be seen whether these sanctions will alter Iran's course. We have plans in place to take additional action if required.

SYRIA

Question. What is your assessment of the situation in Syria and its impact on the region?

Answer. The crisis in Syria is a dynamic, complex and unlimited sectarian struggle between two sides who believe that to lose means the most severe end state. It is manifesting deep ethno-sectarian divisions across the region. The conflict risks the spread of chemical weapons and the emergence of a terrorist group that could threaten U.S. interests, and it has already cost the lives of over 100,000 Syrian people and the displacement of many more. Its regional impacts extend in varying degrees to Israel, Turkey, Jordan, Lebanon, and Iraq. Competition between and among states with regional interests continues to fuel the violence from afar, deepening Sunni-Shia and Sunni-Sunni tensions within Syria and beyond.

We continue to provide military options to the President and to work with our interagency and regional partners to address the destabilizing effects of this crisis.

Question. In your view, what is the most appropriate role for the United States in assisting regional friends and allies respond to the situation in Syria?

Answer. The United States is pursuing a diplomatic solution in Syria with the goal of a transitional government with full executive power by mutual consent, and is providing considerable humanitarian and non-lethal support to the forces oppos-

ing the Syrian Government. The U.S. military is providing support to the surrounding countries through multilateral planning efforts, exercises, and some humanitarian assistance. We are continuously engaged with key regional partners such as Jordan, Lebanon, Turkey, and Iraq to provide assistance, technical knowledge, and military contingency planning. We have placed a number of F–16s and a Patriot battery in Jordan to demonstrate our commitment to that nation's security.

Question. In your view, what—if any—role should the U.S. military play with respect to the situation in Syria?

Answer. There is a broad spectrum of potential roles the U.S. military could play in Syria. These include helping provide humanitarian assistance, providing security assistance to Syria's neighbors, and providing non-lethal assistance to the opposition, including essential provisions such as food and medical supplies—all of which we are currently doing. The military could support an international effort to dismantle Syria's chemical weapons program in a permissive post-Assad environment. Although there are legal hurdles involved, additional U.S. military involvement could include training, advising and assisting opposition forces from outside Syria—forces carefully selected to minimize the chances that they would abuse the power we would provide. At an unclassified level, the U.S. military could also conduct a broad spectrum of kinetic options in Syria, ranging from different types of limited kinetic strikes designed to achieve a variety of objectives, to different varieties of no-fly zone or humanitarian safe zones. All of these options have been presented to the National Security Staff for consideration by the Principals and the President. Each comes with costs, risks, legal hurdles, and opportunity costs. Notably, given the degradation of U.S. Air Force readiness due to the effects of the fiscal year 2013 sequester, the higher levels of kinetic response would impose severe opportunity costs for potential contingencies elsewhere in the world.

Question. In your view, what role—if any—are Iran, Russia, and Hezbollah playing in the current conflict in Syria?

Answer. Russia, Iran, and Hezbollah continue to provide support to the Assad regime.

Russia continues to provide arms, diplomatic and financial support to the Syrian regime. I defer to the intelligence community for specifics. Though it has recently held off on providing the S–300 surface to air missile system, it could reverse this decision at any time. Russia's continued support for the regime has cost it considerable credibility in the region.

Meanwhile, in order to support its client Hezbollah and sustain a hostile state on Israel's border, Iran provides the Assad regime with financial support, weapons, training, and advice regarding how to conduct the fight against the opposition forces.

Hezbollah has provided advice and has injected a considerable number of forces directly into the fight, providing a decisive capability in some cases, though sustaining serious losses. Again, I would defer to the intelligence community for specifics.

Question. In your view, what are the prospects of a negotiated solution in Syria?

Answer. Clearly, a negotiated settlement is the preferred path to achieving our policy objectives. However, its prospects are diminished by the sectarian and "total war" character of the conflict. The intelligence community has indicated that this type of conflict only is resolved through negotiation when both sides are exhausted or the dominant side is forced to the table by a major patron state. The former will likely take many years, and the likelihood of latter occurring is questionable. Greatly complicating the likelihood of a negotiated settlement is the factious nature of the opposition forces—despite intense pressure by its international patrons to coalesce politically, the opposition is still not united.

Question. In your view, is the momentum currently on the side of the Assad regime or the forces fighting to overthrow Syria?

Answer. The Assad regime—with direct support from Hezbollah, and weapons provided by Iran and Russia—has recently regained control of several areas previously in dispute or under the control of opposition forces. Momentum can ebb back and forth in these types of conflict, and it would appear to have shifted towards the regime in that part of the country.

Question. Are there asymmetric options that bypass Syria's integrated air defense system rather than kinetically neutralize it, such as standoff weapons and/or stealth, and what is your assessment of those options from a military perspective?

Answer. We have a range of military options. These are best discussed in a classified setting.

AL QAEDA

Question. What is your assessment of the threat posed by al Qaeda affiliates to the U.S. Homeland, U.S. interests overseas, and western interests more broadly? Which affiliates are of most concern?

Answer. A decade of relentless counterterrorism pressure has degraded al Qaeda's ability to operate. They are less capable of staging sophisticated, complex attacks against the west. Despite these setbacks, al Qaeda retains its intent to plan and conduct terrorist attacks against the west. Al Qaeda in the Arabian Peninsula (AQAP) remains the AQ associated group most likely and capable of attempting an attack on the United States in the near-term. Other groups, such as al Qaeda in Iraq, al Shabaab, al Qaeda in the Lands of the Islamic Maghreb, and others are more preoccupied with struggles internal to the areas in which they operate. However, to varying degrees they still have the intent and capability of conducting an attack on the United States or its people.

THE 2001 AUTHORIZATION FOR USE OF MILITARY FORCE

Question. What is your understanding of the scope and duration of the 2001 Authorization for Use of Military Force (AUMF)?

Answer. The United States is in an armed conflict against al Qaeda and its associated forces. An associated force is defined as a group that: (1) is an organized, armed group that has entered the fight alongside al Qaeda, and (2) is a co-belligerent with al Qaeda in hostilities against the United States or its coalition partners. These are the same terrorist threats that perpetrated the attacks on U.S. soil on September 11, 2001, and the AUMF still serves as the legal basis under U.S. domestic law to employ military force against these threats.

Question. What factors govern DOD determinations as to where the use of force is authorized, and against whom, pursuant to the AUMF?

Answer. In May 2013, the President promulgated Presidential Policy Guidance (PPG) governing direct action against terrorist targets located outside the United States and areas of active hostilities. This establishes procedures for DOD to conduct these types of military operations. The PPG and its derivative operational plans formalize DOD standards, policies, and determinations concerning where, how, and against whom military force may be utilized outside the United States and areas of active hostilities. DOD meticulously follows the procedures of the PPG to ensure we make well-informed and ethical/legal decisions based on the most up-to-date intelligence and the expertise of our national security professionals. Senior commanders and their legal advisors carefully review all operations for compliance with U.S. and international law before a decision is rendered by the Secretary of Defense or the President.

Question. Are you satisfied that current legal authorities, including the AUMF, enable the Department to carry out counterterrorism operations and activities at the level that you believe to be necessary and appropriate?

Answer. The AUMF in its current form provides necessary and sufficient authorities to counter al Qaeda and its associated forces. If a terrorist threat emerges that does not fit within the AUMF, the DOD would consult with Congress and the executive branch on the question of authorities.

YEMEN AND AL QAEDA IN THE ARABIAN PENINSULA

Question. What is your assessment of the current U.S. strategy in Yemen and what is your understanding of the role of DOD within that strategy?

Answer. Our overall engagement strategy with Yemen is solid. It combines diplomatic, economic, and security initiatives to improve stability and security and assist president Hadi during this period of transition. Building an enduring partnership with the Yemeni military is key to addressing critical security threats, including the campaign against AQAP. The security situation in Yemen remains fragile and we must continue our partnership and support.

Question. Given the continuing political instability and slow progress of reforms to the military in Yemen, what are your views on the United States continuing to provide security assistance—most significantly DOD section 1206 funding—to Yemeni counterterrorism forces?

Answer. A stable Yemen that is free of violent extremist remains in our best interest. AQAP elements seek to exploit instability and pose a legitimate threat to the United States, our assets in the region, and the transitional Yemeni Government. While progress has been slow, President Hadi and the military are taking steady steps to reform and restructure the military as part of the overall political transition process. They continue to engage the United States for support and advice on the

military reorganization. The 1206 funds remain critical to building the capacity of Yemeni counter terrorism forces to disrupt and degrade the AQAP operational space.

SOMALIA AND AL SHABAAB

Question. What is your assessment of the threat posed by al Shabaab?

Answer. While al Shabaab remains on the defensive, it has demonstrated a continued willingness and ability to conduct complex attacks against western interests and Somali Government targets in Mogadishu. This trend will likely continue throughout the rest of 2013, despite increasingly public disputes amongst al Shabaab senior officials and the efforts by the Somali Government, the African Union Mission in Somalia, and Ethiopian National Defense Forces to maintain pressure on the group.

Question. In your view, does al Shabaab pose a threat to the United States and/or western interests outside of its immediate operational area?

Answer. Al Shabaab does pose a threat to allied interests in East Africa, but it does not pose a direct threat to the Homeland or Europe at present. Al Shabaab merged with al Qaeda in February 2012 and shares al Qaeda's global jihadist objectives. However, the group continues to focus its efforts on defending territory in Somalia against the coalition of the Somali Government, the African Union Mission in Somalia, and Ethiopian military forces—as well as conducting attacks in East Africa.

Question. Should the United States establish military-to-military relations and consider providing assistance to the Somali national military forces?

Answer. If I am confirmed, I will work to ensure we are prepared to establish military-to-military relations with the new Somali National Army in support of the State Department efforts to recognize and strengthen the Somalia Federal Government. Meanwhile, we plan to continue assistance to our partner nations in the African Union Mission in Somalia (AMISOM) and explore ways to assist the Somali National Army. Somali stability in the near-term depends on AMISOM. Long-term, their security would be strengthened by a professional and accountable Somali National Army.

AL QAEDA IN THE ISLAMIC MAGHREB

Question. What is your assessment of the threat posed by al Qaeda in the Islamic Maghreb (AQIM)?

Answer. Al Qaeda in the Lands of the Islamic Maghreb (AQIM) and its allies have proven resilient despite the French-led military intervention in Mali. They are exploiting the Tuareg rebellion in northern Mali for safety. Although these groups no longer control key strategic towns, they retain the capability to launch sporadic attacks within Mali and neighboring countries, expand their safehaven, and attract recruits in pursuit of a hardline Islamic state based on al Qaeda ideology. AQIM will likely continue to bolster its ties to al Qaeda-associated terrorist groups throughout the region, such as Boko Haram in Nigeria, in order to influence and support attack planning. AQIM will continue to pose a local and regional threat into 2014, as North African Governments struggle to disrupt AQIM movement across expansive, porous borders.

Question. In your view, does AQIM pose a threat to the United States and/or western interests outside of its immediate operational area? What capacity has AQIM demonstrated to plan and carry out actions threatening U.S. interests?

Answer. In my view, the U.S. Homeland is not significantly threatened by AQIM. We see no indications the group places a priority on attacks outside North Africa and the Sahel, at least in the near term. However, the group remains a credible threat to U.S. and Western interests within North and West Africa, where it has conducted or attempted attacks in several countries (i.e. Mali, Niger, Algeria, Mauritania), and possibly in Europe. AQIM will likely continue to bolster its ties to al Qaeda-associated terrorist groups throughout the region, such as Boko Haram in Nigeria, in order to influence and support attack planning.

Question. In your view, what has been the impact of the recent expansion of AQIM's area of operations in northern Mali on the group's capacities and aims?

Answer. The expansion of al Qaeda in the Lands of the Islamic Maghreb (AQIM) in Mali between early 2012 and January 2013 increased the group's capacity as it collaborated with splinter groups al-Tawhid wa al-Jihad in West Africa, al-Mulathamun battalion, and Tuareg rebel group Ansar al-Din to enlarge its area of operations to several cities in northern Mali and enforce Sharia law. Although the group expanded in size, this growth has not changed the group's regionally-focused aim of establishing Sharia throughout North Africa. Following heavy losses in the

subsequent French-led intervention, AQIM largely retreated to its traditional safehaven in the Tigharghar mountains, where it continues to regroup and remains capable of conducting attacks in the region.

COMBATING TERRORISM

Question. The administration recently released its National Strategy for Counterterrorism. This strategy highlights the need to maintain pressure on al Qaeda's core while building the capacity of partners to confront mutual threats. The strategy also underscores the need to augment efforts to counter threats from al Qaeda-linked threats "that continue to emerge from beyond its core safe haven in South Asia."

How do you view the DOD's role under the new National Strategy for Counterterrorism?

Answer. DOD's role is one element of a comprehensive government approach that integrates our unique capabilities with those of our interagency partners and allies. In support of our strategic goals to combat al Qaeda-linked threats in South Asia and beyond, DOD is building partner capacity by training, advising, and assisting partnered forces to confront mutual threats. DOD will also continue to conduct lethal action against terrorist networks within rigorous guidelines, accountability methods, and standards.

Question. What is your understanding of the impact of the Presidential Policy Guidance on Counterterrorism on DOD's role within the U.S. Government's counterterrorism strategy? Will DOD see its role increase or decrease? Will DOD require any new authorities or any increased capabilities or capacities?

Answer. I feel our current authorities are sufficient to play our part in defending the Nation against existing terrorist threats. Counterterrorism is a deeply interagency effort that includes intelligence, law enforcement and defense capabilities, and our success stems in large part from the exceptional cooperation in this regard that has developed over the years. It remains to be seen, but it is possible the DOD role could increase under the PPD. The recently signed Presidential Policy Guidance on Counterterrorism is a codification of policies and procedures that have been applied for some time. The PPG and its derivative operational plans formalize the standards, policies, and determinations of DOD concerning where, how, and against whom military force may be utilized outside the United States and areas of active hostilities.

U.S. military capabilities are but one part of our comprehensive counterterrorism effort. We will continue to enable our allies to develop the capability to counter terrorists within their borders. When direct action is necessary, DOD meticulously follows the PPG procedures to ensure we make well-informed decisions based on the most up-to-date intelligence and the expertise of our national security professionals. The Department implements a rigorous, transparent and accountable review process. We will scrupulously adhere to the rule of law and the highest ethical standards in implementing the strategy and guidance.

Question. Are there steps DOD should take to better coordinate its efforts to combat terrorism with those of other Federal departments and agencies?

Answer. I believe that improved interagency cooperation is one of the signature accomplishments of the struggle against terrorism over the last decade. Nonetheless, improving interagency coordination was a key finding in our Decade of War study, and it is essential that we continue to raise the bar. At the national level, the Joint Staff participates in both the National Security Staff's Counterterrorism Security Group and the President's Counterterrorism Board of Directors. At the regional level, our geographic combatant commands advance our efforts by working closely with U.S. embassies, interagency partners and local actors. The Department continues to work with our interagency partners to assess and integrate lessons learned into our doctrine, training, planning, and operations.

Question. What do you view as the role of DOD in countering al Qaeda and affiliated groups in cyberspace?

Answer. We view cyber as an essential capability for Joint Force 2020. Similar to our other counterterrorism efforts, we recognize that defense of cyberspace requires an integrated approach to providing the best protection possible for our Nation. Working with intelligence, homeland security, and law enforcement partners, we will remain alert to the potential for cyber attacks on our Homeland conducted by terrorist groups. Meanwhile, opportunities exist for DOD to assist in the exploitation of cyberspace to counter extremist messaging through military information support operations. We have processes in place to identify and defend against cyber attacks, and share information with industry to mitigate effects.

SPECIAL OPERATIONS FORCES

Question. The previous two Quadrennial Defense Reviews (QDRs) have mandated significant growth in our Special Operations Forces (SOF) and enablers that directly support their operations.

Do you believe that QDR directed growth in the size of SOF should be retained despite current budgetary pressures?

Answer. Growth in our Special Operations Forces capability was necessary to meet the demands of the conflicts in which we have been engaged over the past decade. While some of the growth has supported countering terrorism, the principle share of increased capacity has been used to support counterinsurgency (COIN) campaigns in Iraq and Afghanistan. We have planned to use the SOF capacity released by the reduction in COIN demand in Iraq and Afghanistan in two ways: (1) to rest and reset the force; and (2) to grow our building partner capacity efforts worldwide. However, given the financial downturn we face, we must balance the need for SOF capabilities with our need to address other capability demands in light of increased budgetary pressures. Accordingly, I support maintenance of only programmed SOF resourcing, shifting priorities inside the community in order to best establish the capabilities, capacities and readiness required to meet our most pressing needs—most notably continuing to counterterrorism—while doing the best we can to service other missions.

Question. In recent years, Special Operations Forces have taken on an expanded role in a number of areas important to countering violent extremist organizations, including those related to information and military intelligence operations. Some have advocated significant changes to U.S. Special Operations Command's (SOCOM) title 10 missions to make them better reflect the activities special operations forces are carrying out around the world.

What current missions, if any, do you believe can and should be divested by SOCOM, and why?

Answer. At this time, I do not recommend changes to SOCOM's title 10 missions. In coordination with DOD, the Joint Staff uses a range of processes—such as the Unified Command Plan, Guidance for the Employment of the Force, and Joint Strategic Capabilities Plan—to assess missions and responsibilities assigned to SOCOM on a continuing basis. SOF remain uniquely suited to conducting certain information and intelligence operations. The language in section 167 of title 10, U.S.C., provides the President and the Secretary of Defense flexibility to meet changing circumstances.

Question. Are there any additional missions that you believe SOCOM should assume, and, if so, what are they and why do you advocate adding them?

Answer. I do not recommend SOCOM gain any additional missions at this time, pending a review of strategic planning documents. SOF are well-positioned to provide an appropriate range of capability to Joint Force Commanders. We will continue to use lessons from our Decade of War studies to better integrate SOF and the general purpose force.

Question. What can be done to ensure that indirect special operations missions with medium- and long-term impact, such as unconventional warfare and foreign internal defense, receive as much emphasis as direct action, and that they receive appropriate funding?

Answer. The Chairman has placed emphasis on many aspects of foreign internal defense in his Capstone Concept for Joint Operations, and has developed specific Joint Doctrine on Unconventional Warfare. If I am confirmed, one area that I may examine for enhanced legislative authorities is greater opportunities for non-SOF units to undertake building partner capacity tasks, which will relieve some of this burden from SOF forces in a severely restricted budget climate.

SPECIAL OPERATIONS AUTHORITIES

Question. Reportedly, the Commander of SOCOM has sought more control over the deployment and utilization of Special Operations Forces. For example, the Secretary of Defense recently modified policy guidance for the combatant commands that gave SOCOM, for the first time, responsibility for resourcing, organizing, and providing guidance to the Theater Special Operations Commands of the geographic combatant commanders and Special Operations Forces assigned to them. It has been reported that the Commander of SOCOM is also seeking new authorities that would allow him to more rapidly move Special Operations Forces between geographic combatant commands.

Please provide your assessment of whether such changes are appropriate and can be made without conflicting with civilian control of the military, infringing upon au-

thorities provided to the geographic combatant commanders, or raising concerns with the State Department.

Answer. Special Operations Forces undertake operations only with the approval of the requisite authorities, including the President, the Secretary of Defense, the geographic combatant commanders, and, where appropriate, the Chiefs of Mission. The SOCOM commander has made it clear that the changes he is recommending are not intended to infringe upon the authority of the Combatant Commanders—and as a former commander, I remain sensitive to this. Rather, he is trying to provide better capability to the combatant commanders such that they may use SOF forces more efficiently and effectively. I believe the proposed changes enhance the global force by networking with our U.S. interagency counterparts as well as our foreign allies and partners. If I am confirmed, I would support a more efficient and effective ability of our Special Operations Forces to respond to global demands in the future.

U.S. CYBER COMMAND MANNING AND TRAINING

Question. U.S. Cyber Command (CYBERCOM), as a combatant command, executes offensive and defensive military operations in cyberspace under title 10. CYBERCOM, in conjunction with the Military Services, is defining its personnel requirements, which will result in a requirement for the Services to provide thousands of personnel with high levels of training and skill in a technically demanding area. This force requirement could grow substantially in future years as DOD learns more about the cyber capabilities of potential adversaries and as more countries gain sophisticated cyber warfare expertise and capacity.

What are your views about programming the majority of these personnel under the Military Intelligence Program (MIP)?

Answer. U.S. Cyber Command is a subunified command. The significant amount of the work to provide planning and options in cyberspace is going to require intelligence personnel, not unlike the work conducted by our airborne Intelligence, Surveillance and Reconnaissance (ISR) platforms. We are taking a very close look at the mix of personnel, both military and intelligence, required to execute missions in cyberspace and intend to strike the right balance. The Services are in the process of building our initial target of 133 cyber teams from existing force structure. Based on how the Services are currently manned, trained, and equipped, MIP personnel in two Services, the Army and the Navy, will be in the majority, while in the Air Force and Marine Corps, MIP personnel will be in the minority. As we normalize cyber operations, we believe those differences between Services will decrease over time, and across the entire force we would expect MIP personnel to be in the minority overall, just like the other domains. However, we also expect MIP personnel to be a larger percentage of the cyber force due to the significant requirement for ISR support in the cyber domain.

Question. Are cyber offensive and defensive operations intelligence missions?

Answer. No, cyberspace operations are not inherently intelligence missions, though they can require intelligence if they are to succeed. DOD cyberspace operations are designed to operate and defend DOD information systems, support the defense of non-DOD systems, and to project power in and through cyberspace in order to satisfy national security objectives. Like all operational military missions, cyberspace operations, both offensive and defensive, are supported by mission-tailored-all source intelligence. As such, cyberspace operations include the conduct of intelligence, surveillance and reconnaissance, and operational preparation of the environment in support of mission objectives. However, a substantial portion of the offensive and defensive work is not an intelligence mission.

Question. Will programming of CYBERCOM personnel under the MIP budget also lead to policy and resource oversight by the Under Secretary of Defense for Intelligence?

Answer. Like any domain, there are both military operations and intelligence aspects of cyber operations that demand policy and oversight from both the Under Secretary of Defense for Policy and the Under Secretary of Defense for Intelligence. Both are active in this area. I would defer to OSD for further guidance on oversight requirements.

Question. Do you have any concerns about the ability of the Services to generate and retain the required numbers of skilled and highly trained personnel to support CYBERCOM?

Answer. Because manning, training and equipping the force, and then retaining highly skilled personnel, is always a core concern, the Services are closely managing their provision of critical cyber personnel. The Services recognize this as a key priority and seem to be on track to provide the required personnel. As the Department

gradually transitions to a Joint Information Environment, we should be able to transition more billets that are involved in simply managing networks into support more advanced CYBERCOM missions. We will continue to look to CYBERCOM to define a joint training standard. Cyberspace personnel managed by each Service to meet the Service's unique requirements must also meet DOD's established common standards and qualifications. It is imperative that these personnel exhibit exceptional knowledge of technical fundamentals and tactical tradecraft, and be able to employ that expertise as part of an integrated warfighting team. We have advanced our ability to generate skilled cyberspace professionals in a short amount of time, but must continue to provide the right incentives to retain these personnel in the current budget environment as we attempt to compete against industry for highly trained and skilled personnel.

Question. Should training for the CYBERCOM mission teams be conducted by the National Security Agency, by the Military Services, or in joint training facilities?

Answer. There is some training associated with specialized cyber operations tasks that is common to both an intelligence and an operational function, and that is best conducted in close coordination with the National Security Agency. There are also service training venues established that have the ability to produce some of the necessary skills required for CYBERCOM Mission Teams. Going forward, it will be important for the Joint Staff, the Services, and CYBERCOM to work together to build joint training standards and determine the best way to train to those standards.

Question. Have you considered whether the Commander of CYBERCOM should have authorities over Service personnel decisions affecting the cyber mission that are similar to those enjoyed by statute and by DOD regulation by the Commander of U.S. Special Operations Command?

Answer. The Department is examining this option as one of many possible ways to enhance the effectiveness of cyber forces. For now the current way in which personnel authorities are structured is working satisfactorily. However as CYBERCOM evolves there may be merit in mirroring some of the approaches we have taken with SOCOM, including personnel decisions.

Question. Are there adequate cyber test facilities to support CYBERCOM's offensive missions, taking into account that such missions may involve permanent damage to targets?

Answer. There are currently a number of test ranges and facilities available to conduct such testing. The quantity is currently adequate, but the need could grow—clearly, financial limitations and uncertainty could constrain additional of additional facilities should they be required. The real issue is the joint alignment and management of those resources to facilitate testing and training on an annual basis. The need for cyber facilities for testing and mission rehearsal of advanced offensive capabilities remains a critical enabler for CYBERCOM mission effectiveness. We continue to review the offensive testing and evaluation requirements, especially in light of the approved cyber mission force build out. These requirements are often blended with training, exercise, and certification requirements to drive cyber range solution sets across DOD.

DEFENSE SCIENCE BOARD REPORT

Question. The Defense Science Board (DSB) in January 2013 released a Task Force report on "Resilient Military Systems and the Advanced Cyber Threat." This report concluded that the effects of cyber warfare on civilian infrastructure could be as severe as some forms of nuclear attack, and suggested that nuclear forces should play a role in deterring devastating cyber attacks.

What are your views on whether nuclear weapons could and should be used as an element to deter severe attacks on critical infrastructure?

Answer. As stated in the NPR, the fundamental role of U.S. nuclear weapons is to deter nuclear attack on the United States, our allies, and partners. We have other means to credibly deter cyber attacks against the United States, to include both non-kinetic and kinetic means.

Question. The DSB report also recommended that DOD segregate a portion of its long-range advanced conventional strike capability and greatly enhance its resistance to cyber attack to ensure that the President retains options below the use of nuclear weapons in the event of a cyber attack that compromised our conventional forces or the means of controlling them.

What are your views on the reasoning of the DSB Task Force regarding the severity of the potential threat to our conventional forces and the means of controlling them, and whether prudence dictates extraordinary protections for portions of our military forces?

Answer. I do not believe we need to segregate any quantity of conventional forces strictly in anticipation of a cyber attack. Anticipated budget restrictions will stress our conventional operations capacity enough, and segregating more of these forces will hinder our ability to use them for other contingencies. Rather, we should ensure we continuously assess the security and robustness of the networks we use to exercise command and control over these strike capabilities. The networks supporting our long-range advanced conventional strike capability already employ robust protection measures, particularly those platforms that are nuclear-capable. Additionally, we maintain redundant forms of communication, to include analog systems, and routinely train and exercise to minimize the extent to which cyber or electronic warfare attacks degrade our capabilities. Again, however, we should not rest on our current capability, and improved security and survivability of our command and control systems is a matter I take very seriously.

Question. The DSB report also concluded that DOD has an inadequate understanding of how conflict in cyberspace would or could develop, what actions and reactions might ensue, and how conflict could escalate. To help address this deficiency, the Task Force urged the Department to develop the capability to conduct large-scale modeling and simulation of cyberwarfare.

What are your views on this issue?

Answer. Conflict in cyberspace will indeed be complex. As we have seen over history, it would be hubris for anyone to claim a complete understanding of how a new technology will perform in combat or will influence a conflict. We can only do the best we can to understand it in advance. As such, developing and conducting large-scale modeling and simulation exercises would expand our understanding of cyberspace conflict, decision thresholds, escalation concepts, and decision uncertainty. We are taking steps to improve our cyber test and training range capacity and capabilities to ensure we can train our cyber forces in exercises like Cyber Flag and Cyber Knight. The major cyber ranges are receiving an increase in funding in fiscal year 2014 to meet an expected demand in training and testing. The Services and combatant commands continue to aggressively incorporate cyber into exercises at the direction of the Secretary. We are also incorporating cyber into our large scale modeling and simulation capabilities to better understand the domain. The Joint Staff tested for the first time in a recent NORTHCOM exercise a simulation capability that presented to the training audience degraded network effects from cyber activity. The Department of Defense has also taken steps by issuing orders, policy, and doctrinal guidance to the Joint Force as seen in new joint doctrine, updates to the Standing and Supplemental Rules of Engagement, and guidance about exercising cyberspace operations with the other operating domains. These actions, combined with the lessons garnered through future large-scale modeling and simulation, should improve our understanding of the dynamics of conflict in cyberspace.

INTELLIGENCE COLLECTION AND ANALYSIS

Question. After September 11, intelligence collection and analysis focused on discovering, identifying, locating, and defeating terrorists and insurgents. These missions involve "finding needles in haystacks," and were addressed in part by human intelligence operations and by applying advanced information technology to collect and combine and sift through vast amounts of information from many unconventional sources. These intelligence capabilities are applicable to a range of transnational security challenges, but are less useful for supporting more traditional forms of military operations against nation-states.

Do you think it is necessary to evaluate the current posture and plans of DOD's intelligence components to ensure that capabilities and capacities for supporting military operations against elusive, networked adversaries and against conventional military establishments are appropriately balanced?

Answer. Balancing intelligence collection between threat networks and nation-states is continually evaluated at the theater level by combatant commanders and reflected in both their collection management process and their inputs into SecDef's management of the force guided by the Force Allocation Decision Model.

This balance is also scrutinized at the national level by the intelligence community as guided by the President's National Intelligence Priorities Framework in concert with experts in Congress and the NSS.

Since 2001, we have presided over a growing enterprise of ISR systems and operations. Some of these systems, while extremely effective in relatively permissive environments, will likely be unsuitable for operations against a modern military force. Therefore, as we build ISR in Joint Force 2020, sensor and platform diversity will be critical to successfully operate against a wide variety of target sets and in a variety of threat environments—permissive, contested, and denied.

That said, there are a few key similarities between countering elusive, networked adversaries and conventional military establishments, particularly when trying to find, fix, and finish critical elements of that conventional force, such as asymmetric capabilities (including weapons of mass destruction) and command and control nodes. In such cases, we will benefit from the advances we have made over the past decade.

INFORMATION OPERATIONS

Question. The Government Accountability Office reports that DOD has "spent hundreds of millions of dollars each year" to support its information operations outreach activities. Many of these programs are in support of operations in Afghanistan, but Military Information Support Teams from U.S. Special Operations Command also deploy to U.S. embassies in countries of particular interest around the globe to bolster the efforts of the Department of State and the U.S. Agency for International Development (USAID). Further, the geographic combatant commands are increasingly moving into this operational space.

What are your views on DOD's military information support operations and influence programs and their integration into overall U.S. foreign policy objectives?

Answer. We continue to assess and improve our information operations activities because winning the narrative remains a critical element of advancing our national security. I view Military Information Support Operations as traditional military activities that a global combatant commander uses to support theater security cooperation and underpin theater campaign plan objectives. Influence programs and activities are also a means to support broader U.S. foreign policy objectives.

DOD's military information support operations and influence programs are integrated into geographic combatant command (GCC) and country team objectives and programs. Synchronization across government is critical, and GCCs continue to improve coordination with the State Department, USAID and Country Teams by conducting monthly and quarterly working groups/VTCs and reports to share information.

Question. What is the role of DOD versus the Intelligence Community and the State Department?

Answer. DOD continues to work alongside the Department of State and USAID in support of foreign policy objectives. DOD information operations can complement and reinforce the Department of State and other government agency efforts by focusing on military audiences and ensuring information operations themes and messages are derived from and synchronized with the State Department public diplomacy.

DOD conducts periodic working groups with the Intelligence Community and the State Department to deconflict and synchronize information operations and military information support operations (MISO) activities at the GCC, Joint Staff and OSD levels.

Question. How do you believe the success of these programs should be measured, especially in light of the constrained budget environment?

Answer. Measuring success of these programs remains a challenge. The information space is inherently complex, but should not be yielded to an adversary. It is not always easy to discern whether a change is due to an information program or some other activity more closely associated with actions on the ground. However, DOD continues to develop and monitor measures of performance and measures of effectiveness for these programs. We are incorporating these lessons in our doctrine, training, planning, and reporting.

DEPARTMENT OF DEFENSE COUNTERNARCOTICS ACTIVITIES

Question. On an annual basis, DOD's counternarcotics (CN) program expends approximately $1.5 billion to support the Department's CN operations, building the capacity of certain foreign governments around the globe, and analyzing intelligence on CN-related matters. In a recent Government Accountability Office (GAO) report, GAO found that DOD "does not have an effective performance measurement system to track the progress of its counternarcotics activities." This is the second such finding relating by GAO to DOD CN in the last decade.

What is your assessment of the DOD CN program?

Answer. DOD's counternarcotics activities operate in an inherently complex environment in which it can be difficult to determine with precision whether generated effects are due to DOD efforts, other U.S. interagency efforts, host nation efforts, or factors beyond the control of these entities. I believe it would be hubris for anyone to claim the ability to create a system that would accurately track the progress of any effort in the complex arena. We do believe that DOD's CN program is criti-

cally important to enabling the broader U.S. interagency and foreign partner counternarcotics efforts. Our foreign and interagency partners with counterdrug responsibilities continually ask for DOD training, equipment, exchanges of information, planning, infrastructure, transportation, analytical, aerial reconnaissance, communications, and related support to build the capacity of foreign security services with counterdrug responsibilities. These roles and activities are appropriate and effective in strengthening law enforcement, governance, and rule of law institutions.

Question. In your personal view, should DOD continue to play a role in stemming the flow of illegal narcotics?

Answer. Yes. though current budget limitations will present an enormous challenge to our ability to do this while addressing our many other security responsibilities. With the potential for the convergence of violent extremist organizations with drug trafficking organizations, I see DOD's continued support to law enforcement as a necessary component of our national security.

Question. In your position as the Commander of U.S. Northern Command, what was your assessment of the DOD CN program as it related to Mexico and the Caribbean?

Answer. The CN efforts of the United States, Mexico, and Caribbean nations have achieved major and sustained progress against cocaine use and distribution throughout the Western Hemisphere. U.S. Northern Command furthers this effort by achieving unprecedented cooperation with the Governments of Mexico and Caribbean nations in our efforts against the threat, and I expect continued cooperation in future years. I believe these roles/relationships are essential to our policies and strategies in the region. However, this progress is deeply threatened by current budget decreases and uncertainties, as resources will likely be diverted from this area to address our many other security needs.

Question. In your position as the Commander of U.S. Northern Command, were there any activities that you had hoped to be able to conduct using DOD CN funding, but were not able to do and that you, if confirmed, would recommend DOD seek the authority to conduct?

Answer. I found that I had sufficient authorities to serve an effective supporting role to other U.S. Government agencies and foreign partners with counternarcotics responsibilities. Should I be confirmed, I will remain supportive of leveraging our current authorities and longstanding relationships within the region to support our partner nations and defend the Nation from transnational criminal organizations.

RESPONSIBILITY TO PROTECT

Question. The U.S. Government has recognized the "responsibility to protect" (R2P)—that is, the responsibility of the international community to use appropriate means to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, by encouraging states to protect their own populations, by helping states build the capacity to do so, and by acting directly should national authorities fail to provide such protection. In its 2010 Quadrennial Defense Review, DOD names "preventing human suffering due to mass atrocities" as one of a long list of potential contingencies that DOD might be called on to address. DOD has begun to explore some of the implications of R2P, by considering "mass atrocity prevention and response operations".

In your view, how high a priority should the "responsibility to protect" be for the U.S. Government as a whole?

Answer. The "responsibility to protect" is not currently viewed by the United States as a legal basis for the use of military force. Our nation may call on us to prevent human suffering, initially using means other than force, and could use military force as a last resort if other instruments of national power fail. We work closely with our international military partners, where needed, to emphasize professionalism, commitment to the rule of law, and strengthen their capacity to protect their citizens. Without legal standing, it is not a practice we would rank order by priority, though we would be prepared to act if called upon by the President to do so.

Question. In your view, what should be the role of DOD, if any, in fulfilling the responsibility to protect?

Answer. The use of military force is only one of many instruments of national power. We should always view use of force as a last resort, to be considered only when all other instruments of national power have failed and used under appropriate legal authority. We should ensure we are doctrinally prepared to execute a mission if called upon to do so. The role of DOD in fulfilling the responsibility to protect, should it be cited as a casus belli, would be to provide the President with a full range of options and be prepared to act if called upon to do so.

Question. In your view, what is the proper application of R2P doctrine with respect to the situation in Syria?

Answer. R2P has been mentioned as a potential legal basis for the use of force in Syria, but to my knowledge a decision has not been taken to activate this basis. Using R2P as a basis would be a political vice military decision. Meanwhile, the U.S. Government is working with allies and partners and with the Syrian opposition to provide humanitarian assistance within Syria and across the region. The United States is providing nearly $815 million in aid to help the victims of this conflict, including emergency medical care and supplies, food, and shelter. The recent addition of more than $300 million in humanitarian aid will increase food aid, medical care, clean water, and provide shelter and other relief supplies for families suffering in Syria and neighboring countries.

OPERATION OBSERVANT COMPASS & THE LORD'S RESISTANCE ARMY

Question. Despite pressure by the Ugandan People's Defense Forces (UPDF) and efforts by U.S. Special Operations personnel to support them, elements of the Lord's Resistance Army (LRA)—including Joseph Kony—continue to operate and commit atrocities against civilian populations in the Central African Republic, Democratic Republic of the Congo, and South Sudan. Some observers have identified operational concerns with this mission, including that: (1) supported forces are trying to find an elusive foe in an area roughly the size of California, much of which is covered in thick jungle; (2) technical support to U.S. forces and their UPDF partners from the defense and intelligence community continues to be inadequate; and (3) limitations continue to be placed on the ability of U.S. Special Operations personnel to accompany UPDF partners outside of main basing locations, thereby limiting the level of direct support they can provide.

In your view, what is the objective of Operation Observant Compass?

Answer. Operation Observant Compass aims to: (1) protect civilians, (2) promote DD/RRR (disarmament, demobilization, reintegration, repatriation, and resettlement), (3) increase humanitarian access/support, and (4). This is a whole-of-government effort across a range of U.S. Government agencies and partners. DOD is the primary agent for assisting the UPDF in removing Kony and other senior LRA leaders from the region.

I acknowledge the operational challenges of this mission in the context of competing demands and higher priorities. U.S. Special Operations forces do accompany UPDF partners on missions in the Central African Republic, remaining clear of combat action with LRA elements, but they are not doing so in Sudan or the disputed region due to diplomatic concerns.

Question. Do you support the continuation of DOD's current level of support to this mission?

Answer. The current level of support is appropriate. DOD is currently weighing future options, as we prioritize limited resources among numerous competing priorities.

INTERNATIONAL PEACEKEEPING CONTRIBUTIONS

Question. In testimony before the House Committee on Foreign Affairs on July 29, 2009, Ambassador Susan Rice, U.S. Ambassador to the United Nations, stated that the United States "is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women I should note—to U.N. peacekeeping operations."

What is your view on whether the United States should contribute more military personnel to both staff positions and military observers in support of U.N. peacekeeping operations?

Answer. If confirmed, I would be willing to consider opportunities to support peacekeeping missions, including key staff officers and military observers, if such a course of action aligned with our national security interests. However, this mission must of necessity compete within the spectrum of other national security interests, including counterterrorism, that are often a higher priority.

Question. If confirmed, would you support identifying methods through which the DOD personnel system could be more responsive to requests for personnel support from multilateral institutions like the United Nations?

Answer. We have made additional contributions in this area over the past 2 years, as the appointment of Army Brigadier General Hugh Van Roosen to force chief of staff for the United Nations Mission in Liberia has demonstrated. We have also worked closely with the U.S. Mission to the United Nations to overcome administrative obstacles to the assignment of U.S. servicemembers within the U.N. Secretariat. I am confident we will continue to improve upon our processes and support of multi-

lateral institutions. We may be able to bring more capacity to bear as we draw down from Afghanistan, keeping in mind that the force will be shrinking with budget cuts and we need to allow the force to rest. Our U.S. servicemembers bring battle-tested experience and expertise that enhance these types of organizations in the execution of their vital global missions.

GLOBAL PEACE OPERATIONS INITIATIVE

Question. The Global Peace Operations Initiative was established after the 2004 G8 Sea Island Summit to address growing gaps in international peace operations. In most cases, DOD plays a supporting role in the implementation of this train and equip program.

What is your understanding and assessment of this program?

Answer. The Global Peace Operations Initiative (GPOI) is a key component of our Government's strategy to build the capacity of U.S. partners to carry out peacekeeping operations. Through small investments in training and equipment, we can prepare motivated partners for successful participation in peacekeeping. GPOI has directly trained over 175,000 peacekeepers from 38 countries and enabled the training of another 52,000 instructors since 2005. Over two dozen peace operations have benefited from the program. GPOI is a strong example of the results we obtain when the Departments of State and Defense work together to promote our Nation's security.

Question. Would you support additional DOD contributions—in the form of U.S. military trainers—to support this program?

Answer. The GPOI has been successful in building partnership capacity in large part because of its flexibility. Our combatant commanders have made excellent use of this program to tailor assistance to the specific needs of individual partners. While GPOI underwrites training delivered by both contractors and military personnel, our experience has shown that servicemembers produce more effective and longer-lasting results than contract instructors. If confirmed, I would consider this factor, subject to the demands of our other operations overseas and against the backdrop of the severe budget restrictions we face under the Budget Control Act.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

Question. Criminal networks are not only expanding their operations, but they are also diversifying their activities, resulting in a convergence of transnational threats that has evolved to become more complex, volatile, and destabilizing. The Director of National Intelligence recently described transnational organized crime as "an abiding threat to U.S. economic and national security interests," and stated that "rising drug violence and corruption are undermining stability and the rule of law in some countries" in the Western Hemisphere. In July 2011, the President released his Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security. One of the priority action areas designated in the strategy is "enhancing DOD support to U.S. law enforcement."

What is your understanding of the President's strategy to combat transnational criminal organizations?

Answer. The President's Strategy to Combat Transnational Organized Crime integrates all elements of national power, including the military, to combat transnational organized crime and related threats to national security. Ultimately, within our capacity to do so, the strategy seeks to reduce transnational organized crime to a manageable public safety concern.

Question. What is your understanding of the Department's role within the President's strategy?

Answer. DOD is not the lead agency responsible for combatting transnational organized crime. DOD instead plays an appropriate and important role in supporting law enforcement to counter threats to national security.

Question. In your view, should DOD play a role in providing support to the U.S. law enforcement and the Intelligence Community on matters related to transnational organized crime?

Answer. DOD is often able to provide unique supporting capabilities to address the full range of transnational criminal threats, including: military intelligence support to law enforcement, counter-threat finance, military-to-military capability development, and military operational activities against threats to the United States. Some of the capabilities DOD has developed over the last decade of war are applicable to countering transnational organized crime. DOD should provide support to U.S. law enforcement and the Intelligence Community as part of a whole-of-government approach, consistent with current authorities.

MASS ATROCITIES PREVENTION

Question. President Obama identified the prevention of mass atrocities and genocide as a core U.S. national security interest, as well as a core moral interest, in August 2011 under Presidential Study Directive 10.

Among interagency partners, what is DOD's role in addressing atrocity threats, and what tools does DOD have for preventing or responding to atrocities?

Answer. DOD has developed Joint Doctrine for conducting Mass Atrocity Response Operations and conducted a comprehensive review of DOD training. Atrocity prevention and response is now part of DOD plans and planning guidance. In addition, DOD is working with the U.N. to strengthen that organization's ability to respond to atrocity events.

Question. Has DOD developed planning processes toward this effort so that it will be able to respond quickly in emergency situations?

Answer. Yes. DOD has developed planning processes toward this effort.

Question. In your view, is the situation in Syria a mass atrocity?

Answer. My view is consistent with the White House Fact Sheet of May 1, 2013.

FUTURE OF NATO

Question. As a result of coalition operations in Afghanistan, Libya, and elsewhere the NATO alliance has achieved unprecedented levels of integration and interoperability.

If confirmed, what recommendations, if any, would you have for capturing the lessons learned from recent coalition operations and maintaining the capabilities developed as a result of those operations?

Answer. Both the United States and NATO have been capturing incorporating lessons learned into education, training and preparations for future operations and missions. Within the Joint Staff, our J–7 Directorate for Joint Development has the DOD lead on lessons learned. Our J–7 works with NATO, Allied Command Transformation, headquartered in Norfolk, VA, which has the lead on lessons learned from Alliance operations (with most of NATO's work performed by the Joint Analysis and Lessons Learned Center located in Monsanto, Portugal).

I am keenly aware of the potential for diminishing interoperability and readiness as operations in Afghanistan draw down. If confirmed, I intend to continue our efforts through the Connected Forces Initiative to ensure all NATO forces and those of capable partners remain ready and interoperable. Subject to funding, this will include expanded education; increased training and exercises; and better use of technology. Additionally, the increased support for the NATO Response Force to which we have committed in the wake of our drawdown in Europe will provide excellent opportunities for maintaining our coalition warfighting capability. Finally, a broad array of exercises will help inhibit the atrophy of this important capability.

Question. In your view, what existing or new missions should be the focus of NATO's strategic efforts over the next 5 years?

Answer. In my view, NATO operations in Afghanistan will remain a key focus of NATO's strategic effort over the next 5 years. This includes successfully concluding the ISAF combat operation by the end of 2014 and ensuring that NATO is ready to commence its new train, advise, and assist mission, known as Resolute Support, on 1 January 2015. The task of that mission will be to ensure that Afghan National Security Forces are sustainable, credible, and capable of maintaining security in Afghanistan under responsible and efficient Afghan Security Institutions, operating within appropriate civilian and political controls.

That said, NATO must also anticipate future threats or enhance its preparedness for threats we already understand. These include continued emphasis on ballistic missile defense, an understanding of the transformation of terrorist groups, and cyber defense to the extent it is collectively feasible. Given the evolution of terrorist threats, it may be wise to consider an alliance capability to respond quickly to terrorist events that threaten member citizens overseas.

Question. What steps, if any, could or should NATO take, in your view, to reduce tensions with Russia?

Answer. NATO has made significant progress in reducing historical Cold War animosities and suspicions by focusing on cooperation in addressing common security threats in the areas such as Afghanistan stabilization, counter-piracy, counterterrorism, and counterproliferation. Such cooperative efforts are spearheaded through the NATO-Russia Council (NRC). The NRC should continue to explore new forms of transparency and confidence building to augment the level of trust and goodwill between NATO and Russia. Enhancing military-to-military contacts at all levels is always beneficial, as we discovered during the conflict in Georgia; while

Russia can be grudging in developing these contacts, NATO should play a role in fostering this aspect of the relationship.

But long-term improvement in relations has as much to do with changed perceptions within Russia as with any NRC project or initiative that can be accomplished. A shift in Russia's own strategic calculus will take time and firm, consistent NATO engagement.

Question. In your view, how should NATO proceed on the issue of further enlargement of the alliance over the next 5 years?

Answer. The further enlargement of the alliance is a political decision that can be made only by the NATO Heads of State and Government. I continue to believe, however, that nations able to meaningfully contribute to the security of the alliance should be given favorable consideration, consistent with Article 10 of the North Atlantic Treaty.

PREVENTION OF AND RESPONSE TO SEXUAL ASSAULTS

Question. In 2012, for the fourth year in a row, there were more than 3,000 reported cases of sexual assault in the military, including 2,558 unrestricted reports, and an additional 816 restricted reports (restricted, meaning that, in accordance with the victim's request, they were handled in a confidential manner and not investigated). Moreover, a recent survey conducted by the DOD indicates that the actual number of sexual offenses could be considerably higher, as 6.1 percent of active duty women and 1.2 percent of Active Duty men surveyed reported having experienced an incident of unwanted sexual contact in the previous 12 months.

What is your assessment of the current DOD sexual assault prevention and response program?

Answer. In short, while we have established a strong sense of urgency and put a host of important initiatives in place, I would be the first to acknowledge that we have a long way to go to achieve our goal of a culture in which such assaults simply cannot occur. We are aggressively pushing forward under the five pillars of Prevention, Advocacy, Investigation, Accountability, and Assessment, and we will not rest until we have solved this problem.

We have taken strong action to bring perpetrators to justice, address a military culture that became too complacent of corrosive climate, and hold commanders accountable for both. The Secretary of Defense and the Joint Chiefs are personally committed to eradicating sexual assault within our ranks. We will continue to improve processes and programs as part of our comprehensive approach.

The Services have achieved progress, to include specialized training for investigation and litigation, access to victim's advocates and counsel through special victim's programs, and highly qualified experts to advise on program progress.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. Our foremost concern remains the safety and well-being of the victim. If a sexual assault occurs, we would rather the victim provide an unrestricted report, which allows for thorough investigation and delivery of justice as appropriate.

However restricted reporting must remain an option for victims, permitting access to services to meet their personal needs without the additional stress of a criminal investigation. I am personally committed to developing a climate across our Joint Force that makes victims comfortable and confident in unrestricted reporting.

We are starting to see what we believe are higher rates of unrestricted reporting. Our initiative to move initial disposition authority to O–6 commanders or higher has increased unrestricted reporting. Access to Special Victim's Counsel and advocates has increased those victims willing to change a restricted report to an unrestricted report. We will continue to pursue these and other measures with the victim's interest always in mind.

Question. What is your understanding of the adequacy of DOD oversight of military service implementation of the DOD and Service policies for the prevention of and response to sexual assaults?

Answer. I believe DOD oversight of policy implementation is adequate and improving, but I recognize we still have gaps to close in collecting timely data and changing behavior in the force from top to bottom.

The Sexual Assault Prevention and Response Office (SAPRO) oversees the Department's sexual assault policy. I have developed significant confidence in this office and its leadership, and I personally rely on them for advice and information. SAPRO works with the Services' offices to execute the Services' sexual assault prevention and response plans. SAPRO also works with the civilian community to develop and implement aggressive prevention and response approaches to the pro-

grams. They continue to lead on this issue by informing and advising commanders at all levels and closing the gaps as we detect them.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults have occurred?

Answer. My experience has always been that commander accountability is the cornerstone of unit mission success and discipline, with commanders at every level upholding the standards of trust and respect that all of our men and women in uniform deserve. This is a consistent and important element of our military culture: the commander is held responsible for the climate in his or her unit. Sexual assault in the military found root in a climate that had become complacent. We are changing that, swiftly. We have already amended our command climate assessments by updating the surveys to include servicemembers' evaluation of their commanders on climate and sexual assault response. We will ensure that senior leadership has access to the results of those surveys. We have moved initial disposition authority for incidents of sexual assault to O–6 commanders or higher. But to make all of these efforts take hold and change the unit culture, the role—and accountability—of the commander remains essential.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. We hold a unit commander responsible for everything the unit does or fails to do, on or off duty, whether CONUS or deployed in remote expeditionary circumstances. That kind of responsibility is best served by authority that aligns with it. Commanders receive extensive training in their unique legal responsibilities and continue to regularly consult with their judge advocates on all issues, including whether (or not) to prosecute alleged sexual assault offenses. If a commander and his or her judge advocate disagree, the decision will be reviewed at the next higher level. Removing commanders from the military justice process would send a harmful message that commanders cannot hold their people accountable and are not themselves accountable for everything in their unit. We could have removed this authority from commanders when we were struggling with equal opportunity and drug issues, but we didn't—and we got it right because commanders are the ones who fix problems in their units. I've had women commanders come up to me and insist we not take this out of the chain because they don't believe they can demand higher standards if they cannot enforce them.

Question. Article 60 of the Uniform Code of Military Justice requires the convening authority to take action on the sentence issued by a court-martial and authorizes a convening authority, in his sole discretion, to take action of the findings of a court-martial, including setting aside a finding of guilty or changing a finding of guilty to a finding of guilty of a lessor included offense.

What is your view about the authority of a convening authority to set aside or modify findings of guilt and authority to reduce a sentence imposed by court-martial?

Answer. Article 60 of the Uniform Code of Military Justice currently grants broad authority and discretion to convening authorities to dismiss findings of guilt after trial. I have already endorsed Secretary Hagel's proposed amendments to Article 60 that remove a convening authority's ability to modify Court Martial findings or sentences for qualified offenses. A convening authority should continue to have the discretion to dismiss minor offenses under appropriate circumstances, such as to prevent an accused from the burden of a felony conviction when found guilty of minor misconduct but acquitted of major offenses. A convening authority should have the flexibility to adjudicate such offenses in an alternate fashion, and should retain the ability to modify sentences, which is an essential component of our plea bargain process.

Question. During the recent full committee hearing on sexual assault, it was suggested that the terminology used in the Workplace and Gender Relations Surveys have resulted in difficulty in providing an accurate picture of the prevalence of sexual assault within the military. Specifically, use of the term "unwanted sexual contact" comprises such a broad spectrum of behavior that some have questioned the value of the survey.

What is your view concerning the methodology and terminology used in the Workplace and Gender Relations Surveys and what changes would you recommend to improve the survey as a basis for better understanding the prevalence of sexual assault in the military?

Answer. I feel we need to improve our methodology to provide more detailed—and more frequent—information about the prevalence of sexual assault and the conditions under which it occurs. Many of the survey terms we have used for years are too broad in scope and cover a broad spectrum of behavior—a choice that was made

for understandable reasons at the time. However, we have learned from our efforts over the past decade and see the need for both aggregate and discrete data to inform our programs. Common terminology throughout the government and private sector will also help both communities talk about the same thing and better share effective practices.

RELIGIOUS GUIDELINES

Question. In your view, do policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. Yes. We value the service and sacrifices of those members of the Joint Force who hold deep religious faith, and those of no religious faith, equally—and commit to provide each with a climate that promotes mutual respect and trust. DODI 1300.17, "Accommodation of Religious Practices Within the Military Services" states that "The Department of Defense places a high value on the rights of members of the Military Services to observe the tenets of their respective religions or to observe no religion at all." We take the words "high value" seriously. As a result, policies ensure that each of the Services allows individuals to request accommodation of religious practices. Each request is considered on a case-by-case basis. The commander values the servicemember's free exercise of religion, while ensuring that approval of requests does not adversely affect mission accomplishment, military readiness, unit cohesion, good order, discipline or any other military requirement.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact unit cohesion and good order and discipline?

Answer. Yes. Standing policies ensure commanders consider requests for accommodation of individual expressions of belief, to include apparel, grooming and worship practices. Requests are given equal consideration as long as they do not negatively impact mission accomplishment, military readiness, unit cohesion, good order, discipline or any other military requirement.

Question. There have been reports of incidents in which individuals in the armed services have not been accommodated in the free exercise of religion.

What actions, if any, have you directed to address these reports?

Answer. While I'm not personally aware of any servicemember who has been denied accommodation of his or her free exercise of religion, I do know that in each of the Services, commanders carefully consider each individual request for accommodation and take these matters seriously. If an individual's request for accommodation is denied, then policies are in place that allow the member to appeal that denial all the way up to Service Headquarters level. Our policy is actually to approve these requests whenever possible. The bottom line is that military leaders place a high value on each servicemember's individual religious freedoms and we do our best to accommodate those freedoms.

RESERVE COMPONENTS AS AN OPERATIONAL RESERVE

Question. What is your understanding and assessment of the Reserve components as an operational Reserve, as opposed to its longstanding traditional role as a strategic reserve?

Answer. As budget pressures tighten, the Reserve component role will evolve along with that of the Active component, which could alter the current shape of both components in ways yet to be determined. However, we know that sustained engagement in combat operations has transformed the Reserve components of our Armed Forces. Repeated combat deployments, as well as peacekeeping, humanitarian relief and homeland defense missions, have produced a force more operationally capable and experienced than any time in our Nation's history.

I remain confident that given sufficient predictability of the next deployment, the vast majority of Reserve component forces and capabilities can be accessed systematically long into the future. National Guard and Reserve members expect to deploy periodically to meet the Nation's security needs, and many have volunteered with this understanding. This operational force is a direct result of the substantial investment in resourcing commitments and the personal sacrifice of members, their families, and their civilian employers.

Question. In your view, what are the major challenges to maintaining and enhancing the National Guard and Reserves as a relevant and capable operational reserve?

Answer. Our current budgetary challenges and the steady decline of Overseas Contingency Operations (OCO) funding will challenge our ability to maintain current levels of readiness in the National Guard and Reserves. With respect to the

National Guard, we must be sensitive to responsibilities for State missions when considering the use of these units for operational employment overseas. While remaining a strong supporter of our Nation's Reserve component, I am concerned that a singular focus on maintaining the Reserve component at high readiness will degrade Active Duty readiness—our most responsive force. We are already seeing this with the requirement now in law for Air Guard units to be maintained at full combat readiness, which in a difficult budget environment has accelerated a decline in Active component squadron readiness.

Question. What are your views about the optimal employment in generating forces for combat missions of the National Guard and Reserve?

Answer. We have seen a significant change in Reserve component use over the past 20 years and have developed a Total Force—Active, National Guard, and Reserve—to meet sustained combatant commander requirements around the globe. This evolution and the broad range of security and financial challenges on the horizon require us to make smart decisions about Total Force roles and missions to ensure we have the forces needed to defend and advance our national interests.

The recently published report to Congress on Unit Cost and Readiness for Active and Reserve components of the Armed Forces examined this issue in depth. The report concluded that the factors used to determine the proper mix and employment of Active and Reserve component units differ greatly not only among the Services but also for individual missions and unit types. These findings will inform the next Quadrennial Defense Review which will ultimately determine the optimum mix and employment models for our Total Force.

Question. In your view, should homeland defense or other global or domestic civil support missions be assigned exclusively to the National Guard?

Answer. No, this should be a full-spectrum effort, and it would be a disservice to our citizens if any one element capable of providing a response were to be excluded for political or other reasons. I believe each component of the Total Force—Active, Guard, and Reserve—has an important, layered, and interdependent role in the successful execution of homeland defense and civil support missions. We have taken steps to enhance this system through, for example, the Dual Status Commander concept. The Council of Governors has been most helpful in bringing perspective to and gaining understanding of the complexities of this process. I believe we should bring the most appropriate force to respond to any challenge the Nation faces, whether the issue is foreign or domestic.

For domestic response, the National Guard is deeply embedded in our communities. In many cases, these soldiers and airmen possess unique skills, qualifications and experiences that enable rapid responses to natural and manmade disasters and provide invaluable contributions to homeland defense missions. In other cases, an Active component or Federal Reserve unit may be able to provide the right response more quickly due to their unique capabilities and/or proximity to an incident area.

NATIONAL GUARD

Question. What is your understanding and assessment of changes in the global and domestic roles and mission of the Army National Guard, the Air National Guard, and the National Guard Bureau?

Answer. In military operations since September 11, the Nation drew extensively upon the Reserve components to meet operational requirements, and they have integrated seamlessly with the Active component on the battlefield for over a decade. The placement of the Chief of the National Guard Bureau on the Joint Chiefs of Staff formalized this operational relationship. Though the tempo of operations for the Reserve component will reduce as operations in Afghanistan draw to a close, some operational use of the Reserve component will persist. The National Guard Bureau has tremendous experience in domestic operations, so it will be an important voice for ensuring a seamless response across military components and interagency partners.

Question. In your view, should there be a requirement that the position of Commander, U.S. Northern Command or Commander, U.S. Army North, the Army component commander, be filled only by a National Guard officer? Please explain.

Answer. While I would welcome assignment of a National Guard officer to one of these commands, I believe senior leadership positions should be filled with the best, most fully qualified officer available at the time for that position. National Guard officers who possess the required qualifications for these positions should be considered equally with their Active component and Federal Reserve counterparts. I believe that restricting the selection pool to only National Guard officers could arbitrarily eliminate a more qualified officer for the position, which is contrary to our goal of finding the absolute best candidate for the job.

Question. What steps need to be taken, in your view, to ensure that a "deep bench" of National Guard general officers is continually being developed?

Answer. Building a deep and capable bench of general officers is extremely important for all components of the Total Joint Force, including the National Guard and Reserves. Key factors in developing a deep bench of general officers include education, deliberate officer development, and experience. We currently make education opportunities available to all our Reserve component officers, allowing them to attain the same qualifications as their active counterparts. The Services, National Guard Bureau, and the Federal Reserves maintain effective officer development and management programs to ensure the right people are receiving the right education and experience at the right time. The "Chairman's 18 Reserve Positions"—18 general and flag officer billets throughout the Joint Force designated for Reserve component officers—is having a powerful and positive impact providing Reserve component officers the requisite experience required to be effective leaders at senior levels in the Total Joint Force. Inclusion of a three-star National Guard officer as the Deputy Commander at NORTHCOM and as the Deputy Director of the National Guard Bureau have enhanced our ability to provide senior positions for Guard officers.

RISING COSTS OF MEDICAL CARE

Question. In testimony presented to Congress in February 2009, the Assistant Director of the Congressional Budget Office asserted that "medical funding accounts for more than one-third of the growth projected for operations and support funding between 2009 and 2026." In April 2009, then Secretary of Defense Gates told an audience at Maxwell Air Force Base that "health care is eating the Department alive". In recent years, the Department has attempted to address the growth in overall health care costs by identifying efficiencies as well as by proposing increased cost shares for military retirees.

What is your assessment of the long-term impact of rising medical costs on future DOD plans?

Answer. Health care consumes nearly 10 percent of the department's budget and could grow considerably over the next decade, taking an ever larger bite of our ability to invest in enhanced warfighting capability. The healthcare benefit is an important component of retention for our men and women. If confirmed, I will continue to work closely with Service and Department leaders and with this Congress to find reasonable and responsible ways to stem this growth while still fairly providing for the needs of our men and women. This will require finding efficiencies and encouraging healthier lifestyles, and may require increased cost shares from the constituents of the system.

Question. If confirmed, what actions would you initiate or recommend to mitigate the effect of such costs on the DOD top-line?

Answer. Through the last two budget cycles, Congress has permitted small increases in the TRICARE Prime enrollment fees. These adjustments were an important step to managing costs, but they are not enough to sustain the benefit in the long term. If confirmed, I will continue to seek to better manage costs by building a shared Joint Force commitment to behaviors that promote health and continuing to look for savings where practical. We may also need to increase constituent participation in paying for this system. Given today's budget environment, it is critical that we find an acceptable compromise to reduce costs while maintaining the quality of care our personnel and veterans expect.

Question. What reforms in infrastructure, benefits, or benefit management, if any, do you think should be examined in order to control the costs of military health care?

Answer. We are continuing to look at fiscal year 2014 options that would slow the growth of health care costs while preserving its quality and range. We're looking at options such as facility consolidations and civilian-military personnel mix changes, as well as initiatives that increase cost-sharing with beneficiaries, such as increased co-pays and other fee adjustments. If confirmed, I will continue to review initiatives for controlling the costs of military health care while always keeping in mind the importance of providing quality service to our people.

SYSTEMS AND SUPPORT FOR WOUNDED WARRIORS

Question. Servicemembers who are or have been wounded and injured in combat operations deserve the highest priority from their Service for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from active duty when appropriate, and continuing support beyond retirement or discharge. Yet, as the revelations at Walter Reed Army Medical Center (WRAMC) in 2007 illustrated, the Services were not prepared to meet the needs of significant

numbers of returning wounded servicemembers. Despite the enactment of legislation and continuing emphasis, many challenges remain, including a growing population of servicemembers awaiting disability evaluation.

What is your assessment of the progress made to date by DOD, the Department of Veterans Affairs, and the Services to improve the care, management, and transition of seriously ill and injured servicemembers and their families?

Answer. I feel we've made amazing progress in medical care over the last 12 years of war. We've achieved revolutionary medical advances, including joint battlefield surgical care, and advanced rehabilitation provided by the Department of Veterans Affairs. But we've been advancing more slowly in other areas, particularly those surrounding family and transition. We're making progress, but I recognize we have work to do. If I am confirmed, I will keep my focus on this critical area. My wife Mary has played a key role both by being active in finding ways to enhance care for our wounded warriors and their caregivers and in enhancing my own understanding of the problems we face.

Question. What are the strengths upon which continued progress should be based?

Answer. We will look to expand research and treatment through collaboration between the private medical research and healthcare sectors and our Centers of Excellence. Many of our Wounded Warriors have successfully returned to service through such programs. We must also continue to grow our day-to-day collaboration with the Department of Veterans Affairs. We are close to achieving our goal of 100 percent certified medical records accompanying a servicemember transitioning to the VA.

Question. What are the weaknesses that need to be corrected?

Answer. One key area for improvement is individual case management when a servicemember transitions from the Active Force to DOD retiree or eligible veteran status. Streamlining this process relies on a single electronic health record, to follow the servicemember through transition, and a single tracking tool for case management. Our communication across our bureaucracies continues to be an area of frustration. We also have more work to do in ensuring the best possible opportunities exist for our wounded warriors, to include jobs and continued care for their mental and physical disabilities.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase support for wounded servicemembers and their families, and to monitor their progress in returning to duty or to civilian life?

Answer. We need to continue our progress in tracking and assisting our wounded warriors and their caregivers, and in finding opportunities for meaningful employment, physical rehabilitation, and mental health. If confirmed, I will remain vigilant for new opportunities to help these American heroes, especially when and where they are frustrated by bureaucratic issues.

Question. Studies conducted as a result of the revelations at WRAMC pointed to the need to reform the disability evaluation system (DES). The Integrated Disability Evaluation System (IDES) was established to integrate the DOD and Department of Veterans Affairs disability systems to improve and expedite processing of servicemembers through the disability evaluation system.

What is your assessment of the need to further streamline and improve the DES?

Answer. I support the recommendations of Senator Dole's and Secretary Shalala's commission, to regain patient focus within each department's core competencies. Otherwise, IDES has developed to its limit to have the separate processes operate as if unified. We have recently made progress in this area by setting—and nearly achieving—a goal of having 100 percent certified complete medical records for transitioning servicemembers.

Question. If confirmed, how will you address any need for change?

Answer. If confirmed, I will continue to work to accelerate transition and disability processing within the bounds of the law, principally by working to ensure no bottlenecks exist on the DOD side of the equation. Our governance process improvements with the VA are integral to streamlining the process.

SUICIDE PREVENTION AND MENTAL HEALTH RESOURCES

Question. The numbers of suicides in each of the Services continues to concern the Committee.

In your view, what role should the Joint Chiefs of Staff play in shaping policies to help prevent suicides both in garrison and in theater and to increase the resiliency of all servicemembers and their families, including members of the Reserve components?

Answer. In general, preventing suicides falls under the Service Secretaries' and Service Chiefs' title 10 responsibilities. However, the Joint Chiefs must collectively approach the critical issue of military suicides with the same urgency we have given

to protecting the lives of our men and women in combat. One way to do this is through shared understanding among the Services—which the Joint Chiefs can and will promote, similar to sharing best practices regarding prevention of sexual assault. The Department continues to work across the interagency and the White House to better understand the factors leading to suicide, and to ultimately enable all our Veterans and their families to enjoy the future they have sacrificed so much to secure.

Each of the Services has a comprehensive suicide prevention program dedicated to evaluating the impact on force readiness, informing senior leaders, and providing guidance and oversight for program implementation. The Department currently has a number of programs in place designed to build resilience, provide adequate mental health resources, increase help-seeking behaviors, and offer a variety of additional services aimed at helping servicemembers deal effectively with stressors.

Question. If confirmed, what actions will you take to ensure that sufficient mental health resources are available to servicemembers in theater, and to the servicemembers and their families upon return to home station?

Answer. If confirmed, I will work in concert with the Service Chiefs to maintain, and increase where needed, effective treatments for mental health issues, traumatic brain injury, and combat stress. The extensive behavioral health resources already available to our forces in Afghanistan represent an important foundation upon which we will continue to build. I will also continue to support service efforts to remove lingering stigmas or barriers to treatment for servicemembers and their families. We will ensure commanders encourage seeking help by highlighting examples of servicemembers who have benefitted from mental health assistance or counseling.

MILITARY QUALITY OF LIFE

Question. The committee is concerned about the sustainment of key quality of life programs for military families, such as family support, child care, education, employment support, health care, and morale, welfare and recreation services, especially as DOD faces budget challenges.

If confirmed, what further enhancements, if any, to military quality of life programs would you consider a priority in an era of intense downward pressure on budgets, and how do you envision working with the Services, combatant commanders, family advocacy groups, and Congress to achieve them?

Answer. If confirmed, I will continue to support essential areas, such as mental health counseling, fitness, child care, and spouse employment. I believe we can sustain a reasonable level of essential services only if we continue to reduce overlaps and seek other efficiencies in the way we apply our declining resources. However, we also need to provide security to the Nation and sustain the quality of the All-Volunteer Force. The entire military enterprise is under scrutiny. We can only achieve balance and priority through honest discussion and tough choices regarding which Services foster successful recruitment, retention, and career progression while achieving fiscal sustainability for the military of the 21st century.

FAMILY READINESS AND SUPPORT

Question. Military members and their families in both the Active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of growing concerns among military families as a result of the stress of frequent deployments and the long separations that go with them.

What do you consider to be the most important family readiness issues for servicemembers and their families?

Answer. According to recent surveys, military families are most concerned about pay and benefits and retirement. DOD engages military families on this issue via the Pay and Retirement Working Group. The working group's input is addressed through the Military Compensation and Retirement Modernization Executive Committee.

Question. If confirmed, how would you ensure that family readiness needs are addressed and adequately resourced?

Answer. If confirmed, I will continue to place military family needs among my highest priorities. We must examine every warrior and family support program to ensure that we target funding at the most impactful programs and reduce duplicative efforts. To do so, we will continue current studies with DODEA, DECA, and a number of university partnerships that are focused on best practices and the return on investment of existing programs.

Among these efforts, we must also include the restructuring of medical facilities to make them more efficient, without sacrificing quality or continuity of care.

Question. How would you address these family readiness needs in light of global rebasing, deployments, and future reductions in end strength?

Answer. If confirmed, I will continue to work with the Services to meet the changing needs of our military families. The Joint Staff is building—with the White House and the Services—sustainable community-based partnerships and initiatives that improve education, employment, and wellness support for current and transitioning members.

DOD has also adjusted force size and rotation, redoubled transition support, and invested in world-class health care for our families. This includes: (1) fielding effective treatments for mental health issues, traumatic brain injury, and combat stress; and (2) continuing the effort to reduce the stigma of service and family members seeking mental health services.

Question. If confirmed, how would you ensure support is provided to Reserve component families related to mobilization, deployment and family readiness, as well as to active duty families who do not reside near a military installation?

Answer. We must ensure that every family has access to quality resources, regardless of component or location. Current efforts include the Services' effort to leverage: (1) public/private partnerships within the communities; and (2) the State Joint Force Headquarters of the National Guard to help members access child care, mental health services, and employment opportunities. If confirmed, I will continue my support of these critical efforts.

Question. If confirmed, what additional steps will you take to enhance family support?

Answer. If confirmed, I will continue to advocate for the Services caring for our families. Today, Family Support Working Groups, Resource Management Decision Working Groups, and other venues are actively attempting to ensure program effectiveness, share best practices, and reduce duplication of efforts. America's citizens have also stepped forward—from the local to the national level, thousands of organizations, higher learning institutions, and businesses have partnered to support our Military Family. However, there will always be new ideas and initiatives to enhance family support. I will be most interested in those with high leverage that provide dramatically enhanced support without further deepening our fiscal crisis.

COUNTER THREAT FINANCE

Question. Identifying and disrupting key individuals, entities, and facilitation routes enabling the flow of money that supports terrorism, production of IEDs, narco-trafficking, proliferation, and other significant national security threats could have an outsized impact on confronting these threats. In August 2010, the Department issued a Counter Threat Finance (CTF) Policy Directive which recognized the CTF discipline as an essential tool in combating criminal networks and terrorist organizations and called for the integration of CTF capabilities into future force planning and the continued support to interagency partners conducting CTF operations.

What is your assessment of the Department's efforts to date to institutionalize and support these capabilities?

Answer. We learned the importance of CTF through our success in Iraq and Afghanistan with the Threat Finance Cells. Identifying and upsetting financial supply lines are a proven means of disrupting threats to U.S. national security. DOD Directive 5205.14 (CTF), which was updated in November 2012, drives the institutionalization of CTF within DOD.

Threat Finance Cells—which are comprised of intelligence, law enforcement, and defense personnel—play a supporting role in identifying insurgent, criminal, and terrorist finances; disrupting front companies; developing actionable financial intelligence; freezing/seizing illicit funds; and building criminal cases. Ultimately, success in CTF will depend on DOD's continued ability to integrate with, support, and complement other U.S. Government, multinational, and host nation activities.

Question. What is your assessment of the current ability of the Department to provide support to other U.S. Government departments and agencies conducting counter threat finance activities?

Answer. DOD currently supports the interagency with its unique capabilities, including long-term planning, network analysis, intelligence analysis and tools, and the integration of intelligence into operations. The result is a well-coordinated, capable and robust CTF posture. If confirmed, I do not anticipate an immediate need to expand the support that DOD is providing, but we will continue to remain fully engaged in the interagency process to counter threat finance activities.

Question. What changes, if any, would you recommend to DOD's current counter threat finance efforts?

Answer. The Department is examining its current counter threat finance efforts and identifying ways to strengthen it, incorporate lessons learned from Iraq and Afghanistan, and further institutionalize DOD's capability. Possible recommendations may include further training and education for the force. However, budget reductions will likely make it difficult to significantly expand this program.

LAW OF THE SEA CONVENTION

Question. You have previously expressed your support for U.S. accession to the United Nations Convention on the Law of the Sea.

Do you still believe that the United States should join the Law of the Sea Convention, and, if so, why?

Answer. Yes. I support the United States acceding to the Law of the Sea Convention. My career as a Naval Officer intermixed with joint tours drives home the importance of this orderly set of laws governing activity on the sea—a set of rules that benefit our maritime nation greatly. Our accession would increase our credibility and influence in defending the Convention's existing norms that enable the access, mobility, and sustainment of our military forces and commercial fleet. Our nonparty status detracts from our ability to lead developments in the maritime domain, and enables emerging powers to advance their contrary interpretations of the Convention. As the global security environment changes, it will become increasingly important for the United States, as the world's foremost maritime power, to use all elements of national power and lead from inside the framework of the Convention rather than observe from the outside.

TREATMENT OF DETAINEES

Question. The Constitution, laws, and treaty obligations of the United States prohibit the torture or cruel, inhuman or degrading treatment or punishment of persons held in U.S. custody.

If confirmed, will you take steps to ensure that all relevant DOD directives, regulations, policies, practices, and procedures applicable to U.S. forces fully comply with the requirements of section 1403 of the Detainee Treatment Act and with Common Article 3 of the Geneva Conventions?

Answer. Yes. If confirmed, I would continue to take steps to ensure that all relevant DOD directives, regulations, policies, practices, and procedures applicable to U.S. forces fully comply with the requirements of section 1403 of the Detainee Treatment Act and with Common Article 3 of the Geneva Conventions of 1949.

Question. Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the DOD Detainee Program, dated September 5, 2006?

Answer. Yes. I support the standards for detainee treatment specified in the Army Field Manual on Interrogations and in DOD Directive 2310.01E.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Vice Chairman of the Joint Chiefs of Staff?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR BILL NELSON

NAVY INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE TRANSITION PLAN

1. Senator NELSON. Admiral Winnefeld, section 112 of the National Defense Authorization Act (NDAA) for Fiscal Year 2011 directs the Navy to sustain and continue to upgrade its manned airborne intelligence, surveillance, and reconnaissance (ISR) fleet until it commences fielding a platform or mix of platforms that provide equal or greater capability. The law directs the Vice Chairman of the Joint Chiefs of Staff and the Under Secretary of Defense for Intelligence (USD(I)) to certify annually that the Navy remains in compliance and is supporting the needs of the combatant commanders. The Navy has certified compliance. In the President's budget request, the Navy plans to gradually draw down its aging EP–3E and P–3 Special Projects Aircraft over the period of fiscal years 2016–2018 as part of a maritime ISR transition plan that will field a fleet of MQ–4C Triton unmanned aerial vehicles (UAV). I understand the Secretary of the Navy is supportive of this transition. Have you spoken to the combatant commanders to confirm if these ISR capabilities fulfill their requirements?

Admiral WINNEFELD. Combatant commanders requests for ISR always exceed our capacity to provide. However, regarding capability, the combatant commanders contributed to the Navy's MISR&T Transition Plan through the Battlespace Awareness Joint Capabilities Board. The combatant commanders understand and support how we are optimizing the Navy's "high-demand, low-density" ISR capability.

2. Senator NELSON. Admiral Winnefeld, is the Navy effectively managing the ISR platform transition?

Admiral WINNEFELD. Yes. Dr. Vickers and I, along with Joint Staff and representatives from the combatant commands, carefully reviewed Navy's current ISR capabilities and proposed way ahead. We have certified Navy's plan each of the past 2 years. Such review is critical because, while the EP–3E ARIES and P–3 Special Projects Aircraft (SPA) have been workhorses for the Navy and Joint Force for decades, they're fast approaching end-of-service life (approximately 2020).

To mitigate short-term risk, the Navy is sustaining the capabilities of both the EP–3E and P–3 SPA aircraft while fielding the baseline Triton UAV with its greatly improved persistence. They are also adding a Quick Reaction Capability, which provides certain "SPA-like" capabilities, to the P–8A aircraft. Proper phasing of manpower is critical to ensure transition of capability and capacity to follow-on platforms, without impacting combatant commanders.

The Navy's plan, as part of a joint effort, invests in the right platform/sensor mix and is in the best interests of the Joint Force, particularly in our current budgetary environment. However, additional requirements, particularly those in the NDAA for Fiscal Year 2014 draft language requiring the sustainment of five EP–3Es for allocation, that limit the Navy's ability to execute this plan may draw resources that impede fielding of the appropriate future force. Dr. Vickers and I will continue to monitor Navy's progress closely.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

READINESS AND FLYING HOUR CUTS

3. Senator INHOFE. Admiral Winnefeld, due to a recently approved reprogramming, the Air Force was able to move $208 million into flying hour funds. Why couldn't DOD do this before April 9, 2013? Was it due to a lack of flexibility in moving funds within the DOD budget?

Admiral WINNEFELD. Yes, both the NDAA and fiscal year 2013 enacted budgets were 3 and 6 months late respectively, which resulted in a 6 month Continuing Resolution that limited our flexibility (transfer authority) to move money between major budget categories and into flying hour funds. The Air Force's limited Operations and Maintenance transfer authority of $15 million was insufficient to restore any reasonable portion of the $591 million flying hour reduction resulting from sequestration in fiscal year 2013. Consequently, the lack of flexibility and reduction in Operations and Maintenance funds resulted in the Air Force grounding some flying squadrons on April 9, 2013. The reprogramming action completed in July gave the Air Force the authority to shift $1.6 billion from other appropriations into critical Operations and Maintenance funds to minimize the impact on readiness, $208 million of which was applied towards the Air Force flying hour program.

4. Senator INHOFE. Admiral Winnefeld, I believe DOD was short approximately $11 billion in overseas contingency operations (OCO) funding and has requested that $9.6 billion be reprogrammed from the base budget. If DOD received full funding for overseas contingency operations, what impact would that have had on DOD operations and readiness as a whole, to include Air Force flying hours?

Admiral WINNEFELD. The President's fiscal year 2013 OCO budget fully funded wartime operations based on our best estimates 2 years ago. However, during execution of the fiscal year 2013 budget in the spring of 2013, the Department identified a shortfall of between $7–$10 billion, conservatively, in OCO funds due to a combination of sequestration reductions against both the Base and OCO operation and maintenance budgets and higher than forecasted wartime operating costs, including fuel, retrograde transportation, etc.

To ensure we could properly conduct wartime operations and to help minimize some of the devastating impacts to base budget readiness, the Department requested $9.6 billion in reprogramming authority from Congress. Because it was unclear how much of the reprogramming action would be approved, the Services continued scrutinizing their budget activities to find additional resources to address the funding shortfall. Ultimately, Congress approved the majority of the requested fiscal year 2013 reprogramming actions, allowing the Department to appropriately fund wartime operations and mitigate a portion of the impacts to readiness in the Air Force Flying Hour Program. Ultimately, the curtailed readiness activities will have a cumulative effect in fiscal year 2014, which will be amplified with further sequestration.

5. Senator INHOFE. Admiral Winnefeld, how many additional hours will have to be dedicated to bring all these units and its aircrews back up to mission-ready status?

Admiral WINNEFELD. As of today, there are 18 squadrons in the Air Force still flying at reduced levels of readiness. An additional 7,000 flying hours at a cost of $116 million above the PB14 request and 3–6 months would be necessary to bring these remaining 18 squadrons from current (lower than Basic Mission Capable) flying rates back to pre-sequester mission status (Combat Mission Ready flying rates).

Prior to sequestration, a substantial number of Air Force squadrons were already operating at lower than optimal goals due to previous Budget Control Act (BCA) reductions and the effects of long-term high operations tempo. On 9 April, a total of 31 squadrons were stood down, including 13 combat-coded (fighter, bomber, and Airborne Warning and Control System (AWACS)) units and 18 institutional units (Weapons School, Aggressors, Thunderbirds, etc.). Through efficiencies and the $208 million from the DOD reprogramming request, the Air Force was able to shift funds and increase the flying rates of the 13 combat coded units back to Combat Mission Ready (CMR) rates for the remainder of fiscal year 2013. It will take 3–6 months at this CMR rate before these squadrons return to pre-sequestration mission ready rates. The efficiencies and reprogramming also allowed the remaining 18 institutional units to resume flying, albeit lower than Basic Mission Capable (BMC) rates.

The Air Force will continue to have readiness challenges due to the BCA and sequestration, beyond the units that were stood down. To bring all Air Force flying squadrons back to full mission readiness goals needed to meet Defense Strategic Guidance requirements, it would take approximately 2 years, an additional $3.2 billion per year in fiscal year 2014 and fiscal year 2015, and a reduction in current deployment tempo (e.g. deploy-to-dwell at 1:3 or better).

6. Senator INHOFE. Admiral Winnefeld, how much will that cost?

Admiral WINNEFELD. As of today, there are 18 squadrons in the Air Force still flying at reduced levels of readiness. An additional 7,000 flying hours at a cost of $116 million above the PB14 request and 3–6 months would be necessary to bring these remaining 18 squadrons from current (lower than Basic Mission Capable) flying rates back to pre-sequester mission status (Combat Mission Ready flying rates).

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7. Senator INHOFE. Admiral Winnefeld, what happens to these units on October 1, 2013, when sequestration hits again?

Admiral WINNEFELD. Given the nature of the cuts in fiscal year 2013, we had no flexibility in managing squadron readiness. If sequester hits in fiscal year 2014, we will be able to rotationally stand-down units, or fly them at reduced rates, similar to actions we took in fiscal year 2013. The net effect of cuts spread over the full fiscal year versus just 7 months will lead to readiness levels slightly higher than under sequester in fiscal year 2013, but still well below pre-sequester—and already sub-optimal—readiness levels. This will significantly erode our training and force development efforts, and increase risk in our ability to fill OPLAN and the Secretary of Defense ordered missions.

8. Senator INHOFE. Admiral Winnefeld, in your professional military opinion, what are the military options that could best accomplish changing the balance of military power between the Assad regime and the armed opposition without boots-on-the-ground, assuming: (1) vetted rebels are provided with light arms and anti-tank weapons and training; (2) no kinetic action against Syrian integrated air defense system; (3) limited strikes in Syria would be allowed as would flight into Syrian airspace; (4) airstrikes would last no more than 2 weeks; (5) collateral damage to civilians is to be minimized. Under those parameters, assuming legal justifications were in place: (1) what could you accomplish in terms of altering the balance of military power; (2) what lines of military effort would you recommend; (3) what are the risks associated with those lines of effort; and (4) what is the cost of your recommended course(s) of action? Please provide an assessment of the impact on your ability to handle an Iranian conflict following such an action.

Admiral WINNEFELD. Within the framework and the constraints and objectives articulated above, there are military options available, which we have fully briefed to the national security staff.

At the unclassified level, these options would include strikes with standoff weapons on key Syrian Regime infrastructure, logistics nodes, and combat forces command and control nodes that could degrade regime forces. Striking attack helicopters on their ramps with standoff weapons would have an important impact on regime close air support capability, though the locations of those helicopters varies. Contrary to what some have suggested, although fixed wing tactical aircraft are being used by the regime against the opposition, they are not the principal firepower element being used to target the opposition. For this reason, striking runways, again as some have suggested, is not an optimal use of expensive standoff weapons, to say nothing of the fact that the regime would rapidly repair runway damage and resume operations. While the above strikes would have an effect on the balance of military power, they are not likely to be decisive.

Rather, the regime is primarily targeting the opposition through artillery and rocket attacks and ground forces operations. We believe that suppressing these attacks would require a campaign that would roll-back certain (though not necessarily all) elements of the integrated air defense system and subsequently enable a campaign against Assad's ground forces. Details of such a campaign would be classified, but such a campaign is feasible. Contrary to depictions of our prior responses as involving a massive campaign, this would not require enormous resources, but would require a moderate number of ISR, tactical aviation and traditional support aircraft such as tankers, AWACS and personnel recovery resources, as well as regional bases and defenses for those bases. Principal risks to this approach would be: (a) the risk of retaliation from Syria against regional partners and U.S. bases within those countries; and (b) the risk to U.S. aircraft from mobile surface-to-air missile systems.

To effect a positive and longstanding result, U.S. support should contribute to enabling a substantial number of moderate opposition fighters over an extended period of time. Such an endeavor to build a moderate opposition force capable of defeating regime forces and consolidating and holding territory would require at least 2 years. This extended large-scale train and equip effort is probably the wisest course of action; however, it is not without substantial obstacles. Preferably, strikes would be

deferred until an opposition force is capable of maintaining and exploiting at least some of the gains provided by the strikes.

The two options outlined above could complement one another and cause the balance of military power to shift. However, we believe it is unrealistic to expect this shift to occur rapidly. Both sides are in an existential struggle for survival, and have demonstrated considerable resiliency. We are concerned that some consider such a campaign to be easy. Once the first 2 weeks pass without a clear solution to the conflict, there would most certainly be an appetite for more action. Thus, we need to understand that the United States would likely be drawn into a protracted conflict, and would need to be prepared for the expense and follow-on actions in a post-Assad Syria that would likely be demanded.

Finally, we need to be prepared to fund either or both options. Our initial estimate for a train and equip mission is in the hundreds of millions dollars per year. The cost of the strikes depends on the number of munitions expended, but costs would start in the tens of millions and could easily increase to hundreds of millions.

Regarding Iran, we are currently postured to respond to contingencies in the Gulf and we monitor Iranian actions very closely. If action against Iran were sequential to action in Syria, we would use forces already anticipated for such a conflict. If such action were to occur in parallel, some of the forces we would deploy would not be at optimal levels of readiness.

9. Senator INHOFE. Admiral Winnefeld, assuming you were given the constraint of no U.S. boots-on-the-ground and to minimize collateral damage, without kinetically taking out the Syrian integrated air defense system, what limited U.S. military options could change the balance of military power between Assad and the armed opposition? I am looking for an option that falls between doing nothing and doing a no-fly-zone over Syria. In your professional military opinion, do you think we should do any of these options?

Admiral WINNEFELD. Two contributions to the contest in Syria could most effectively change the balance of power between President Assad and the armed opposition.

The first is to train and equip an opposition force that can competently fight in this war. This can and should be conducted outside Syria in a neighboring state. I am in favor of expanding this effort.

The second is to conduct operations to begin a campaign to attrite the forces that are causing the most damage to the opposition; namely artillery and rockets launched by Syrian regime forces, followed closely by attack helicopters. To be sure, attacking command and control nodes and fixed wing aircraft would have an impact, but not a decisive impact. Thus, I do not believe that merely cutting runways, as some have suggested, or hitting fixed wing tactical or transport aircraft on the ground will turn the tide. We have learned this before in places like Libya and Serbia, where a considerable level of effort was required to shift events on the ground in favor of an opposition force. This is serious business, and merely launching a few Tomahawk Land Attack Missiles into Syria hoping to turn the tide of this war will not accomplish that objective.

Rather, it would make more sense to execute a campaign that would take out the above-mentioned most effective regime forces (artillery, rockets, and attack helicopters). The details of such a campaign would be classified, but it would generally involve removing the most important elements of the IADS and gradually eliminating the forces that most threaten opposition elements.

My role is to provide advice on how, not whether, to use force. However, I believe such an operation would only be advisable under a satisfactory combination of the following factors: the level of U.S. interest at stake justifies the use of force; the contemplated action is deemed legal under domestic and international law; such a legal basis would not invite unwelcome similar action from parties elsewhere; the outcome of such action would result in decisive effects for a force that clearly shares our interests; an executable and affordable plan exists for what would follow such action; financial support is obtainable from Congress, if required; and no other contingencies of greater importance than instability in Syria are imminent.

10. Senator INHOFE. Admiral Winnefeld, Assad uses airfields to receive weapons and troops from Iran, move Syrian army troops around the country, resupply those troops, and conduct airstrikes against the opposition. Do these airfields represent a strategic vulnerability?

Admiral WINNEFELD. The airfields do represent one of several strategic vulnerabilities, but these airfields are not the regime's center of gravity. Degrading Assad's airfields would hinder the regime but probably not shift the balance of power decisively in favor of the opposition. Moreover, degrading airfields is an ex-

pensive and frustrating business, in which cratered runways are repaired quickly and damaged fuel farms are replaced by trucks carrying fuel.

Artillery, rockets, and, to a lesser degree, attack helicopters are principal forces hindering opposition progress in threatening the regime. Thus, I would view those forces as a more important strategic vulnerability than airfields.

11. Senator INHOFE. Admiral Winnefeld, could a limited strike, using standoff weapons and stealth aircraft, crater major runways, making them unusable for the Assad regime?

Admiral WINNEFELD. The U.S. military has the capability to crater Syrian runways, but only at great expense. Cratering all the runways at a representative airfield in Syria would require 50–70 TLAM missiles. However, these runways would only be unusable for several days before they are repaired. Moreover, Russian-built aircraft are especially adept at operating off rough airfields, including those that have been cratered and rapidly repaired. Finally, cratering runways does little or nothing to impact attack or logistics helicopter operations.

12. Senator INHOFE. Admiral Winnefeld, would we have to bomb the Syrian integrated air defense to do a limited stealth and standoff weapons attack?

Admiral WINNEFELD. The U.S. military can conduct a limited stealth and standoff weapons attack without bombing Syrian integrated air defenses. The question is whether such an attack would be decisive in turning the tide in favor of the opposition. Such an attack could achieve a limited objective, such as deterring future use of chemical weapons, but it would not alone shift the tide of the war, as we have seen in several other cases (such as Serbia and Libya).

13. Senator INHOFE. Admiral Winnefeld, how would the movement of Russian S–300 surface-to-air missile systems into Syria affect military options?

Admiral WINNEFELD. The S–300 is a modern surface-to-air missile system that, if procured by Syria, would be their most advanced surface-to-air weapon. The S–300 would significantly increase the risk to any U.S. aircraft or cruise missiles flying within its engagement zone.

14. Senator INHOFE. Admiral Winnefeld, after letting the Taliban raise the flag and the country name they used when they governed Afghanistan on the political office the United States helped arrange in Doha, Qatar, the Afghan people and President Karzai were understandably upset. Are the chances for a U.S.-led peace process, or reconciliation process, dead?

Admiral WINNEFELD. While the reconciliation process in Afghanistan has thus far been exceedingly complex and challenging, is has not stopped moving forward. It remains an important element of fostering stability in Afghanistan. We will continue to support our Afghan partners in their efforts to meet with the Taliban and reach a political settlement that provides peace and security for the people of Afghanistan.

15. Senator INHOFE. Admiral Winnefeld, are we forcing this issue and doing more harm than good?

Admiral WINNEFELD. A reconciliation process inevitably introduces additional complexity into internal conflict in any nation, as well as uncertainty among the elements making up both sides of the conflict. There will be both progress and setbacks along the way in any such negotiation process. Afghanistan is no exception. Nonetheless, a political solution has been required to end most insurgencies (witness the ongoing process in Colombia), and we support reconciliation as a part of the end game solution in Afghanistan. The Department of State is taking the necessary measured steps to support the peace process. A reconciled Afghanistan is in the best interest of all parties involved. President Karzai acknowledges this, and continues to encourage the peace process, albeit on his terms.

16. Senator INHOFE. Admiral Winnefeld, in your military opinion, what is the troop level at which the United States and international troops can only do force protection and no other mission? In other words, at what troop level is the military only able to protect itself?

Admiral WINNEFELD. Troop numbers in combat are not only based on troop-to-task but also the threat environment. Current plans call for a NATO train, advise and assist mission and a separate U.S. counterterrorism mission. Our force protection posture will be designed to protect the force conducting these missions, as well as any supporting U.S. forces. Based on our current threat assessment, our planning consideration allocates approximately 40 percent of the deployed servicemembers to force protection.

KEY PERFORMANCE PARAMETERS

17. Senator INHOFE. Admiral Winnefeld, please list examples of where changes you have helped institute in the military's requirements process through the Joint Requirements Oversight Council (JROC) has been successful.

Admiral WINNEFELD. Examples of successes from changes made to the JROC and JCIDS process include:

- F–35: Addressed service concerns with Key Performance Parameters (KPPs) for all variants and reduced performance threshold values associated with combat radius and short takeoff distance, saving money without compromising required performance for the warfighter.
- Ground Combat Vehicle/Amphibious Combat Vehicle (GCV/ACV): Directed an assessment of commonalities, which confirmed the requirement for different base vehicles and identified a number of technical areas where commonality could potentially provide measurable cost savings.
- Long-Range Strike-Bomber (LRS–B): From the initiation of the Initial Capabilities Document (ICD) and Capabilities Development Document (CDD), the JROC reviewed and approved both in less than 30-days—typically would have run 6-months minimum.
- Unmanned Carrier Launched Airborne Surveillance and Strike System (UCLASS): Re-examined the operational concept of deploying UCLASS which resulted in requirements trades from the previously approved ICD and eventual CDD.
- 3 Dimensional Expeditionary Long Range Radar-Ground/Air Task Oriented Radar (3DELRR–G/ATOR): Reviewed potential overlapping requirements for service-specific radar capabilities. Analysis enabled 3DELRR to proceed with reduced performance threshold values and to meet cost and schedule targets.
- Conventional Prompt Global Strike (CPGS): Reassessed CPGS ICD which resulted in substantial cost savings by making acceptable technology development and performance tradeoffs.
- Global Positioning Satellite Modernization AoA: Reviewed and confirmed that the existing program of record satisfies combatant command requirements. Avoided substantial expenditure aimed at achieving unnecessary performance improvements.
- Air and Missile Defense Radar (AMDR): Reduced performance threshold values to ensure the system would not require new hosting platform development while still providing improvements to current capabilities.
- Armored Multi-Purpose Vehicle (AMPV): After validation of the CDD, industry engagement resulted in KPP change proposals that adequately addressed the identified capability requirements while meeting or exceeding affordability targets.
- Family of Advanced Beyond Line-of-Sight Terminals (FAB–T): Reviewed the CDD and approved revisions to both the Initial Operational Capability definition and several KPPs.
- Apache Block III: Reviewed and approved revisions to Capability Production Document KPPs to include Net Ready-related specified solutions and engine performance to account for engine wear over the duration of the program.

18. Senator INHOFE. Admiral Winnefeld, in addition, what other reform initiatives such as this are you working on?

Admiral WINNEFELD. Other recent and future JROC and JCIDS initiatives include:

- Key Performance Parameter Relief (JROCM 015–13): Intended to encourage acquisition managers, in coordination with the appropriate requirements sponsors, to officially request requirements relief where KPPs appear out of line with an appropriate cost-benefit analysis. This has resulted in increased descoping actions such as in AMPV above, JMS, and Apache Block III.
- I initiated Quarterly Leadership Forums between myself, USD(AT&L), and D/CAPE to ensure continued coordination and alignment between requirements, acquisition, and resourcing.
- We are reviewing and updating JROC and JCIDS guidance documents based on lessons learned and opportunities to further improve the process. Additionally, we are working closely with AT&L as they update the DODI 5000.02 (Operation of the Defense Acquisition System).

U.S. AFRICA COMMAND

19. Senator INHOFE. Admiral Winnefeld, what is your threat assessment of U.S. Africa Command's (AFRICOM) area of responsibility—is the threat growing, stabilized, or receding?

Admiral WINNEFELD. [Deleted.]

20. Senator INHOFE. Admiral Winnefeld, do you believe we have the forces in place in U.S. European Command (EUCOM) and AFRICOM to be able to both remain engaged in Africa and respond, if necessary, to threats as they evolve?

Admiral WINNEFELD. DOD is prepared to respond to threats and crises as they arise while remaining engaged in AFRICOM and EUCOM.

AFRICOM forces remain engaged in priority missions such as countering violent extremist organizations and partnership building within Africa, in accordance with the President's priorities for the continent. Meanwhile, we have taken a number of steps to be better prepared for crisis operations, particularly in Northern Africa. For example, the Marine Corps has resourced additional Marine Security Guard (MSG) Detachments to meet regional threats and address Department of State security concerns. While relieving an embassy under attack is highly complex, we also maintain Marine FAST platoons and other forces in the region to be able to rapidly reinforce an embassy in advance of a problem. Among these forces is a dedicated Special Marine Air Ground Task Force-Crisis Response in Spain capable of quickly responding to a variety of threats in Africa or Europe.

DOD has also developed and adopted rules that will allow force sharing between combatant commands for brief durations to ensure rapid response in the event of a crisis. DOD and the State Department work together to ensure that high risk facilities are properly secured with DOD support, as required. Finally, DOD monitors specified crisis response forces throughout the world and makes adjustments to position and posture forces based on threat requirements.

21. Senator INHOFE. Admiral Winnefeld, do you believe we have dedicated enough intelligence assets to the continent of Africa?

Admiral WINNEFELD. [Deleted.]

22. Senator INHOFE. Admiral Winnefeld, what is you assessment of combining AFRICOM with EUCOM?

Admiral WINNEFELD. Assigning combatant commands under the current structure has led to productive engagement, planning, and operations in the respective areas of responsibility. However, depending on the magnitude of budget cuts to DOD, we may need to consider combatant command consolidations among a number of other difficult staff consolidation and reduction decisions. Combining AFRICOM and EUCOM would be one of several options we would consider.

F–35 JOINT STRIKE FIGHTER PROGRAM

23. Senator INHOFE. Admiral Winnefeld, what is your assessment of the F–35 program?

Admiral WINNEFELD. One of the Department's top priorities is to ensure the success of the F–35 development program and achieve a stable design that will permit increased and more economical production rates. The President's fiscal year 2014 budget request includes a total of $8.3 billion for continued system development ($1.8 billion) and procurement ($6.5 billion) of an additional 29 F–35 aircraft. To ensure the F–35 maintains its effectiveness against continually evolving threats, this request also includes resources to deliver advanced weapons and sensors to the F–35 fleet in the years following Initial Operational Capability (IOC).

To date, the Department has accepted close to 70 aircraft from the production line which are undergoing test activities at NAS Patuxent River and Edwards Air Force Base (AFB) while the Air Force and Marine Corps are training pilots and maintainers at Eglin AFB. In addition, the Marine Corps activated the first operational F–35 squadron last fall at MCAS Yuma, AZ and is currently accepting deliveries of F–35B STOVL aircraft as part of a 16-aircraft squadron by September 2013. Moreover, the Services documented their IOC plans in a report to Congress in June, and the government recently reached agreement with the contractor for Low Rate Initial Production (LRIP) lots 6 and 7.

While we have over 50 percent of the flight test program remaining and have a good deal of development to complete, including software and weapons integration, both the F–35 A and B completed the first lifetime (8,000 hours) of fatigue testing and will begin the second lifetime testing soon. Likewise, the F–35C is projected to

complete the first lifetime this fall. While we remain fully committed to the program, our focus is on completing development, which will permit ramping up to increased economies of scale in production, and on getting support costs down.

24. Senator INHOFE. Admiral Winnefeld, why do we need the F–35?

Admiral WINNEFELD. The F–35, as our primary air dominance platform, meets the National Security Strategy challenge of preparing for increasingly sophisticated adversaries and deterring and defeating aggression in anti-access environments. The F–35 will execute a broad range of missions against the most capable threats across the full spectrum of military operations. It will defeat increasingly sophisticated threat aircraft and air defenses to provide Joint Forces the freedom of action to conduct land, maritime and air operations. The F–35 capabilities will preserve our ability to precisely project power into distant, highly contested environments.

The F–35 will form the backbone of U.S. combat airpower for decades to come. It will replace aging, legacy fighters from across the Air Force, Navy, and Marine Corps with a multi-role, fifth generation aircraft. It will achieve air dominance across multiple missions to include: offensive and defensive counter-air, suppression and destruction of enemy air defenses, and precision strike (e.g., air interdiction, strategic attack, and close-air support). It provides advanced capability in the following areas:

- Survivability: detects, denies, and defeats sophisticated threats.
- Lethality: locates, identifies, intercepts, and destructs enemy aircraft, missiles, land and sea forces.
- Interoperability and Networking: enhances linked and synchronized interoperability among the Services and our international partners.
- Computer Network Operations: protects own networks from enemy attack and disrupts enemy networks.
- Affordability: the program's tight focus on reducing cost has realized significant and encouraging success. International participation further reduces cost.
- Logistics Supportability and Commonality.

The F–35 is central to the National Military Strategy and our ability to deter and defeat an increasing anti-access threat.

25. Senator INHOFE. Admiral Winnefeld, what is the threat that is driving procurement of this aircraft—air and ground?

Admiral WINNEFELD. The multi-role F–35 is the centerpiece of the Department's future air dominance and precision attack capabilities. The F–35's fifth generation attributes, including integrated advanced technology sensors, networking, and signature controls, are critical for maintaining U.S. air supremacy and ensuring our ability to operate against modern and emerging threats. The emergence of competitor fifth generation aircraft within the next decade—coupled with the proliferation of sophisticated electronic warfare capabilities and modern integrated air defense systems—increasingly threaten our current fourth generation aircraft. The F–35 is designed to control the air and to penetrate heavily defended environments in order to deliver a wide-range of precision munitions.

26. Senator INHOFE. Admiral Winnefeld, why can't we just purchase more F–16s and F/A–18 Super Hornets?

Admiral WINNEFELD. The Department's priority in TACAIR is to acquire fifth-generation fighter/attack aircraft as quickly and efficiently as practical while maintaining sufficient inventory of legacy aircraft to meet current and near-term commitments. F–16s and F/A–18E/Fs remain highly capable strike and fighter aircraft and will be operated for many additional years. However, the limitations of these fourth generation aircraft against adversaries employing sophisticated surface-to-air and air-to-air threats will make them much less survivable in the future. The F–35 will represent a generational leap in effectiveness over these superb, but legacy, platforms.

27. Senator INHOFE. Admiral Winnefeld, does DOD still plan to procure 2,443 F–35s?

Admiral WINNEFELD. Yes, the Department's current plan is to procure 2,443 F–35 aircraft. The President's fiscal year 2014 Defense budget request includes a total of $8.3 billion for the program—$1.8 billion for continued system development and $6.5 billion for procurement of 29 aircraft. The Department endeavored to protect the development of the F–35 program this year as it adjusted its budget to meet the mandates of sequestration.

28. Senator INHOFE. Admiral Winnefeld, what impact does slowing down or delaying F–35 production?

Admiral WINNEFELD. Slowing down or delaying F–35 production has two major impacts. First we need to begin to ramp up production to take advantage of more economic orders of quantity. The Department has maintained a flat production ramp for the last few years to mitigate the costs associated with concurrency. As the potential risks of finding major design flaws through ground and flight test subside, we need to ramp up the production profile at a measured rate to reduce the cost of the aircraft. Slowing or delaying this will cost us more money.

Second, delaying or slowing F–35 production impacts our operational forces. The F–35 will replace most of the legacy tactical aircraft force structure for the Navy, Air Force, and Marine Corps. Delaying the transition to the F–35 will force the Services to extend the life of their current fleets through costly life cycle extensions, additional inspection and modification schedules, and in some cases changes to operational plans. The F–35 represents the future of our joint tactical aircraft fleet. Any delays to that end state impact our ability to meet current and future operational commitments.

29. Senator INHOFE. Admiral Winnefeld, what would be the impact of decreasing procurement of any of the F–35 variants?

Admiral WINNEFELD. Unit cost is extremely sensitive to the total quantity procured. Savings in the cost of the aircraft can be realized through bulk purchases and other economies of scale. The actual cost of an individual aircraft in any given LRIP lot is largely influenced by how many aircraft are being purchased, and how much production line learning has been achieved to that point. Loss of purchases will limit the ability of the program to take advantage of economies of scale, as well as reducing learning opportunities, which would drive the cost up significantly.

30. Senator INHOFE. Admiral Winnefeld, what is your operational assessment of the importance of the international partnership in this program?

Admiral WINNEFELD. The F–35 program is the Department's largest cooperative program with eight partner nations participating including the United Kingdom, Italy, Netherlands, Turkey, Canada, Australia, Denmark, and Norway. The F–35 enhances the strength of our security alliances by closing a crucial capability gap which enables us to operate together more effectively. Likewise, operating a common fifth generation strike fighter aircraft not only helps minimize communications and interoperability issues among partner nations but also becomes another element that binds us together. In addition, partner nation procurement and Foreign Military Sales of the F–35 mitigate costs through increased production quantities. Notably, partner nations recently have met and expressed their continued commitment and support for the program; however, they are also monitoring how DOD budget cuts will impact the cost of the program.

CIVILIAN FURLOUGHS

31. Senator INHOFE. Admiral Winnefeld, what can DOD do to end civilian furloughs now?

Admiral WINNEFELD. The Secretary of Defense instructed all components to monitor funding closely for the remainder of fiscal year 2013. On 6 August, the Secretary announced that this goal was accomplished, and reduced the total furlough days for most civilians from 11 to 6 days. None of us want to see this occur again in 2014, but the sequestration reductions will be more severe next year than this year.

32. Senator INHOFE. Admiral Winnefeld, will DOD use civilian furloughs next year to cut personnel costs?

Admiral WINNEFELD. The $37 billion in fiscal year 2013 budget cuts mandated by sequestration, combined with short timelines that limited our options, were a major cause of these furloughs. We would hope to avoid furloughs in the future because of their deleterious effects on morale and their potential to cause our best civilians to seek employment elsewhere. However, a $52 billion sequestration top line cut in fiscal year 2014 would perpetuate our readiness shortfalls, likely requiring additional civilian personnel actions. These actions could include furloughs, but we believe under a longer-term view would more likely be weighted towards reductions in civilian billets leading to a reduction-in-force action.

33. Senator INHOFE. Admiral Winnefeld, how long will it take before you realize this is a penny wise-pound foolish approach to cost savings?

Admiral WINNEFELD. We already realize the drawbacks of civilian furloughs—they are as distasteful to us as any other budget reduction mechanism. However, in fiscal year 2013, sequestration was applied by Congress on a short timeline, limiting our options and resulting in drastic measures like readiness stand-downs and furloughs that were not strategically or managerially sound. To avoid even more far reaching effects on training, we furloughed most of our civilian employees for up to 6 days. This impacted morale and productivity in most of our support operations, but we were left with no other alternative in finding $37 billion in savings in such a short period of time.

Going forward, the Strategic Choices and Management Review has defined the decision-space faced by the Department's senior leadership. This, in turn, will inform the Services and defense agencies in developing their fiscal year 2015–2019 budgets later this year, as well as ultimately inform the Department's next Quadrennial Defense Review early next year.

34. Senator INHOFE. Admiral Winnefeld, early this year you hosted a meeting with Members of Congress and the Vice Chiefs of the Services. One of the major themes from that meeting was the commitment to address cultural change in the Services to combat sexual assault. What steps have you taken since then to effect that cultural change and what will you do, if confirmed, to continue progress?

Admiral WINNEFELD. Cultural change begins at the top of any organization. The senior leaders within the Department of Defense are committed to aggressively addressing this issue. The Joint Chiefs have reviewed and made changes to service policies, have shared best practices, have recommended a number of important initiatives to the Secretary that have been implemented across the department, have conducted a stand-down to focus exclusively on sexual assault, have updated our training programs, and are currently engaged in developing specific metrics to ensure we maintain a persistent focus on this issue. Our initiatives are designed to cover the full spectrum of attacking this problem, including but not limited to: continuing our efforts to create an environment where this crime is much less likely to occur; taking the best possible care of the victims of this crime when it occurs; continuing progress in creating an atmosphere more conducive to reporting; and continuing to tighten our prosecution efforts. Measuring progress is exceptionally difficult, but we feel we are making progress—for instance, the Services believe they are already seeing increased rates of reporting. The personal engagement by senior leaders created action down the chain of command and the priority to change our culture is recognized throughout our Services. We will continue to focus on combatting sexual assault within our ranks to drive a culture of respect and dignity for all our servicemembers—and I personally welcome and look forward to our continued interaction with Congress on this vital issue.

IMPACT OF SENATE APPROPRIATIONS COMMITTEE FUNDING REDUCTION FOR B–61 BOMB

35. Senator INHOFE. Admiral Winnefeld, what are the military and geo-political implications of the Senate Appropriations Committee's recommendation to reduce funding for the B–61 Life Extension Program (LEP) by $168 million?

Admiral WINNEFELD. A $168 million reduction to the B–61 LEP would slip the delivery of the first production unit past fiscal year 2019 and impact our commitment to our NATO and Asian allies. Additionally, the Commander of STRATCOM stated that the program is important to the long-term viability of the B–2A strategic mission and is needed regardless of changes to NATO commitments.

This reduction would also limit the DOD and the Department of Energy from leveraging interoperable technology for other strategic weapons. We would need to adjust the budget and scope for those programs, resulting in delays to the overall Nuclear Weapons Council Baseline Plan.

TRICARE FEES

36. Senator INHOFE. Admiral Winnefeld, prior to sending fee increase proposals to Congress, why doesn't DOD sit down with beneficiary associations and Congress to design fee increases that are reasonable and acceptable to everyone?

Admiral WINNEFELD. Military health benefit reform has been shaped over the last 8 years by program and policy experts, Members of Congress, constituencies, and subject matter experts from within and outside of the Department. The Depart-

ment's proposals have been and will continue to be based on sound principles, as well as feedback from these stakeholders.

37. Senator INHOFE. Admiral Winnefeld, it seems to me that DOD should wait on the Military Compensation and Retirement Modernization Commission to report its recommendations before asking Congress to make piecemeal changes to personnel benefits. Do you agree or disagree, and why or why not?

Admiral WINNEFELD. The Commission has a unique opportunity to make real and substantive change. We also recognize that comprehensively reviewing all areas of military pay and benefits, developing recommendations for change, and vetting them within DOD and with other Departments takes time. We would like to take that time, but sequestration has radically changed the budget reality and demands more rapid action from the Department and Congress if we are to sustain long-term readiness and modernization.

38. Senator INHOFE. Admiral Winnefeld, wouldn't development of a comprehensive package of compensation and retirement benefit changes, to include health benefit changes, make more sense rather than a piece-meal approach that wouldn't get us to an optimal solution for controlling DOD's sky-rocketing personnel costs?

Admiral WINNEFELD. If we had the luxury of time to allow development of a comprehensive package before making any changes, we would support it. However, given the enormous pressure the DOD budget is under, we need to act with urgency on both efficiencies and compensation reform if we are to maintain an acceptable level of military capability, capacity, and readiness to be able to conduct our military missions. I am not convinced that there is excessive risk in getting compensation and benefits under control through carefully, but quickly, considered individual actions.

NUCLEAR FORCE REDUCTIONS AND MODERNIZATION

39. Senator INHOFE. Admiral Winnefeld, you state in your advance policy questions that "the timing and size of reductions, if any, would have to be closely coupled to the status of the modernization effort." The status today of that effort is as follows: (1) 2-year delay for the follow-on SSBN; (2) 2-year delay to the follow-on ALCM; (3) 2- to 3-year delay to LEP for the B–61 nuclear bomb; (4) 2-year delay for the W–78/88 LEP; and (5) an indefinite delay for the construction of a facility to replace the Chemistry and Metallurgy Facility in Los Alamos. At what point are you prepared to say that delays in the nuclear modernization effort, as promised by the New Strategic Arms Reduction Treaty (START), should caution against further nuclear force reductions? Put another way, if these delays get worse, are you prepared to recommend against further nuclear force reductions below New START levels?

Admiral WINNEFELD. The Nuclear Weapons Council has recently approved a baseline strategy that provides an executable 25-year plan that sustains a safe, secure, and effective nuclear weapons stockpile. This strategy is aligned with plans for platforms and delivery systems, and has adjusted the start dates and delivery targets for LEPs and some portions of the infrastructure improvements. This plan is executable with respect to throughput considerations and given fiscal constraints. It also moves us towards a responsive infrastructure, as stated in the Nuclear Posture Review and considered as part of the follow-on nuclear force reductions. I consider execution of this baseline strategy to be necessary for any negotiation of further nuclear force reductions below New START levels.

However, this plan is vulnerable to additional budget cuts—it is very fragile. While my recommendations on additional nuclear weapons cuts are primarily tied to the direct linkage they should have with negotiations with Russia, I would have to also take into consideration any further delays to modernization programs. Because I believe below New START cuts would be well in the future, we will have a much better understanding of the status of the programs when and if they are in play.

QUESTIONS SUBMITTED BY SENATOR ROGER F. WICKER

UH–1N REPLACEMENT OPPORTUNITIES

40. Senator WICKER. Admiral Winnefeld, as evidenced by the recent relief of 17 officers at Minot AFB and the reports of the Defense Science Board (DSB) Standing Task Force on Nuclear Weapons Surety, there is still a serious neglect of priority

and budget for the sustainment of the Air Force's Priority One Nuclear Enterprise. This lack of prioritization and resourcing manifests in a nuclear enterprise that continues to conduct critical mission activities with outdated and insufficiently supported aircraft and ground vehicles, to include the woefully inadequate 40-plus-year-old UH–1N helicopter.

The Air Force has acknowledged the need to replace the UH–1N for over a decade. The aircraft's inadequate speed, range and payload, and obsolescent sensors and monitoring equipment are well-documented. The use of an antiquated airframe such as the UH–1N to provide security for Intercontinental Ballistic Missile (ICBM) sites reflects a lack of proper resource prioritization by DOD.

As Chairman and Vice Chairman of the Joint Chiefs, you are required to provide cross-Service oversight and recommendations that lead to the most effective and efficient use of the greater defense industrial capabilities. There are inexpensive and cost-effective solutions available to replace the Vietnam-era Huey being fielded by other Services that are far more reliable, capable, and safe.

As demonstrated in the Senate Armed Services Committee markup of the NDAA for Fiscal Year 2014, I would like to understand the current plan for replacing the existing UH–1N fleet. In addition, I would like your commitment that this issue will be addressed in the upcoming fiscal year 2015 budget submittal. Despite being an Air Force priority for over 10 years, why has the replacement of the UH–1N fleet not been realized?

Admiral WINNEFELD. The requirement for a more responsive capability to meet ICBM security needs remains valid, but budget constraints in both the near-term and the foreseeable future make committing to new acquisition programs challenging. A formal replacement strategy for the UH–1N is due to the Senate Armed Services Committee on February 1, 2014. As potential solutions, the Air Force is pursuing a variety of replacement options to include Excess Defense Articles at low or no cost. We remain committed to remaining involved and attentive to this requirement.

41. Senator WICKER. Admiral Winnefeld, the leadership of Air Force Global Strike Command recently commented that: "I have had an urgent and compelling need since 1996 in terms of speed, range, and payload . . . the UH–1 does not meet the need. How much longer are we willing to wait and take this risk?" Has there been any change to the ICBM security force posture that you believe makes the replacement of the UH–1 less compelling or a more acceptable security risk?

Admiral WINNEFELD. No, the ICBM security force posture has not changed. The requirement to replace the UH–1s remains valid. However, based on budget constraints, the Air Force currently plans to sustain the UH–1 for another 6–10 years vice replacing them. The Air Force will mitigate risk by upgrading UH–1 cockpits and making them night-vision-compatible combined with other critical safety improvements. The Air Force also recently received three UH–1s from the Marine Corps, which will increase capacity and availability. In addition, the Air Force and Army are examining options for the Army to transfer additional UH–1s to the Air Force.

42. Senator WICKER. Admiral Winnefeld, there are aircraft being fielded by DOD today that are significantly more capable and less costly to own and operate than the UH–1N. In your leadership role on the JROC, have you, or will you, direct the Air Force to prioritize consideration of in-production DOD aircraft as a replacement for the UH–1 rather than continue to assume the associated security risks?

Admiral WINNEFELD. The JROC does not direct service acquisition decisions. Rather, it defines and validates Joint force requirements that are then submitted to both budget and acquisition processes. The JROC does validate the results of analyses of alternatives, and will be alert to consideration of all possible alternatives, including in-production aircraft. When the decision is made to replace the UH–1N, a full and open competition will be conducted to find the helicopter that meets the mission requirements and provides DOD the most capable replacement at the most economically feasible cost. This may ultimately be an aircraft that is already in production, but those efficiencies will be evident through the proper source selection process.

43. Senator WICKER. Admiral Winnefeld, the Combat Rescue Helicopter (CRH) mission requirements were determined to be overly robust and expensive to justify the CRH's use for the domestic support missions currently conducted by the UH–1N. There is concern that the lack of urgency regarding fielding of a UH–1 replacement may indicate an attempt to merge CRH and UH–1N missions in the future. Did the JROC review of the CRH program validate any requirement to provide site

and convoy security for the Nation's ICBM force or for supporting the Air Force District of Washington VIP airlift/evacuation missions currently supported by the UH–1N?

Admiral WINNEFELD. The CRH's primary mission is to recover isolated personnel from hostile or denied territory. It will also execute humanitarian missions, civil search and rescue, disaster relief, casualty/medical evacuation, and non-combatant evacuation operations. CRH is not being produced to replace the UH–1N; rather it will replace the Air Force's aging HH–60G Pave Hawk helicopter fleet. Thus, JROC review and validation of the CRH requirements did not include missions currently supported by the UH–1N, such as providing site and convoy security for the Nation's ICBM force or supporting the Air Force District of Washington VIP airlift/evacuation missions. However, this would not preclude the CRH from being called upon to execute missions currently being performed by other vertical lift platforms.

[The nomination reference of ADM James A. Winnefeld, Jr., USN, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 24, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for reappointment as the Vice Chairman of the Joint Chiefs of Staff and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 154:

To be Admiral.

ADM James A. Winnefeld, Jr., 5212.

[The biographical sketch of ADM James A. Winnefeld, Jr., USN, which was transmitted to the committee at the time the nomination was referred, follows:]

TRANSCRIPT OF NAVAL SERVICE FOR ADM JAMES ALEXANDER WINNEFELD, JR., USN

07 June 1978	Ensign
07 June 1980	Lieutenant (junior grade)
01 July 1982	Lieutenant
01 September 1988	Lieutenant Commander
01 September 1992	Commander
01 September 1997	Captain
01 October 2003	Rear Admiral (lower half)
06 May 2006	Designated Rear Admiral while serving in billets commensurate with that grade
01 August 2006	Rear Admiral
14 September 2007	Vice Admiral
19 May 2010	Admiral, Service continuous to date

Assignments and duties:

	From	To
Naval Station, Annapolis, MD (Division Officer)	June 1978	Nov. 1978
Naval Aviation Schools Command, Pensacola, FL (DUINS)	Nov. 1978	Apr. 1979
Training Squadron SIX (Student)	Apr. 1979	June 1979
Naval Aviation Schools Command, Pensacola, FL (DUINS)	June 1979	Dec. 1979
Training Squadron TWO THREE (Student)	June 1979	Dec. 1979
Training Squadron TWO TWO (Student)	Dec. 1979	May 1980
Fighter Squadron ONE TWO FOUR (Replacement Pilot)	Jun. 1980	Apr. 1981
Fighter Squadron TWO FOUR (Power Plants Branch Officer)	Apr. 1981	Nov. 1983
Naval Fighter Weapons School, San Diego, CA (Quality Assurance Officer)	Nov. 1983	Jan. 1987
Fighter Squadron ONE TWO FOUR (Replacement Naval Aviator)	Jan. 1987	Apr. 1987
Fighter Squadron ONE (Operations Officer)	Apr. 1987	Jan. 1990
Joint Staff (Action Officer, EUCOM/CENTCOM Branch, J3)	Feb. 1990	July 1991
Joint Staff (Senior Aide-De-Camp to the Chairman of the Joint Chiefs of Staff)	July 1991	Aug. 1992

	From	To
Fighter Squadron ONE TWO FOUR (Student)	Aug. 1992	Jan. 1993
XO, Fighter Squadron TWO ONE ONE	Jan. 1993	Apr. 1994
CO, Fighter Squadron TWO ONE ONE	Apr. 1994	Mar. 1995
Naval Nuclear Power Training Command, Orlando, FL (Student)	Mar. 1995	Feb. 1996
Prospective Executive Officer, USS *John C. Stennis* (CVN 74)	Feb. 1996	Mar. 1996
Naval Reactors, Department of Energy, Washington, DC (Student)	Mar. 1996	Aug. 1996
XO, USS *John C Stennis* (CVN 74)	Aug. 1996	May 1998
CO, USS *Cleveland* (LPD 7)	May 1998	Feb. 2000
CO, USS *Enterprise* (CVN 65)	Feb. 2000	Mar. 2002
Office of the Vice Chief of Naval Operations (Executive Assistant)	Mar. 2002	July 2003
Commander, U.S. Atlantic Fleet (Director, Warfare Programs and Readiness) (N8)	July 2003	Dec. 2004
Commander, Carrier Strike Group TWO	Dec. 2004	June 2006
Commander, U.S. Joint Forces Command (Director of Joint Innovation and Experimentation, J9)	June 2006	Aug. 2007
Commander, SIXTH Fleet/Commander, Striking and Support Forces NATO/Deputy Commander, U.S. Naval Forces Europe/Commander, Joint Headquarters Lisbon	Sep. 2007	Aug. 2008
Joint Staff (Director, Strategic Plans and Policy) (J5)/Senior Member, U.S. Delegation to the United Nations Military Staff Committee	Aug. 2008	May 2010
Commander, Northern Command/Commander, North American Aerospace Defense Command	May 2010	Aug. 2011
Vice Chairman of the Joint Chief of Staff	Aug. 2011	to date

Medals and awards:

Defense Distinguished Service Medal
Distinguished Service Medal
Defense Superior Service Medal
Legion of Merit with one Silver Star
Bronze Star Medal
Defense Meritorious Service Medal
Meritorious Service Medal
Air Medal with First Strike/Flight Award
Navy and Marine Corps Commendation Medal with one Gold Star
Joint Service Achievement Medal
Navy and Marine Corps Achievement Medal
Joint Meritorious Unit Award
Navy Unit Commendation with one Bronze Star
Meritorious Unit Commendation with two Bronze Stars
Navy "E" Ribbon with "E" Device
National Defense Service Medal with one Bronze Star
Armed Forces Expeditionary Medal with four Bronze Stars
Southwest Asia Service Medal with one Bronze Star
Global War on Terrorism Expeditionary Medal
Global War on Terrorism Service Medal
Sea Service Deployment Ribbon with two Bronze Stars
Expert Pistol Shot Medal

Special qualifications:

BS (Aerospace Engineering) Georgia Institute of Technology, 1978
Designated Naval Aviator, 1980
Capstone, 2004–3
Designated Level IV Joint Qualified Officer, 2009

Summary of joint duty assignments:

Assignment	Dates	Rank
Joint Staff (Action Officer, EUCOM/CENTCOM Branch, J3)	Feb. 1990–July 1991	LCDR
Joint Staff (Senior Aide-De-Camp to the Chairman of the Joint Chiefs of Staff).	July 1991–Aug. 1992	CDR
Commander, U.S. Joint Forces Command (Director of Joint Innovation and Experimentation, J9).	June 2006–Aug. 2007	RADM
Commander, SIXTH Fleet/Commander, Striking and Support Forces NATO/Deputy Commander, U.S. Naval Forces Europe/Commander, Joint Headquarters Lisbon.	Sep. 2007–Aug. 2008	VADM
Joint Staff (Director, Strategic Plans and Policy) (J5)/Senior Member, U.S. Delegation to the United Nations Military Staff Committee.	Aug. 2008–May 2010	VADM
Commander, Northern Command/Commander, North American Aerospace Defense Command.	May 2010–Aug. 2011	ADM
Vice Chairman of the Joint Chiefs of Staff	Aug. 2011–to date	ADM

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by ADM James A. Winnefeld, Jr., USN, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
James A. Winnefeld, Jr.; Nickname: Sandy.

2. **Position to which nominated:**
Vice Chairman of the Joint Chiefs of Staff.

3. **Date of nomination:**
June 24, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
April 24, 1956; Coronado, CA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Mary Alice Winnefeld.
Maiden name: Mary Alice Werner.

7. **Names and ages of children:**
James, age 17.
Jonathan, age 15.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
None, other than military service.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.
I serve as a trustee of the Naval Academy Foundation Athletics and Scholarships program, as reported on my SF 278. Trustee means "member" in this case. I have no advisory or supervisory role in the organization.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
None.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

None.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JAMES A. WINNEFELD, JR.

This 14th day of June, 2013.

[The nomination of ADM James A. Winnefeld, Jr., USN, was reported to the Senate by Chairman Levin on July 30, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 1, 2013.]

NOMINATIONS OF HON. STEPHEN W. PRESTON TO BE GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE; HON. JON T. RYMER TO BE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE; MS. SUSAN J. RABERN TO BE ASSISTANT SECRETARY OF THE NAVY FOR FINANCIAL MANAGEMENT AND COMPTROLLER; AND MR. DENNIS V. McGINN TO BE ASSISTANT SECRETARY OF THE NAVY FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT

THURSDAY, JULY 25, 2013

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:36 a.m. in room SH–216, Hart Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Udall, Manchin, Shaheen, Blumenthal, Donnelly, Kaine, and Inhofe.

Also present: Senator John Warner, R–VA (Ret.).

Committee staff members present: Peter K. Levine, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Jonathan D. Clark, counsel; Michael J. Kuiken, professional staff member; Gerald J. Leeling, general counsel; Jason W. Maroney, counsel; Mariah K. McNamara, special assistant to the staff director; William G.P. Monahan, counsel; Michael J. Noblet, professional staff member; Roy F. Phillips, professional staff member; John H. Quirk V, professional staff member; and Russell L. Shaffer, counsel.

Minority staff members present: John A. Bonsell, minority staff director; Daniel C. Adams, minority associate counsel; Steven M. Barney, minority counsel; William S. Castle, minority general counsel; Samantha L. Clark, minority associate counsel; Natalie M. Nicolas, minority staff assistant; and Lucian L. Niemeyer, professional staff member.

Staff assistants present: Daniel J. Harder and John L. Principato.

Committee members' assistants present: Jeff Fatora, assistant to Senator Nelson; Casey Howard, assistant to Senator Udall; Mara

Boggs and David LaPorte, assistants to Senator Manchin; Patrick Day, assistant to Senator Shaheen; Moran Banai, assistant to Senator Gillibrand; Ethan Saxon, assistant to Senator Blumenthal; Marta McLellan Ross, assistant to Senator Donnelly; Karen Courington, assistant to Senator Kaine; Steve Smith, assistant to Senator King; Alex Herrgott, assistant to Senator Inhofe; Lenwood Landrum, assistant to Senator Sessions; Todd Harmer, assistant to Senator Chambliss; Craig Abele, assistant to Senator Graham; and Peter Blair, assistant to Senator Lee.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody. The committee meets, this morning, to consider nominations for a number of important and challenging positions and assignments.

We welcome Steve Preston, who's nominated to be the Department of Defense (DOD) General Counsel; Jon Rymer, nominated to the Department of Defense Inspector General (IG); Susan Rabern, nominated to be the Department of the Navy's Assistant Secretary for Financial Management and Comptroller; and Retired Vice Admiral Dennis McGinn, nominated to be the Department of the Navy's Assistant Secretary for Energy, Installations, and Environment.

We appreciate your being here today. We appreciate, also, your willingness to serve in these positions which have such great responsibility.

We welcome your family members this morning. The committee is keenly aware of how important families are, in terms of supporting the family members who take these positions, and to the success of our civilian leaders. We very much appreciate those family members who are able to join us today. Our witnesses should feel free, during their opening remarks, to introduce family members or others who may be with them here this morning.

We're especially pleased to welcome back to our committee a dear, dear friend. I won't call him an old friend, although he is an old friend. John Warner is a true giant, a modern giant of the U.S. Senate. I don't want to say we miss him every day, because that might suggest something about my Ranking Member, which I don't want to suggest. [Laughter.]

But, we miss you every day around here. The contribution that you made to this body and to our country, the ability that you have to bring people together, to look at issues in a clear and a clean way, free from a lot of parochial or partisan manner, is something which we treasure in our memory and we wish we could replicate here in the Senate today.

John, we just love to see you here. I know every member of this committee treasures our relationship with you, but I particularly treasure the long, long relationship that we had.

Senator INHOFE. May I say something?

Chairman LEVIN. Please.

Senator INHOFE. Let me also echo a few things about Senator Warner. We've been good friends for many, many years. He does have some frailties, however. I always remember, when you were out in Oklahoma and my staff, which, under my supervision, generally drives pretty fast—I always remember your statement. You

said, "I've been through two wars, I've been through there, and I'm not going to die on this highway. Slow down." [Laughter.]

He did. John spoke, and speaks, with authority, and people listen.

It's nice to have you back, John.

Chairman LEVIN. I have a lot of memories. I ought to share one, at least, since my ranking member shared one. I have so many. But, the love of life that Senator Warner has, the lust for life—when we were traveling together, and we'd be eating in a restaurant, and he would have something, which he had special gusto for and fondness for, some food. After we were done, he'd walk into the kitchen, in his commanding way, and say, "Can you pack up about 20 of those dinners for my crew? I'm taking them to the airplane and handing them out to people on the way." He always took care of the men and women who traveled with us. It was always in his mind to do that.

But, the way in which John Warner gives a zest to life is something we also ought to emulate. We treasure the many, many memories. I won't go into them more than that, but we will call on Senator Warner to defend himself in a couple of minutes, when he introduces Admiral McGinn.

The positions to which our witnesses have been nominated are vital to the effective and the efficient operation of the Department of Defense. Two of the positions—the DOD General Counsel and the DOD Inspector General—are direct advisors to the Secretary of Defense and to the Deputy Secretary of Defense, and they are the senior most civilian positions in the legal and oversight functions of the Department.

The DOD General Counsel is the chief legal advisor in the Defense Department and is involved in many of the most important and complex issues facing the Department of Defense in the Military Services. The Office of General Counsel handles a broad portfolio, including international law, real estate, environmental law, contracts, personnel law, ethics, and legislation. Mr. Preston is highly qualified for this position, having served previously as Principal Deputy General Counsel and as the Navy's General Counsel. Currently, he is the General Counsel at the Central Intelligence Agency (CIA), a position he assumed following Senate confirmation in 2009.

The Department of Defense Inspector General is a senior independent agency official who provides oversight related to the programs and operations of the Department. The IG's mission is to promote integrity, accountability, and improvement of DOD personnel, programs, and operations to support the Department's mission and to serve the public interest. Mr. Rymer, a recently retired Army Reserve soldier, is currently the IG at the Federal Deposit Insurance Corporation (FDIC), and he's held that position since 2006. If confirmed as the DOD Inspector General, he'll be required to maintain his independence and exercise strong oversight of critical programs within the Department.

The two nominees for positions within the Department of the Navy will also, if confirmed, have important responsibility.

The Assistant Secretary of the Navy for Financial Management and Comptroller is responsible for managing the Navy's budget and

for keeping the Navy on the path to an auditable financial statement. Ms. Rabern has a distinguished background. She served for 20 years in the U.S. Navy and has held the position of Chief Financial Officer at the Federal Bureau of Investigation (FBI), the U.S. Customs Service, and the U.S. Agency for International Development. She is currently the Director of the Virginia Military Institute Center for Leadership and Ethics.

The Assistant Secretary of the Navy for Energy, Installations, and Environment is responsible for, among other things, enhancing energy security of the Navy and Marine Corps forces, construction and maintenance of installations, family housing, and environmental protection. These issues are critical to the readiness of our sailors and marines, and the welfare of their families. Retired Vice Admiral McGinn, having served 35 years in the Navy, has considerable experience with Navy programs and policies. Most recently, he has led the American Council on Renewable Energy.

Again, we welcome all of our nominees. We look forward to your testimony.

I'll now call on Senator Inhofe.

STATEMENT OF SENATOR JAMES M. INHOFE

Senator INHOFE. Thank you, Mr. Chairman.

I join you in welcoming, not just our friend John, but the whole panel.

Mr. Preston, you've been nominated to serve as General Counsel for the Department. The General Counsel serves as a chief legal officer in the Department. Therefore, I believe it's absolutely necessary to understand what your role was and what actions you took as the General Counsel of the CIA after the attack on our facility in Benghazi on September 11. In addition, if confirmed, you will provide a vital role in determining the future of Guantanamo Bay (GTMO). Therefore, gaining a better understanding of your thoughts on this matter will be important to this committee's consideration.

Finally, the General Counsel plays a significant role in the conduct of the Defense Department activities all around the world, including ongoing counterterrorism activities. As the threat from global terrorism continues to evolve, it's important that we have the strong legal foundations that provides our military with the tools necessary to keep the Nation safe.

Mr. Rymer, you have been nominated to serve as Inspector General of the Department. If confirmed, you will will step into an organization that has not had a confirmed Inspector General since December 2011. There's a lot of work to be done, especially in oversight of activities that will lead to financial audit readiness in the Department of Defense, in providing intelligence, oversight, and, in an area of particular importance to this committee, conducting senior official investigations. The Department urgently needs an Inspector General who can lead this important role to promote the accountability and integrity.

Vice Admiral McGinn, after a distinguished 35-year career in the Navy, you've been nominated to serve as the Assistant Secretary of the Navy for Energy, Installations, and Environment. I note that, since 2011, you've been the President of the American Council

on Renewable Energy, which is no surprise to me, and you are no stranger to the lime light, having testified before Congress on the perils of the national security of human activity and climate change. We completely disagree on these issues, but, thankfully, implementing a national policy for climate change will not be one of your core responsibilities if you are confirmed. Instead, you'll be tasked with helping the Navy navigate a complex range of installation and environmental issues, as well as its fiscally responsible pursuit of the green fleet.

Additionally, I look forward to hearing your views on the relocation of marines in the Pacific theater. I just got back from there, and I see now, with sequestration, the really serious problems that we're having. Certainly, Senator Warner, you've been following this, too. The need to expand Marine Corps ranges and protect the sea ranges—most important, the devastating impact of sequestration on the Navy's ability to maintain shore facilities, depots, and shipyards. This is something that is very current. We have a problem that's looming. We'll have a chance to talk about during the course of this hearing.

Ms. Rabern, you've been nominated to serve as Assistant Secretary for the Navy for Financial Management and Comptroller. The Navy, like all of our Military Services, is suffering greatly as a result of the drastic budget cuts and the prolonged fiscal uncertainty. Additionally, the inability of the Department and the Military Services to achieve full financial audit readiness is concerning to many of us in Congress.

I thank the very distinguished panel and look forward to your testimony.

Chairman LEVIN. Thank you very much, Senator Inhofe.

I think what we'll do is go a little bit out of order, here, to give Senator Warner an opportunity to introduce Admiral McGinn, because you may have to leave, Senator Warner, in which case you, obviously, are free to do so after your introduction, and then we will go back to the other end of the table after you introduce Admiral McGinn.

Again, a very warm welcome, John, and please proceed.

STATEMENT OF HON. JOHN WARNER, U.S. SENATOR FROM THE STATE OF VIRGINIA, RETIRED

Senator WARNER. Thank you, Mr. Chairman and the distinguished ranking member from Oklahoma.

It was a moving experience for me to come up here today and be in this room in the presence of two individuals that enabled me to achieve the career, such as I did, for 30 years in this body.

Senator Levin, you and I came together, and Senator Inhofe joined us shortly after that. Through our joint efforts, and, most importantly, through a trust and friendship we both had for each other, I was able to finish up and look back with a sense of pride and accomplishment. I thank you both, and the other members of this distinguished committee. I wish them well, particularly some of the new members. It's a great experience in life, and it's absolutely essential for this country.

I'll be very brief, Mr. Chairman, because the nominee is well known. But, before I proceed to the nominee, may I say, I studied,

with great interest and care, all four of the resumes of these individuals. It's extraordinary to see generations who have done public service, go into the private sector, then willing to forego many of the benefits of private sector and return to serve their Nation and the public. Judging from my own experience, these four resumes constitute an extraordinary body of knowledge needed in these respective positions and needed by our country at a critical time.

I wish them each well, and specifically my good friend, Admiral Dennis McGinn. Again, the Navy's been an important part of my life for over a half century. I've known many persons in the Navy Department, having served as Secretary of the Navy for many years. But, this is an unusual individual.

We were put together in the context of organizations that were seeking to do public policy dissemination in a very nonpartisan way. The Center for Naval Analysis, where Admiral McGinn was vice chairman of the Military Advisory Board, that organization is an integral part of the old naval secretariat. It has grown into a much larger and more effective entity now, and just serving the public on issues of great importance, particularly those related to national security. Very able leadership, and the Admiral, I'd say, was the vice chairman of the Military Advisory Board. I was with the Pew Charitable Trust. Those two organizations collaborated to put on the road, years ago when I first left the Senate, a team to go out and just talk and listen to the general public, gather facts, and come back, promulgating no special message, except that key one related to the nexus, the linkage between national security, national defense, environment, and our global standing in this competitive economic world.

Particularly, our job was to visit military bases and go out and relate to the general public of the remarkable job being done by the men and women in uniform to address the questions of energy, how their own creativity, their own innovations, contributed; the feedback that they gave through their respective commands and centralized back in the Department of Defense. Its remarkable story as energy loomed on the horizon as such a vital part of our overall security, they were some of the leaders, and continue to be.

The Admiral and I gave many appearances together for town councils, universities, colleges, and all types of things, over a period of several years, and we got to know each other well.

I say to you, he is a true American story, from midshipman at the Academy, 30-plus years with the fleet and the sailors, and then Deputy Chief of Naval Operations. It's all in the record, but it's an extraordinary story of accomplishment of a professional in our national security system.

His hallmark, if I were to pick one out, is humility. Surprisingly, humility. Now, he's a naval aviator, and that is extraordinarily difficult for that particular class of individual, it has been my experience for them to be humble. But, he had it. He was in full afterburn, and, most of the time when we were speaking and I had to lean over gently, as you've done to me many times, both you, tapping me, "That's enough." [Laughter.]

But, I have coached him to be brief and to the point and to follow orders of the Commander in Chief and of the Secretary of the

Navy, and he has pledged to do that, to me, and I'm certain he would do the same for you.

He's accompanied today by a very lovely Navy wife, and he will introduce her at an appropriate time.

With that, I once again thank this committee for its work, and wish you well, because these are troubled times for our country. But, it appears to me, with all due respect to the confirmation process, a very vital part of the function of the U.S. Senate, we have fine people. This country is greatly strengthened by the will of such people to step forward and do, time and time again, public service.

I thank you very much, Mr. Chairman.

Chairman LEVIN. Thank you so much. Before you leave, Senator Warner, one of the new members that you looked over to and referred to is Senator Kaine, who is, of course, a Virginian—a proud Virginian who brings a huge amount of background experience to this committee. I'm just wondering whether he might—and I know he does—want to say a word or two to you before you leave.

Let me recognize our new member from Virginia, Senator Kaine.

Senator WARNER. Thank you.

Senator KAINE. Thank you, Mr. Chairman, for letting the guy at the end of the aisle go a little bit out of order, here.

I want to thank my friend Senator Warner. As some of my colleagues know, my father-in-law and Senator Warner returned from being in the Navy in World War II in the Pacific, not serving together, but they returned together to be students and finish their college education at Washington and Lee University (W&L). The families have been close friends. My father-in-law, who turns 90 on the 21st of September, former Governor of Virginia, Linwood Holton, considers John Warner as one of his dearest friends. They ran against each other for the Senate in a Republican nominating contest in 1978, and this was the victor. But, my father-in-law has always so admired Senator Warner. There's no public official who's served Virginia in the last century who is as admired, by Virginians of all political persuasions, than Senator Warner. To be able to be a member of this committee, even in this junior role, and know that this Senator preceded me in fantastic service here, is a very humbling thing.

It is great to be with you, as always, Senator, and it's so nice that the chairman let me say those words.

Senator WARNER. I thank you very much, my good friend and colleague. Indeed, your father, former Governor of Virginia, is a dear and valued friend.

I wish to give you a little bit of hope. I once occupied that seat. [Laughter.]

Senator WARNER. Through the years, Senator Levin, who's over there, we merged together as these two great giants of Senators up there today.

Good luck to each and every one of you, and to the importance of the confirmation process.

I thank the chairman and the ranking member.

Chairman LEVIN. Thank you so much, Senator.

Senator WARNER. I say to Dennis McGinn, you're on your own now. [Laughter.]

Chairman LEVIN. I quote Senator Warner with that farewell all the time, "You're on your own."

You're all on your own now, except your families are behind you, which means you're not at all on your own.

Let me start with you, Mr. Preston, and then we'll go in regular order.

STATEMENT OF HON. STEPHEN W. PRESTON, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

Mr. PRESTON. Thank you, Mr. Chairman and Senator Inhofe, members of the committee. It's a great honor for me to be here as the President's nominee to be General Counsel in the Department of Defense.

I wouldn't be doing this, but for the support of my family, with us here this morning. If I may, my wife, Mary, our daughter, Julia, and our son, Collett. I'm pleased and very proud to be able to introduce them to you this morning.

Let me also pause to express my appreciation to President Obama and Secretary Hagel for their confidence in me.

This is my third appearance before a committee of the U.S. Senate as a nominee seeking confirmation. I was examined by the Intelligence Committee, a little more than 4 years ago, in connection with my current appointment as General Counsel of the Central Intelligence Agency. Back in September 1998, I appeared before this honorable committee prior to my appointment as General Counsel of the Department of the Navy.

Now, I must say, I have found that the temptation to open with a lengthy statement diminishes dramatically from one of these hearings to the next, so I assure you, I'll be brief with my opening. [Laughter.]

Much has changed in the world and at DOD since I first came before this committee, almost 15 years ago. That was before September 11. It was even before the attack on USS *Cole*. Much has changed, but much remains the same, in terms of the role of a general counsel and what I will pledge to you, if confirmed.

If confirmed, I will pledge my continued personal commitment to the rule of law, and will work to ensure that the Department remains in full compliance with all applicable law. I will also pledge always to keep in mind the importance of the mission—protecting our country from threats to the national security—and will work to help find lawful paths to achieve mission objectives. Following the Secretary's lead, I will pledge my best efforts to ensure that the Armed Services Committees are kept properly informed, in furtherance of their critical oversight responsibilities. Finally and most important, as General Counsel, I will pledge to serve the people who serve people who serve us, the fine men and women of the U.S. Armed Forces.

I want to thank you again for this opportunity to be heard. I look forward to your questions.

Chairman LEVIN. Thank you so much, Mr. Preston.

Mr. Rymer.

STATEMENT OF HON. JON T. RYMER, TO BE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE

Mr. RYMER. Chairman Levin, Ranking Member Inhofe, distinguished members of the committee, I'm honored to appear before you today as President Obama's nominee to serve as the Inspector General of the Department of Defense. I would like to thank the President and Secretary Hagel for their expression of confidence in me.

On a personal note, I want to offer my heartfelt thanks to my wife, Deb, and my son, Thomson, who are both with me here today, for their commitment and support during my career.

Mr. Chairman, I'm humbled by the magnitude of this position and the challenges it presents. If confirmed, I'm committed to ensuring efficient, effective, transparent, and independent oversight of this dynamic Department.

The Inspector General Act of 1978, as amended, requires the Inspector General to supervise and coordinate audit and investigation activities; to promote economy, efficiency, and effectiveness in agency operations; and to prevent and detect fraud in agency programs. The IG Act also requires the Inspector General to keep both Congress and the Secretary informed of problems and deficiencies in the Department. At the Department of Defense, these responsibilities take on an even greater importance, as they relate to the safety and security of the brave men and women who serve our country.

If confirmed, I believe my background and experience will serve me well as the DOD IG. First of all, I'm mindful of the important role that an IG plays in the Federal Government, having served 7 years at the FDIC as the Inspector General and for a 9-month concurrent period as the interim Inspector General at the Securities and Exchange Commission. I've been an active member of the IG community, serving as the chair of the Council of Inspectors General on Integrity and Efficiency (CIGIE) Audit Committee and a member of the CIGIE Executive Council since 2008. I've also represented the community on several audit standards-setting bodies.

Second, given my 30-plus years of Active and Reserve service in the U.S. Army, I have a profound respect for the members of the military. Having retired from military service last month, it would be an honor for me to continue to serve with our troops, albeit in a different capacity, as the IG.

Finally, my private-sector experience includes over 20 years as a banker, a management consultant, and internal auditor. If confirmed, I will capitalize on my past experiences and commit to providing the strong leadership needed to manage this important office.

I look forward to working with Congress, Secretary Hagel, and the Department's leadership to provide independent, relevant, and timely oversight that is critical to supporting the warfighter and promoting accountability, integrity, and efficiency. I also look forward to working with Principal Deputy Inspector General Lynne Halbrooks and the nearly 1,600 employees who are committed to fulfilling the responsibilities of the IG Act at the Department of Defense. Finally, I welcome the opportunity to work with my counterparts in the Department oversight community.

Mr. Chairman, thank you and members of the committee for your time and for your attention and for allowing me to appear here today.

This concludes my prepared statement. I'll be happy to respond to your questions.

Thank you.

Chairman LEVIN. Thank you, Mr. Rymer.

Dr. Rabern.

STATEMENT OF MS. SUSAN J. RABERN, TO BE ASSISTANT SECRETARY OF THE NAVY FOR FINANCIAL MANAGEMENT AND COMPTROLLER

Dr. RABERN. Mr. Chairman, Senator Inhofe, distinguished members of the committee, I'm honored to have the privilege of appearing before you today as the President's nominee for your consideration to be the next Assistant Secretary of the Navy for Financial Management and Comptroller.

The Navy has been an important part of my life since I was a small child, growing up in the wheat fields of Kansas, listening to my father's stories of his service during World War II.

I would like to express my deep appreciation to Secretary Mabus for his confidence in me. My husband, David, can't be here today because of preexisting commitments at work, but I am forever indebted to him for his unfailing and steadfast support. My daughters, Stacy, Allison, and Megan, have made many sacrifices throughout their lives because of my career. I want to formally recognize and thank them for their love, support, and enthusiasm, even though they can't be with us today.

Government service in any capacity, but especially during these difficult times, is an enormous responsibility. The responsibilities of the Assistant Secretary of the Navy for Financial Management and Comptroller, are especially significant. I'm aware of the daunting challenges associated with financial operations and financial management in the Department.

I have been honored to serve in the U.S. Navy, the Federal Bureau of Investigation, the former U.S. Customs Service, and the U.S. Agency for International Development in financial management positions. In each position, I have been grounded in a daily recognition that my stewardship over resources and people is rooted in the public trust. I believe there is no greater responsibility.

If confirmed, I will work within the Department and with the Under Secretary of Defense (Comptroller) to ensure that the Department of Navy is properly and efficiently resourced. I will strive to ensure that we're taking care of our most precious resource: our sailors, marines, and the civilians who support them. I will work as hard as I can to ensure they have the platforms, equipment, tools, and training they need to guarantee their ability to perform their vital role in our Nation's security, and that it is never in doubt. I will ensure that we develop and execute balanced budgets that are the result of thorough and timely analysis and in support of the goals and initiatives that Secretary Mabus has established for the Department.

I am deeply honored to have been nominated for this position. If confirmed, I pledge to you that I will do my best to serve the Na-

tion and the men and women of the Department of the Navy to the utmost of my ability.

Thank you.

Chairman LEVIN. Thank you, Dr. Rabern.

Admiral McGinn.

STATEMENT OF MR. DENNIS V. MCGINN, TO BE ASSISTANT SECRETARY OF THE NAVY FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT

Admiral MCGINN. Thank you, Mr. Chairman, Senator Inhofe, and distinguished members of the committee. It is a privilege for me to appear before you today, and I am deeply honored to be nominated by President Obama as Assistant Secretary of the Navy for Energy, Installations, and Environment. I'm thankful for the support of Secretary Hagel and Secretary Mabus.

I am especially grateful to Senator John Warner for being here today with a strong vote of confidence and his unfailing wise counsel. He exemplifies the ideal of service to nation, and, throughout his many decades of that service, has consistently defined what it means to be a true statesman. I am humbled by his generous support.

On a personal note, I am most grateful for the love and unwavering support of my wonderful wife, Kelly, who is with me today, and for the support of our four children, three grandchildren, and that of our entire extended family. They are the very center of my life and happiness. Thoughts about their future security and well-being, and that of all Americans, are why I seek the opportunity to continue to serve our Nation.

Having proudly worn the uniform of our Navy for more than 35 years in peace and war, I am keenly aware of the momentous challenges facing the Department of the Navy—indeed, facing all of our Military Services—during these times of great change. Among these are the need to maintain high mission readiness in an uncertain world, to build future capabilities in an environment of reduced budgetary resources, and, most importantly, to care for our sailors and marines, and their families.

If confirmed, I'll look forward to leading a highly talented, dedicated, and hardworking team in our military and civilian workforce to ensure that the mission of the Department of the Navy is well served and supported. I pledge to wisely apply available resources to increase the availability and efficient use of all of our energy sources, to maintain our installations and training ranges in a high state of readiness, to preserve a high quality of life for our sailors, marines, and their families, to fully meet our obligation as good stewards of the environment, and to enhance safety in every aspect of our overall mission.

If confirmed, I pledge to carry out the policies and directives of the President, Congress, the Secretary of Defense, and the Secretary of the Navy. My day-in and day-out priorities will be driven by the unwavering goal of fully supporting the combat effectiveness and operational efficiency of our Navy and Marine Corps team. In developing and applying these priorities, I look forward to working closely with Congress and with this committee.

Thank you.

Chairman LEVIN. Thank you so much, Admiral.

Now let me ask you all the standard questions which we ask of all our nominees. In order to exercise our legislative and oversight responsibilities, these are the questions that we ask.

Have you all adhered to applicable laws and regulations governing conflicts of interest?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

[All four witnesses answered in the negative.]

Chairman LEVIN. Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record in hearings?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Will those witnesses be protected from reprisal for their testimony or briefings?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Do you agree, if confirmed, to appear and testify, upon request, before this committee?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Finally, do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly-constituted committee, or to consult with the committee regarding the basis for any good-faith delay or denial in providing such documents?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Thank you.

Okay, let's try a 8-minute round this morning for our first round, and, if we need a second round, we'll do that.

Mr. Preston, we have approved a fiscal year 2014 authorization bill in committee. It's not yet gone to the floor, but in committee. We included a number of changes to the procedures for transfers of detainees from Guantanamo.

We would provide greater flexibility to the Secretary of Defense to transfer Guantanamo detainees to foreign countries, if the Secretary determines doing so is in our national security interest and that steps have been, or will be, taken to substantially mitigate any risk of the transferred individual reengaging in terrorist activity.

Our provision would also give the Secretary of Defense authority to allow the transfer of Guantanamo detainees to the United States for detention and for trial, if determined to be in the U.S. national interest and if it can be done safely.

We would allow the temporary transfer of Guantanamo detainees to a DOD medical facility to prevent death or significant imminent harm.

Mr. Preston, are you familiar with these provisions? If so, what are your views on increasing the flexibility of the Department of Defense and the administration in handling detainees at Guantanamo?

Mr. PRESTON. Mr. Chairman, I will have to admit I'm a bit more familiar with the existing law, section 1028. I am aware of the legislative provision to which you're referring. As my current responsibilities don't include direct responsibility for detainee operations and the transfer process, I'm not as intimately familiar with it as perhaps others are.

Certainly, the policy of the administration is to favor transferring these detainees, and I support the administration's policy. I think a critical element of the existing law and of proposed legislation would be to facilitate transfer in a fashion that ensures the protection of the national security.

I'm afraid, beyond that, I don't have developed views, or sufficiently informed, to comment on the legislative proposal.

Chairman LEVIN. All right, thank you.

Mr. Preston, during the hearing on your nomination to be the CIA General Counsel, you were asked about so-called "enhanced interrogation techniques," and specifically whether you believed waterboarding was torture. I'd like to ask you that question here, in connection with your nomination to be the DOD General Counsel. Do you believe that waterboarding is torture?

Mr. PRESTON. Mr. Chairman, I believe, under current law, waterboarding is torture. I will say that, in the course of my duties, by virtue of the cessation of the program by executive order in 2009, I have not had occasion to independently examine that question with reference to CIA activities since January 2009. But, I believe that the state of the law is clear. In addition to the President, the Attorney General, the Nation's chief legal officer, has determined that waterboarding is torture. That's the law, in my view. I support the President's decision to ban waterboarding and the other so-called "enhanced interrogation techniques".

If I might add, though, at the time that the waterboard was used in connection with the former Detention and Interrogation Program, my understanding is that CIA personnel relied on what was the authoritative statement of the law at the time, the opinions issued by the Department of Justice. Of course, those opinions have since been disavowed and withdrawn.

Chairman LEVIN. The Senate Select Committee on Intelligence (SSCI) has completed a report on the CIA Detention and Interrogation Program. Recently, the CIA provided a written response to the Intelligence Committee's report. As the CIA General Counsel, were you involved in the preparation of the agency's response?

Mr. PRESTON. I did have some involvement. I did not direct the effort.

Chairman LEVIN. Are there any portions of that response that you disagreed with?

Mr. PRESTON. Sir, I think the agency's comments are an appropriate response to the SSCI report. For my part, I don't believe there's anything legally objectionable. That's the determination I need to make.

I must say, I have to rely on those with far greater familiarity with the report and the record when it comes to facts and findings. But, I accept the conclusions and support the recommendations, and I support the Director's decision to forward these comments to

the committee. Frankly, it's my hope that they will be useful to the committee as it continues to consider the matter.

Chairman LEVIN. For the record, there are some significant differences between many members of the committee and that response, and it's very possible that there's going to be some additional questions for you about your awareness of the response and your agreement or disagreement with certain statements that are in that response. But, we'll save that for the record.

Mr. PRESTON. Very well.

Chairman LEVIN. There's been considerable discussion inside and outside Congress about the scope of detention authority pursuant to the authorization for the use of military force, particularly as it pertains to U.S. citizens. In your view, if a U.S. citizen joins a foreign army, a foreign military force, and is captured while engaged in combat against our forces, do we have the authority, under the Law of Armed Conflict, to hold that person in military custody?

Mr. PRESTON. In terms of the availability of indefinite Law of War detention for a U.S. citizen captured on U.S. soil, I believe that the law is unsettled, but the President has made clear that it is not his intent to authorize any such Law of War detention for U.S. citizens captured on U.S. soil.

Chairman LEVIN. If that citizen is involved with a foreign army in attacking say, a U.S. Navy base, is that person detainable under the Law of War?

Mr. PRESTON. Ordinarily, an enemy combatant is, but I understand that this has been the subject of litigation and that the issue hasn't been resolved by the courts.

Chairman LEVIN. If an American citizen is captured in combat, having joined a foreign army outside of the United States, under the Law of War, may he or she be detained?

Mr. PRESTON. Again, I believe, as an enemy combatant, he or she could. I, frankly, don't know whether there's remaining doubt, in terms of litigation of that issue.

Chairman LEVIN. What is your understanding of what constitutes an "associated force" that is subject to the use of military force under the 2001 authorization? I'll ask two questions, here; it'll be my last one—what is your opinion about the impact of the end of combat operations in Afghanistan on the application of the authorization for the use of force to al Qaeda and its associates elsewhere than Afghanistan?

Mr. PRESTON. I'd be happy to answer both of those, sir, starting with the first.

Of course, the language of the Authorization for Use of Military Force (AUMF) refers to groups and individuals responsible for the September 11 attacks and those who harbored them. As you well know, that has obviously been applied to al Qaeda and the Taliban and interpreted also to reach associated forces.

My understanding of the concept of associated forces is that it is quite narrow. It has been described as requiring an organized armed group that has entered the fight alongside al Qaeda and as a cobelligerent with al Qaeda in hostilities against the United States and its coalition partners. It's not any group that is ideologically aligned with al Qaeda. It would not be any group that poses a threat to the United States without having joined the fight with

al Qaeda. But, it does reach groups that have joined the fight with al Qaeda and against the United States.

Chairman LEVIN. Wherever they may be.

Mr. PRESTON. I believe that is correct.

Chairman LEVIN. Thank you.

Senator Inhofe.

Mr. PRESTON. Would you like me to answer your second question?

Chairman LEVIN. Please. Yes, if you could do it briefly.

Mr. PRESTON. Just only to—I'm sorry, Senator—only to say that the end of the U.S. combat role in Afghanistan will not necessarily mark the defeat of al Qaeda and the end of the conflict with al Qaeda. It may well, I think, drive additional attention to the state of the conflict. But, the withdrawal of forces from Afghanistan does not in any per-se way mark the end of the conflict.

Chairman LEVIN. Thank you.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

When Admiral McGinn made his opening statement, I was reminded of something. While Senator Warner is still here, I'll repeat it.

I'm impressed with your children and grandchildren. However, I have 20 children and grandchildren. [Laughter.]

Admiral MCGINN. I'll work on it, Senator.

Senator INHOFE. You have some time, before you're my age.

Admiral MCGINN. Yes, sir.

Senator INHOFE. I can remember, I'd always take pictures—candid pictures, and we had a Christmas card that would come out every year. Senator Warner, over there, said, "You know, you're the only one who sends a card out where you have 22 members of the family, and not any 2 are looking the same direction." [Laughter.]

You don't want to make that mistake.

Let me share with you, Mr. Preston, my feeling. During the Benghazi incident, I was very much concerned about that. Chris Stevens, the Ambassador who was killed, was a friend of mine, was in my office a very short period of time before that happened. He talked about the threats that were there, the dangers in that general area. During the time that the September 11 attack took place, I don't think anyone is really certain as to whether that was an organized terrorist attack. However, when the Annex, that was the next morning, took place, Mr. Clapper, who was, at that time, the Director of National Intelligence, made the statement. He used the word "unequivocal". It was unequivocal—this is the morning after September 11, during the Annex attack—that it was committed by organized terrorists at that time. After we had hearings, in this room, with many other members, I asked the same question to other individuals. They all agreed.

Now, I think one of the reasons was the equipment that was used, the six mortar rounds and all of that; it became very convincing. Anyway, these individuals all said that it was unequivocal that it was an organized attack.

The first question I'd ask you is: What was your position during September 11, at that time?

Mr. PRESTON. Of last year, sir?

Senator INHOFE. Yes.

Mr. PRESTON. I was General Counsel at CIA.

Senator INHOFE. All right. What was your role in the Benghazi matter?

Mr. PRESTON. Sir, first, let me just mention what first comes to mind when you raise Benghazi, and that is that it was a terrible tragedy for our country. We lost four good Americans.

My role in the aftermath of Benghazi was extremely limited. I had——

Senator INHOFE. Okay, I'm really sorry to cut you off. I have to do it, because of the time constraints.

Mr. PRESTON. Yes, sir.

Senator INHOFE. I think I know the answer to this question. Did you compose, edit, or modify, in any way, the talking-points information which were used by Ambassador Rice and the White House?

Mr. PRESTON. No, sir.

Senator INHOFE. I didn't think you did.

But, nonetheless, I look at this, and I know that this sounds like an extreme position, but I'm familiar with coverups in the history of this country—and I'm talking about the Pentagon papers, Iran-Contra, Watergate, and all of that—I just can't think of one that is more egregious than this. Because 5 days before she was sent to the American people, on that Sunday, all of the intelligence people that we have talked to before that knew, at the time, that it was an organized terrorist attack and not an attack that had anything to do with the video.

I say this because we have to keep talking about this. It's something that everyone's hoping will go away, and it's not going to go away.

The question I would have, you've already answered to my satisfaction, in terms of your role or your lack of role.

Now, on GTMO, the Chairman had several questions. I, again, have what is considered by some to be a pretty extreme position on GTMO. For one thing, it's one of of the few good deals that we have in the Government. I think we pay $4,000 a year, and Castro doesn't collect, about half the time. The facility down there, it's hard to go down and see what we have and ask the question, why is it we're not using that? What is this aversion to keeping people down there that this administration has?

Now, I bring this up because, obviously, you will be dealing with this. I have statements that you've made, on military commissions. You said, "Military commissions are an appropriate forum for trying offenses against the law and order. Military commissions provide appropriate processes for the trial of alien underprivileged enemy belligerents." And "I am not aware of any need for changes to the 2009 Military Commissions Act."

Now, these are statements that you've made in the past. Do you agree with these statements today?

Mr. PRESTON. I do.

Senator INHOFE. Okay. I do, too.

I'm not a lawyer, so I feel a little insecure talking about this in a lot of detail to someone who is, and who is a professional. But, I do know what an expeditionary legal complex is. I've been

through this down there, and I've seen the advantages that we have there. I also recall that, 4 years ago, when this President—it may have been, actually, before he took office—talked about the fact that we need to transfer these people to the United States, one of the suggested locations happened to be in my State of Oklahoma. It was in Fort Sill. I went down and I talked to a Sergeant Major down there by the name of Jackson, and she said, "What is wrong with the people in Washington?" She had had two or three deployments to GTMO and said, "We have the ideal situation there." Other than the fact that the terrorists and many people who are our enemies think that this is something that we should not keep open, can you think of any reason why we're not using that today to its fullest capacity for detention and for trials?

Mr. PRESTON. Sir, I think you make a good point in what has been a ongoing and, I think, at times, intense policy debate. For my part, if I'm confirmed, it'll be my duty and honor and burden to see to the proper application of the law as it relates to detainee operations and as it relates to the military commissions process.

Senator INHOFE. Okay. I do want to follow up with you in some detail, as time goes by, and reconsider some of the decisions that have been made, in private conversations.

Mr. PRESTON. I would welcome that.

Senator INHOFE. Admiral McGinn, you and I were together and fought the unsuccessful Battle of Vieques some 12 years ago.

Admiral MCGINN. Yes, sir.

Senator INHOFE. I can recall, at that time, the entire Navy was very helpful to me. We had Vieques, a place that we could use for joint training. The Marine Corps—you remember this, John—the Marines and the Navy were—and because there was one—an unfortunate thing that took place, and a lot of the environmentalists said, "No, we can't use this." I can remember going over to Puerto Rico and saying, "If you guys insist on closing this thing down, it's going to have an economic effect on Puerto Rico, on Roosevelt Roads, and all of these things."

Anyway, you were on my side on that. As I recall, we went to San Clemente, and you were with me at that time—maybe some other places. But, I also went all the way around the world, trying to find a place—we couldn't find a place that could replicate that type of training. I appreciate that.

I bring this up for two reasons. One is an issue that's taking place right now at Twentynine Palms. I know that perhaps if I were from California, I might have different feelings about this—no, I doubt if I would, because that's a facility that our marines use that I don't think we can replicate anyplace else. Can you tell me any justification for not taking the option—and we know the three options that are out there; you're familiar with these?

Admiral MCGINN. Right.

Senator INHOFE. Of expanding that area and the capability of our Navy to train there?

Admiral MCGINN. Based on my knowledge of Twentynine Palms and my experience, having fired rockets and dropped bombs on Twentynine Palms when I was getting ready for combat, I recognize the critical need to do live-fire training and to train like you

fight. That is what the marines want to do, and that's why we need to expand the training range at Twentynine Palms——

Senator INHOFE. Okay. Okay, and I agree with that. I know my time has expired. Just one last thing.

An area where we don't agree is in the use of a lot of our funds, that would otherwise be used for readiness and for defense purposes, for biofuels, and these other things. We'll have a chance to talk about this in the future, and we have in the past.

Admiral MCGINN. I look forward to it, Senator.

Senator INHOFE. Thank you, sir.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

Senator Udall.

Senator UDALL. Thank you, Mr. Chairman.

Good morning. Thank you all for your willingness to serve.

I'd like to start off, this morning, by saying I can think of no better nominee for the position of Assistant Secretary of the Navy for Energy, Installations, and Environment than Admiral McGinn.

Admiral, you've served 35 years in uniform, and you've been a steadfast advocate for our sailors, and you've been leader on the national security issues, writ large, and you've earned my deepest respect, and I think everybody's on the committee. I'm not alone in that regard, and I have a letter from the Center for Naval Analyses (CNA) Military Advisory Board, an organization which consists of some of our finest retired three- and four-star admirals and generals, Mr. Chairman, and they've written to the committee in strong support of the Vice Admiral's nomination, and I agree with them completely. I'd like to submit the letter for the record, if I might.

Chairman LEVIN. Admitted. It will be made part of the record.

[The information referred to follows:]

Members

Admiral Steve Abbot
USN (Ret.)
Admiral Frank "Skip" Bowman
USN (Ret.)
General Charles Boyd
USAF (Ret.)
General Michael P. Carns
USAF (Ret.)
General James Conoway
USMC (Ret.)
Lt. General Ken Eickmann
USAF (Ret.)
Lt. General Larry Farrell
USAF (Ret.)
Major General Russell Fuhrman
USA (Ret)
General Don Hoffman
USAF, (Ret.)
Vice Admiral Paul Gaffney
USN (Ret.)
Brig. General Gerald E Galloway
USA (Ret.)
Vice Admiral Lee Gunn
USN (Ret.)
General Paul Kern
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General Ron Keys
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Vice Admiral Dennis McGinn
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Rear Admiral David Oliver
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Admiral Joseph Prueher
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Vice Admiral Ann Rondeau
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Vice Admiral Roger Rufe
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Lt. General Keith Stalder
USMC, (Ret.)
General Gordon Sullivan
USA (Ret.)
Vice Admiral Richard Truly
USN (Ret.)
Lt. General Clyde A. Vaughn
USA (Ret.)
General Charles F. "Chuck" Wald
USAF (Ret.)
Lt. General Richard Zilmer
USMC (Ret.)
General Tony Zinni
USMC (Ret.)

CNA Military Advisory Board
4825 Mark Center Drive • Alexandria, Virginia 22311-1850 • 703 824 2000

July 23, 2013

The Honorable Carl Levin
Chairman
Senate Armed Services Committee
Washington, DC 20510

The Honorable James Inhofe
Ranking Member
Senate Armed Services Committee
Washington, DC 20510

Dear Chairman Levin and Ranking Member Inhofe:

We write to provide the support of CNA's Military Advisory Board (MAB) for the appointment of Vice Admiral Dennis McGinn, USN (Ret.) to the position of Assistant Secretary of the Navy for Energy, Installations, and Environment. As a stalwart member of CNA's MAB since 2008, VADM McGinn has demonstrated a keen understanding of the nexus between energy, the environment, and national security and an even more impressive ability to articulate the significance of this nexus to elected officials, military leaders, and the public. If confirmed, these abilities will serve him well as Assistant Secretary of the Navy for Energy, Installations, and Environment.

Serving as Vice Chairman of CNA's MAB for the past five years, VADM McGinn has been a mainstay of the board. He has demonstrated strong leadership and a unique ability to build consensus across a group of senior military executives with strongly held, but sometimes differing, views. He has contributed his superior knowledge and experience in energy and national security to several of CNA MAB publications in these areas. He has participated in outreach events with Members of Congress and staff, throughout Washington, DC, and across the country, speaking to countless military leaders, policy makers, and the public on the importance of secure energy, energy's impact on the world's changing environment and the implications of energy to national security. In all of these events, his ability to see past politics and to focus on what is in the best interest of the nation has made him a truly matchless and a prized member of the MAB.

For more than 33 years, VADM McGinn served the nation as a naval officer. Upon retirement, he continued to serve the interest of our national security by focusing his efforts on ensuring the United States has a secure, sustainable energy supply. He is practiced, polished, and well-positioned to

bring this experience and leadership back to the Navy as Assistant Secretary of the Navy for Energy, Installations, and Environment.

Sincerely,

Sherri Goodman
Executive Director,
CNA Military Advisory Board
Former Deputy Undersecretary
of Defense (Environmental Security)
Senior Vice President and
General Counsel, CNA

General Paul Kern, USA(Ret.)
Chairman
CNA's Military Advisory Board
Former US Army Material Command

Senator UDALL. Thank you for that.

Again, Admiral, I look forward to working with you, as does the committee, when you're confirmed.

If I could, I'd like to direct my questions to Mr. Preston, to start. In your current role as General Counsel for the Central Intelligence Agency, you've been at the table when some important decisions have been made. I sit on both this committee and the Select Committee on Intelligence, and I have some concerns that I would like you to consider addressing.

In your prehearing questions for your 2009 nomination hearing to be the CIA General Counsel, you said the following, referring to the Justice Department's Office of Legal Counsel (OLC) and the CIA's Office of General Counsel (OGC), and I'll quote back to you what you said. "Where OLC's analysis will depend heavily on factual circumstances, as represented by the Agency, it is important that the OGC ensure that the information provided is as complete and accurate and current as possible. I am not aware of any material deficiencies in this regard, but wish to underscore the importance."

Do you still agree with this view? What do you believe a General Counsel's responsibility is if he discovers that his Department or Agency provided inaccurate information? If the resulting OLC opinion, based on inaccurate information, became public, do you see a need to correct the public record?

Mr. PRESTON. Senator Udall, I think this is a very important question. I believe that the description of the responsibility, from my earlier question from 2009, would still pertain. If anything, I have a much richer understanding and appreciation for the importance of the communication between Agency counsel and OLC. My own experience has been, particularly for the most sensitive matters at the Agency, to have near-continuous communication and one that's characterized by ensuring that the factual basis that my colleagues at OLC need in order to best inform and advise decisionmaking and their own opinions is provided.

I think one of the things that the Agency has focused on in recent years is an effort, not only to practice that, but to try to institutionalize it in some fashion, with respect to our most sensitive programs, to make sure that there is a purposeful effort to ensure

that opinions that we may be relying on, that the factual basis for that opinion has not materially changed.

Senator UDALL. This is a very important topic, as you know and you've referenced. I may want to follow up with some additional questions for the record, but I appreciate your initial comments.

Let me turn to the difference between covert action and secret military operations. As I mentioned, I sit on this committee, I sit on the Intelligence Committee, as well, and I wanted to run through a series of questions and then ask you to respond to them all at once. Let me start here.

In your view, when does a secret military operation meet the statutory definition of "covert action" and require a finding, and when does it not?

My second question: If the military refuses to answer the public's questions about a reported operation, does it become a covert action? If not, what is the basis for that denial? As an example, why are unacknowledged 1208 assistance programs not covert action?

Finally, in this easy set of questions for you——[Laughter]

Finally, under what circumstances can a secret military program, as distinct from a particular tactical operation, be briefed only to the chairman and ranking member?

I know that's a big list of questions. I'm happy to restate them, if necessary, but I'd like to hear your answers.

Mr. PRESTON. Let me start with the first question, and at a general level.

What makes, I think, an action a covert action is laid out in the National Security Act of 1947, as amended, where action is taken for the purposes of influencing certain conditions abroad and done in a fashion where the role of the U.S. Government is neither apparent nor acknowledged. Of course, with respect to covert action, it's done pursuant to a finding, and that's, historically, in an area in which the CIA operates. I'm perhaps most familiar with the application of those concepts to operations pursuant to finding, at least the historical practices there.

Your questions raise, I think, an important issue about secretive or clandestine military operations and the extent to which they are neither apparent nor attributed to the Government and would properly be under covert action authorities. As I'm sure you know, that same provision of the National Security Act does accept traditional military activities, and there's quite a bit of law and lore that has gone into, as I understand, what we consider traditional military activities as an exception to covert action and the requirement of proceeding under those authorities.

This is an issue I'm obviously familiar with in my current position, but I haven't, to tell you the truth, really wrestled with how one would advise the U.S. military on the precise parameters of that concept and the precise concept of attribution in the military context. This is an area that I would expect to focus on early and intensely, if I have the privilege of being confirmed.

Senator UDALL. Thank you, Mr. Preston. What I think I'll do is review your responses, and, if necessary, submit some additional questions to you for the record.

Mr. PRESTON. Thank you.

Senator UDALL. In the remaining time I have, I want to turn to Admiral McGinn and just give him an opportunity to talk about what would be your top priority as Assistant Secretary of the Navy.

Admiral MCGINN. Yes, sir.

As the title implies, it involves energy, installations, and environment. Not in the title, but part of the responsibilities are safety for operations afloat and ashore. I want to make sure that the Navy meets near-term warfighting readiness goals. We have a very fine group of men and women in the Navy and Marine Corps that are out there on the tip of the spear, as we say, and we have to make sure that they are well supported, and those following them are fully ready to go out there and relieve them. That's job one, that is the lens through which I want to look at all of those areas of responsibility.

We also have an obligation, I believe, to look to the future, to try to create strategic and operational options for our forces. This has been the primary focus area of Secretary Mabus in establishing his energy goals. I intend to look at that whole program intently to make sure that we are making the right investments to balance the compelling needs of near-term readiness with the compelling needs of looking over at the strategic environment of the future and making sure that we have the capability to fight the way we'll need to.

Senator UDALL. Thank you, Admiral.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Udall.

Senator Donnelly.

Senator DONNELLY. Thank you, Mr. Chairman.

I want to thank all of you for your service to the Nation, and to your families, for everything you have done for our country.

Mr. Rymer, I would just like to ask you about a recent DOD IG audit of sexual assault cases, it discovered that more than 10 percent of the cases contain flawed investigations. Are you concerned about that error rate? How do you think you'd change that, moving forward?

Mr. RYMER. Yes, sir, I am very concerned about it. I think the issues concerning sexual assault are certainly something the IG has to pay more attention to than perhaps the office has in the past. That particular report was completed pursuant to the IG's responsibility to provide oversight over the military criminal investigative organizations. That's the Army Criminal Investigation Command (CID), Naval Criminal Investigative Service (NCIS), and the Air Force Office of Special Investigations (OSI).

My concern is that 10 percent is a high number. Perhaps more concerning, though, is the variations in process and procedure used among the different Services to investigate sexual assault crimes. I think the role of the IG is to encourage consistency and identification of best practices, and that's something I would try to do very strongly with those organizations.

Senator DONNELLY. Yes, I was just going to follow up with the best-practices point that you just made. Do you intend to look and say, "This is working, this is producing the best-quality information we could possibly have, the best, most accurate information," and share it with each of the different branches?

Mr. RYMER. Yes, sir. I think that report—which is a lengthy report—contains a lot of statistics and a lot of information that could help identify, coach, and counsel, which of those investigative techniques may be the best. Yes, sir.

Senator DONNELLY. Thank you very much.

Vice Admiral McGinn, in Indiana, our Active military base is Crane Naval Warfare Center. One of the things that we do at Crane is, it is shared with the Army ammunition activity, and it is shared in order to maintain the infrastructure, reduce costs by sharing costs, such as roads, power, distribution, security, et cetera. I was wondering what your thoughts are on joint basing as a means to mitigate costs for the Navy.

Admiral MCGINN. Yes, sir. I think, where it makes sense, Senator, we need to look at joint basing. I have visited Crane several times during my time on Active Duty, and even since then, and it is a national asset. The work that goes on there—in addition to being a weapons storage and processing area, they are what I would describe as a world-class battery forensics facility, there's direct support for our Navy SEALs and their technology needs. I would view any future organization of Crane with the criteria of the ability to not detract from the key missions that are being undertaken on a daily basis by the folks at Crane.

Senator DONNELLY. We look forward to your confirmation. Once you are confirmed, we would like to invite you back. A time that might be ideal is—Indiana University is playing Navy in football, in Bloomington just about 15 miles away, on September 7.

Admiral MCGINN. Yes, sir.

Senator DONNELLY. The Friday before, I assume everyone will be busy at work at Crane——

Admiral MCGINN. Yes, sir. My only response would be, "Go Navy". [Laughter.]

Senator DONNELLY. I thought it would be.

Mr. Rymer, again, one of the things that this whole panel has been working on, but that I have passionately tried to dig into, has been suicide prevention for our military. We have programs in place. I was wondering what oversight you intend to provide on the suicide prevention programs we have in place.

Mr. RYMER. Sir, that is certainly something that I have added to the list of priorities, if confirmed. It's a very important issue for me. Having experience with that in the military, I'm very familiar with the programs, at least that the Army has in place, for suicide prevention. I think the role of the IG, perhaps, could be to do an evaluation of the effectiveness of the programs, and the money spent in each of the Services, to compare those. There is some oversight role, in terms of program effectiveness.

Senator DONNELLY. I know you know this statistic, but we lost more servicemembers to suicide last year than we did in combat.

Mr. RYMER. Yes, sir. It's a national tragedy. Yes, sir.

Senator DONNELLY. Mr. Preston, in regards to looking forward and what we're dealing with in Syria at the present time, and we see the al Nusra Front, which certainly has not gotten weaker, may be picking up strength. I was wondering your views in regards to the AUMF and its application to al Nusra, do they directly affect

the United States, or do you think that the AUMF applies to al Nusra Front in Syria?

Mr. PRESTON. Senator, let me refrain from revealing any current discussions on that score.

Senator DONNELLY. Understood.

Mr. PRESTON. I think the question would be whether al Nusra is al Qaeda or is an associated force within the confines of how that term has been applied. That is a judgment that DOD would make internally. I haven't previously participated in that judgment, so I'm ill-equipped to provide a personal view. But, again, I expect this is an area that I would be focusing on, early and intensely.

Senator DONNELLY. I appreciate that. The committee itself is very focused on the Syrian issue and the challenges we face there, and we look forward to your participation.

To all of you, thank you very much for your service to the country. We look forward to continuing to work with you in the years ahead.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you.

Senator Blumenthal.

Senator BLUMENTHAL. Thank you, Mr. Chairman.

I want to begin by joining my colleague, Senator Donnelly, in thanking you for your service. A number of you have records of military service, and appreciate the sacrifices that you've made, all of you, in the course of your public service.

You will have positions that may not make you household names. We frequently confirm people here, who are in the headlines, but your jobs are as important as any to our national security and national defense, and you know and we know that we couldn't do the job that we do in the farflung places of the world without the support that you give them, day-in and day-out. That goes for the many hardworking people who will be under you, under your command, as well as your colleagues in the Pentagon and throughout this country in our national defense. In thanking you, I thank them, and I think my views are shared widely.

Mr. Preston, to begin with an area that I think is very important to all of our men and women in uniform, the issue of sexual assault in the military, you were asked, in the questions that were submitted to you about this subject, and particularly about taking the decisionmaking authority in beginning prosecutions—the charging authority or convening authority—out of the chain of command and having it go to a specially-trained and independent prosecutor. Can you give me your view, as an attorney and as one who may not have been a prosecutor, but certainly is familiar with the skills and training and expertise that's required—wouldn't it make sense to have these decisions made by an individual who has a wealth of experience, who's tried cases, who knows what the evidence is going to be and has to be, and knows what the evidentiary issues are? Doesn't that make sense to you, as an attorney?

Mr. PRESTON. Let me say that I appreciate the salutary intent behind the idea. I have to say that I'm not sufficiently informed on the various legislative proposals to have formed a fixed personal view on it. I think the concern that has been expressed about that relates to the role of the military justice system as an integral part

of the command structure. There's a reason for that, because the military justice system is one of the instruments by which command maintains military discipline——

Senator BLUMENTHAL. I understand that point where you know a lot about the Uniformed Code of Military Justice, I am certain, and I know that you don't have a fixed personal view.

Mr. PRESTON. Yes.

Senator BLUMENTHAL. Maybe you have a flexible personal view. But, I'm really asking about a more abstract question. I know that one of the arguments against taking it out of the chain of command is the good order and discipline of the military unit, and the cohesion of the military unit. I respect that argument. But, simply as an attorney, as the General Counsel of the Department of Defense, wouldn't you value the experience of a trained prosecutor in making these decisions?

Mr. PRESTON. I think that experience would be valuable, either in the decisionmaker or in someone who is advising the decisionmaker. I think you're right that that experience base would have value.

Senator BLUMENTHAL. I'd like you to examine these issues, and perhaps supplement your response that you've given, which is, "I am not now in a position to express a personal view," much as you've just said right now, and perhaps articulate, in a little bit more detail, what your views would be on the proposals that are pending before Congress and that are likely to be considered when the National Defense Authorization Bill reaches the floor. I would appreciate that.

Mr. PRESTON. I'd be happy to take a crack at that. I know this is a complex issue, and an incredibly important one. What I hesitate to do is to express, as an informed, fixed view, something that I haven't had, really, an opportunity to formulate. But, I would be happy to try to be as responsive as possible.

Senator BLUMENTHAL. Thank you.

[The information referred to follows:]

As the Secretary of Defense has stated, eliminating sexual assault from our Armed Forces is one of the Department's top priorities and, if confirmed, I look forward to helping achieve that goal in my capacity as the chief legal officer for the Department.

It is my personal view that there is great merit to many of the proposals currently pending before Congress. In particular, I support efforts to ensure that individuals convicted of sexual assault do not serve in the military, to supplement the breadth and availability of support services for victims, and to enhance and standardize the oversight and investigation of sexual assault allegations. These proposals represent concrete steps that should strengthen the Department's overall sexual assault prevention and response programs and efforts.

With regard to eliminating the authority of commanders to refer charges or convene court-martials, I think special care should be taken before removing commanders from the administration of military justice, which would represent a fundamental change to the military justice system that is likely to have second- and third-order effects. As I understand it, significant questions have been raised about how such a proposal could be implemented in practice and its potential effect on the expeditious and efficient administration of military justice.

Secretary Hagel recently expanded the role of lawyers in the sexual assault offense disposition process by requiring the Secretaries of the Military Departments to mandate no later than December 1, 2013, that judge advocates serve as investigating officers for all Article 32 hearings on such charges. As this illustrates, the role of lawyers in the military justice system is not immutable, and no potential solution to achieve the eradication of sexual assault in the military is off the table, including increasing the role of lawyers and decreasing the role of the commander.

Indeed, the panel established by Congress to review and assess the systems used to investigate, prosecute, and adjudicate crimes involving sexual assault has been tasked specifically to assess the strengths and weaknesses of the current role of commanders in the administration of military justice. (National Defense Authorization Act for Fiscal Year 2013, Pub. L. No. 112–239, § 576(d)(1)(G), 126 Stat. 1632, 1760 (2013)). If confirmed, I will study the panel's conclusions in advising the Secretary on this issue.

Senator BLUMENTHAL. Turning to Mr. Rymer, if I may, are you familiar with the Special Inspector General report on the MI–17 helicopter sale by the Russian export agency, Rosoboronexport, to the Afghan Government, paid for by American taxpayer dollars?

Mr. RYMER. Sir, I'm sorry, I'm not, other than what I've read in the press. If I am correct, I believe that report was done by the Special Inspector General for Afghanistan Reconstruction, an office separate and independent from the Department of Defense Office of Inspector General. I'm not, sir, other than just what I've read in the press.

Senator BLUMENTHAL. I would appreciate your reviewing that report. My view is that there is absolutely no justification for the purchase of Russian helicopters, when there are no Afghan pilots trained to fly them, no mechanics trained to repair them. The United States will spend, eventually, more than a billion dollars. We've already spent half a billion, and we've just contracted for another half billion. If there are any helicopters to be purchased and there is sufficient justification, my view is, they ought to be American helicopters. But, the first question is whether that sale of helicopters to the Afghans makes any sense at all, in terms of the national defense issues that are raised by the sale, and particularly no justification for purchase of helicopters from a Russian-controlled export agency that is also selling arms to Syria, used for the slaughter of its own people by a dictator whom we have vowed to overthrow. We are, in effect, supporting Bashar Assad.

I would appreciate your reviewing that report and giving us your views of it, in writing.

Mr. RYMER. Yes, sir.

[The information referred to follows:]

The Special Inspector General for Afghanistan Reconstruction (SIGAR) assessed the extent to which the Afghan military has the capacity to operate and maintain its current and planned fleet of Mi-17 helicopters and the effectiveness of U.S. Government oversight of two task orders to provide maintenance, logistics, and supply support to the Afghan military (Afghan Special Mission Wing: DOD Moving Forward with $771.8 Million Purchase of Aircraft that the Afghans Cannot Operate and Maintain, SIGAR Audit 13–13, June 2013). It would not be appropriate for me to comment on the SIGAR report while my nomination is pending; however, if confirmed, I will assess to what extent further audit or inspection work by the Department of Defense (DOD) Inspector General (IG) regarding the purchase of Mi-17 helicopters would be appropriate.

I am aware that the DOD IG has issued several reports that have examined aspects of the Mi-17 helicopter program. On September 28, 2012, the DOD IG issued an assessment report, "Assessment of U.S. Government and Coalition Efforts to Train, Equip, and Field the Afghan Air Force," (DODIG–2012–141), which, in part, addresses challenges presented in training and equipping Mi-17 flight and maintenance personnel. In an audit report, "Mi-17 Overhauls Had Significant Cost Overruns and Schedule Delays," September 24, 2012, (DODIG–2012–135), the DOD IG recommended the U.S. Army consider whether suspension and debarment is warranted for a Russian firm subcontracted to overhaul Mi-17 aircraft.

Subsequent to this hearing, the DOD IG issued audit report DODIG–2013–123, "Army Needs To Improve Mi-17 Overhaul Management and Contract Administration." The report recommended that the Army review the contracting officer's per-

formance for inappropriate actions, recoup $6.2 million in advance payments to the contractor for services never provided, and review the Program Office actions which established an inappropriate $8.1 million parts inventory.

Senator BLUMENTHAL. Since my time is expired, I want to simply thank you again, every one of you, for your service to our Nation. I look forward to working with you.

Chairman LEVIN. Thank you very much, Senator Blumenthal.

We're going to have a 3-minute second round. If we need more than that, we'll have a third round.

Dr. Rabern, in your responses to the committee's advance policy questions, you said that, while you recognize the importance of having the Navy's book auditable by 2017, that you're not familiar with the Navy's progress toward achieving the statutory deadline of 2014 for a statement of budgetary resources or of 2017 for auditability. Now, this committee's placed a great deal of emphasis on having the Department—indeed, all of our Departments—meet these deadlines. If confirmed, will you commit to quickly becoming more familiar with the Navy's progress towards these important deadlines? Will you come back, within 60 days of your confirmation, to report on the Navy's progress and any areas that need improvement or attention?

Dr. RABERN. Yes, Mr. Chairman, I would be happy to do that. If confirmed, sustained audit readiness will be one of my highest priorities. It is critical in making sound fiscal and readiness decisions. I will rely on the expertise of the military and civilian personnel who have that experience on the staff within the Department of the Navy, in addition to my own experience in other Government agencies. I look very much forward to working with you and your staff in meeting these audit readiness requirements.

Chairman LEVIN. Thank you.

Mr. Rymer, the Office of the Inspector General receives many requests from congressional committees and from Members of Congress for audits and investigations of matters of public interest. Will you ensure that the Office of the Inspector General continues to respond to congressional requests for audits or investigations in a prompt manner and in a manner consistent with past practices?

Mr. RYMER. Yes, sir, I will.

Chairman LEVIN. Under what circumstances do you believe it's appropriate for the Office of the Inspector General to redact some of the contents of any information contained in a report provided to Congress?

Mr. RYMER. Sir, I think the process that's in place now, is that information is not redacted if the request is from the chairman or the ranking member, in their capacity of acting on behalf of the committee. If it's from an individual member, I believe it's treated as a release to the public, and there are redactions.

Chairman LEVIN. But, to the ranking member and to the chairman, it is unredacted?

Mr. RYMER. It's my understanding, yes, sir.

Chairman LEVIN. Thank you.

In October 2012, the President issued a policy directive relating to the protection of whistleblowers who have access to classified information. This directive is designed to ensure that employees serving in the Intelligence Community or who are eligible for access to

classified information can effectively report waste, fraud, and abuse while protecting classified national security information. Are you familiar with this directive? What do you understand will be your role, if confirmed, in implementing it within DOD?

Mr. RYMER. Yes, sir, I am somewhat familiar with it. As I understand, in the DOD Inspector General if complaints are received, the role of the Inspector General in the whistleblower process is to investigate any claims or concerns about retaliation. That would be my main concern, sir.

Chairman LEVIN. All right. But, if classified information is presented to those of us that have clearance, which is all of us, do you see any problem with the whistleblower presenting to a person with clearance, including Members of Congress, that information?

Mr. RYMER. I think that the process, sir, as I understand it, is when the information comes to the IG, the IG tries to make a determination as to whether it is classified and presents an urgent need. Then I believe there's a role for the Secretary of Defense to release the information to Congress. Or, I may be confusing that with another process.

Chairman LEVIN. Well, you can clarify that for the record.

Mr. RYMER. Yes, sir, I will.

[The information referred to follows:]

Executive Order and Department of Defense (DOD) guidance that establish the requirements for access to classified information permit DOD employees, military personnel, and contractor employees to have access to classified information provided the individual possesses a valid and appropriate security clearance, have executed a nondisclosure agreement, and have a valid need-to-know the information in order to perform a lawful and authorized governmental function. Such individuals provided access to classified information have a duty to protect that information from unauthorized disclosure.

Congress has established the Intelligence Community Whistleblower Protection Act (ICWPA) as the authorized means to disclose complaints of classified wrongdoing to Congress. The ICWPA (title 5 U.S.C. Appendix § 8H) provides a secure way for employees, or contractor employees, of the four DOD intelligence agencies—the Defense Intelligence Agency (DIA), National Geospatial-Intelligence Agency (NGA), National Reconnaissance Office (NRO), and the National Security Agency (NSA)—to tell Congress about classified wrongdoing. DOD IG reviews the complaint, and if it determines it to be credible and present an "urgent concern," forwards it to the Secretary of Defense (SECDEF), who forwards it to Congress.

If the complaint or information does not meet ICWPA standards, the complainant may contact Congress directly, but only after informing SECDEF, through DOD IG, of their intent to contact, and getting SECDEF guidance, through DOD IG, on the appropriate way to do so.

The ICWPA is basically a means to get complaints that involve classified information to Congress. ICWPA does not provide protections against reprisal, however, under the new protections provided by Presidential Policy Directive-19 (PPD–19), a qualifying employee who files an ICWPA complaint may not be reprised against for doing so.

Chairman LEVIN. Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

Let me just briefly touch on it.

Mr. Preston, I wasn't there, and I haven't talked to him, but apparently, Congressman Ruppersberger made a request for information from you, getting back to the Benghazi issue. I believe your response was, "In light of the criminal investigation, we are not to generate statements with assessments as to who did this, et cetera, even internally, not to mention for public release."

The question would be, why would you try to prevent intelligence information to go to the Vice Chairman of the House Intelligence Committee? Now, it's possible to do that in a classified way. I would question that there's an investigation going on, unless you were referring to the FBI investigation. Is that what you were referring to?

Mr. PRESTON. Yes, sir. I'm pleased to respond to that.

As I indicated in your earlier question, I had no substantive involvement with respect to the talking points—that is to say, the preparation and the interagency coordination of the talking points that the House Permanent Select Committee on Intelligence (HPSCI) ranking member had requested from the Agency. There is the one email that I would like to flag in that regard, which is to say, in the course of the Agency's responding to that HPSCI request, it came to my attention, and I sent an email to the folks working on it, essentially reminding them that there was a criminal investigation pending and that we had been admonished not to generate material that could complicate that investigation.

Typically, when you're in an evolving situation and there's a criminal investigation been launched, you want to avoid——

Senator INHOFE. Was there a criminal investigation launched?

Mr. PRESTON. That's my understanding.

Senator INHOFE. The only investigation that I heard—and I'm asking this, because I don't know, Mr. Preston—was the FBI investigation. Of course, they weren't even there until 15 days after this took place. Is there an investigation, other than that, going on?

Mr. PRESTON. No, it's the investigation initiated by the FBI in the immediate aftermath of the attacks. We were informed of that investigation and instructed that the FBI was investigating, other agencies were not to investigate, not to do anything that would interfere, generate material that would complicate the investigation.

This is not atypical. When you have an investigation, early on in an evolving situation, you want to avoid speculation or tentative things that may complicate a later prosecution. You want to avoid taking witness statements; let the investigators do that.

What I was doing with this email was just alerting people that we have been told there's an investigation, we've been admonished not to generate material that would complicate it, let's slow down and make sure that what we're doing is not inconsistent with the guidance we've gotten.

Senator INHOFE. Considering that this individual is the Vice Chairman of HPSCI over there, and made the request, do you see any reason that you couldn't, even in a classified form, respond to his questions, either now or if something should happen in the future?

Mr. PRESTON. I should think that we could respond in a classified form. These were public talking points, and my email was only directed to this particular item that was being prepared.

Senator INHOFE. If he were to re-ask you that question in a classified form, could you respond to it?

Mr. PRESTON. If that request came from the Ranking to the Agency, I expect they would respond.

Senator INHOFE. Okay. That's fine.

Getting back, Mr. McGinn, there was a statement that was attributed to Secretary Hagel, it appeared in Greenwire, I believe it was, one of the publications—he said, "Secretary Hagel recently asked why, in the face of the devastating cuts in civilian workers, carrier deployments, military training, and equipment maintenance, the Defense Department would still contribute $170 million to a massive Federal giveaway to private biofuels companies to aid the construction of a commercial biofuel refinery." Then it said, "He was told by the White House to stand down."

You can do this for the record, if you'd like, unless you'd like to address it now—the same $170 million could have been used by the Air Force to prevent the 16 squadrons from flying or could have saved some 60,000 civilians from being furloughed. I have a list of things that could be done with that $170 million.

I guess what I want to get from you—I know what's happened in the past. You and I have disagreed on the whole green fleet and all of that.

Admiral MCGINN. Yes, sir.

Senator INHOFE. But, that's an honest disagreement, and I understand that. But, we also have a Department of Energy. I remember when that was set up. It was set up just for such purposes as experimenting to see what we could have.

Now, when people use the excuse that we are not energy sufficient, I want to hasten to say, we could be, and we will be, when we can change our policies in this country. But, nonetheless, in the meantime, don't you think that those dollars, that are so scarce right now of going into defending America, should be used just for that purpose, for defense, and let the Department of Energy carry on their function? What's your thought about that?

Admiral MCGINN. Based on my prior experience in uniform, especially as Deputy Chief of Naval Operations for Warfare Requirements, I'm somewhat familiar with the process of having to make choices to recognize that there are not only direct costs for investments, but there are opportunity costs. If you spend it on one thing, you're not going to be not going to be able to spend it on other things. I look forward, if confirmed, to really looking into all of our programs, including our energy programs, to make sure that, not only the direct costs, but the opportunity costs are carefully considered in making those investments.

Senator INHOFE. In this case—and you can recall, because we've actually used this, talking about the $26 a gallon that could have been done for less. In specific instances like that, I would request, if you are confirmed, that, when you see things like that, that might be coming up, that we, on this committee, could be a part of that decision, and it not just be done in a vacuum. That would be a request that I would have.

Admiral MCGINN. Yes, sir. Across the board, all of my portfolio, if confirmed, I look forward to working with the committee, and, indeed, the entire Congress.

Senator INHOFE. All right. Thank you very much for that answer.

Admiral MCGINN. Yes, sir.

Senator INHOFE. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

I have an additional question or two.

Admiral, before the committee authorizes appropriations for a military construction project, that project has typically been reviewed by the relevant Service and the Service, when they designate that project as a priority, they then submit it to Congress as part of the budget. Now, the committee's recent review of overseas basing found that it is not the case for projects built with in-kind payments from foreign governments. This inquiry of our committee found that the in-kind payments from Germany, South Korea, and Japan have been used to fund questionable military construction projects. Are you familiar with our investigation?

Admiral MCGINN. No, sir. I am familiar that there is an investigation, but not all of the details.

Chairman LEVIN. All right. If you would, after you're confirmed, promptly read the report and make sure that in-kind payments are utilized only for identified U.S. priorities to offset costs that the Department of the Navy would otherwise pay with appropriated funds, we would appreciate it.

Admiral MCGINN. Yes, sir. I would just like to state that, no matter what the source of precious resources, we have to make sure that they're spent wisely. It doesn't matter whether it comes from the support from some of our allies or from our own appropriated funds. We have an obligation to spend them to the best effect possible.

Chairman LEVIN. Or whether they're in-kind payments.

Admiral MCGINN. Yes, sir.

Chairman LEVIN. Okay.

Now, the committee, or at least many members, are very concerned about the plans for the relocation of marines from Okinawa to other locations in the Pacific; specifically, not the idea of it, but more the affordability and the sustainability and the operational viability of those plans. In response to prehearing policy questions, you indicated that Guam construction issues were among the most significant challenges facing the next Assistant Secretary of the Navy for Energy, Installations, and Environment.

Now, the Marine Corps estimates its realignment plan would cost $12.1 billion, but the Government Accountability Office (GAO) recently reported that this estimate is not reliable; it's based on limited data and will not be reliable until environmental analyses and host-nation negotiations have concluded.

Admiral, are you familiar with the GAO report?

Admiral MCGINN. Not the details, but that there is a report, Mr. Chairman.

Chairman LEVIN. Will you, after you're confirmed, which we hope will be prompt—will you give us a report about your level of confidence in the reliability of that $12.1 billion cost estimate put forward by the Marine Corps?

Admiral MCGINN. Yes, I will.

Chairman LEVIN. Also, will you let us know, in your report, whether or not we should be funding military construction projects to support the movement of marines to Guam before we have commitments from host nations, in terms of their participation in those costs?

Admiral MCGINN. Yes, sir.

Chairman LEVIN. Will you let us know that at the same time?

Admiral MCGINN. I will.

Senator INHOFE. Just really briefly.

Chairman LEVIN. Sure.

Senator INHOFE. Let me correct the record. I had used the wrong name. The Sergeant Major at Fort Sill that was really somewhat of an expert in this area—was named Carter. I used the wrong name. I wanted to make sure I got that correction.

One last thing. Mr. Preston, in statements that I read that were statements you had made about military commissions, have you been to GTMO and looked at the expeditionary legal complex down there?

Mr. PRESTON. I've been down there once. Yes, sir.

Senator INHOFE. Did you go through this complex that they have down there?

Mr. PRESTON. I went to some of the facilities down there.

Senator INHOFE. They had one major one. As I recall, it was about a $15-million thing that they put together down there. You're more familiar with it than I am—but I am not a lawyer, as I've pointed out—with the difference between the tribunals and the normal trials that we would have here. In terms of security of information and all of that, would you just reexamine that particular facility and then maybe visit with me about any justification for not using it? I don't know of one anywhere that is just like that, that is designed for that purpose. Would you do that, and just look at that and visit with me about it? I need to be educated a little bit more.

Mr. PRESTON. Sir, if I'm confirmed, I would be happy to do that.

Senator INHOFE. All right.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you.

We have indicated that there are going to be questions for the record, which we're going to need to get promptly answered, particularly to you, Mr. Preston. I don't know if there are other nominees that we had questions for, or might have questions for, but I know there are some for you, Mr. Preston. Some of those are going to be in a classified form and may require classified answers, particularly relative to that response from the CIA to the Intelligence Committee about the intelligence investigation that I referred to—the Intelligence Committee investigation.

We will try to get those questions to you, if we can, as early as tomorrow. If so, you would then be able, both, where appropriate, in a unclassified manner, but, where necessary, in a classified manner, please get us your answers within a matter of days, because that'll speed up the consideration of your nomination. That goes for any other questions for any of the other nominees, as well.

If there are no additional questions, we will stand adjourned, again with thanks to you and your families.

[Whereupon, at 11:12 a.m., the committee adjourned.]

[Prepared questions submitted to Hon. Stephen W. Preston by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and the chain of command by clearly delineating the combatant commanders' responsibilities and authorities and the role of the Joint Chiefs of Staff. These reforms have also improved cooperation between the services and the combatant commanders in the strategic planning process, in the development of requirements, in joint training and education, and in the execution of military operations.

Do you see the need for modifications of any Goldwater-Nichols Act provisions based on your experience in the Department of Defense?

Answer. I believe that Goldwater-Nichols and other reforms have significantly improved the Department of Defense. At this time, I am not aware of any need to amend Goldwater-Nichols. If am confirmed and become aware of a need, I will recommend any changes I believe to be warranted.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. See answer above.

RELATIONSHIPS

Question. What is your understanding of both the formal and informal relationship between the General Counsel of the Department of Defense and the following offices?

The Secretary of Defense.

Answer. As the chief legal officer of the Department of Defense, the General Counsel is the principal legal advisor to the Secretary of Defense and, as such, advises on the full range of issues confronting the Department of Defense. If confirmed, I look forward to working very closely with the Secretary and his immediate staff on these issues.

Question. The Under Secretaries of Defense.

Answer. The General Counsel and attorneys reporting to the General Counsel are responsible for providing sound and timely legal advice to the five Under Secretaries of Defense and their respective offices.

Question. The Assistant Secretaries of Defense.

Answer. As with the Under Secretaries of Defense, the General Counsel and attorneys in the Office of General Counsel are responsible for providing sound and timely legal advice to the Assistant Secretaries of Defense and their staffs.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman has his own lawyer, the Legal Counsel to the Chairman of the Joint Chiefs of Staff, who is a judge advocate in the grade of brigadier general or rear admiral (lower half). The Chairman relies primarily on the Legal Counsel for legal advice. If confirmed, I expect to meet regularly and work closely with the Chairman's Legal Counsel on a wide variety of matters affecting the Department of Defense and would be available to the Chairman as appropriate.

Question. The geographic combatant commanders.

Answer. The geographic combatant commanders have their own Staff Judge Advocates, on whom they rely for legal advice. If confirmed, I expect to work with the geographic combatant commanders and their Staff Judge Advocates through the Chairman of the Joint Chiefs of Staff and the Joint Staff, including the Legal Counsel to the Chairman as appropriate.

Question. The Commander of the Joint Special Operations Command.

Answer. The Commander of the Joint Special Operations Command (JSOC) has his own Staff Judge Advocate who provides legal advice to him, in conjunction with the Staff Judge Advocate of the U.S. Special Operations Command (SOCOM), as JSOC is a part of SOCOM. If confirmed, I expect to work with the Commander and the Staff Judge Advocate of JSOC, as well as the Commander and the Staff Judge Advocate of SOCOM, through the Chairman of the Joint Chiefs of Staff and the Joint Staff, including the Legal Counsel to the Chairman as appropriate.

Question. The Judge Advocates General (TJAG).

Answer. The Judge Advocates General (TJAG) are responsible for providing legal advice, along with the General Counsels of the Military Departments, to the senior leadership of their respective Military Departments. Title 10 expressly directs that "[n]o officer or employee of the Department of Defense interfere with the ability of the Judge Advocate[s] General to give independent legal advice to" the leadership of their respective Military Departments. See title 10 U.S.C. §§ 3037, 5148, 8037. If

confirmed, I expect to meet regularly and work closely with all of the Judge Advocates General, as well as the Staff Judge Advocate to the Commandant of the Marine Corps, and I aim to have the same productive and collegial relationship with the "TJAGs" and the JAG community as I enjoyed during my prior service at the Department of Defense.

Question. The Legal Advisor to the Chairman of the Joint Chiefs of Staff.

Answer. As noted above, the Legal Counsel to the Chairman is responsible for providing legal advice to the Chairman of the Joint Chiefs of Staff. If confirmed, I expect to have a productive and collegial relationship with the Chairman's Legal Counsel, characterized by frequent meetings and close collaboration, particularly with respect to military operations.

Question. The Staff Judge Advocates to the Commanders of Combatant Commands.

Answer. I understand that the relationship of the General Counsel to the Staff Judge Advocates of the Combatant Commands is primarily through the Chairman's Legal Counsel.

Question. The General Counsels of the Military Departments.

Answer. From my prior service as General Counsel of the Department of the Navy and as Principal Deputy General Counsel of the Department of Defense, I appreciate the close working relationships among the Military Department General Counsels and the DOD General Counsel. The General Counsels of the Army, Navy and Air Force serve as the chief legal officers of their respective departments and report to the Secretaries of their respective departments. At the same time, the DOD General Counsel is the chief legal officer of the entire Department of Defense. If confirmed, I expect to meet regularly and work closely with the Military Department General Counsels.

Question. The Counsels for the Defense Agencies.

Answer. The DOD General Counsel is also the Director of the Defense Legal Services Agency (DLSA), and the General Counsels of the defense agencies and DOD field activities are all part of DLSA. The General Counsels of the defense agencies and DOD field activities report the DOD General Counsel in his or her capacity as DLSA Director.

Question. The Counsel to the Inspector General.

Answer. Title 5 of the U.S.C. provides for a General Counsel to the Inspector General of the Department of Defense, who reports directly to and performs duties as assigned by the Inspector General. If confirmed, I expect to work closely with the General Counsel to the Inspector General.

Question. The Joint Service Committee on Military Justice.

Answer. I understand that the DOD General Counsel designates a non-voting representative to the Joint Service Committee on Military Justice, provides taskings to the committee, and receives advice from it.

Question. The Comptroller General.

Answer. It is my understanding that the General Counsel, on behalf of the Secretary of Defense, may request advisory opinions from the Comptroller General on the obligation and disbursement of public funds. If confirmed, I expect to have a productive relationship with the Comptroller General and his or her staff with respect to matters involving fiscal law within the responsibility of the Comptroller General.

Question. The U.S. Court of Appeals for the Armed Forces.

Answer. By statute, the U.S. Court of Appeals for the Armed Forces is located, for administrative purposes only, within the Department of Defense. See title 10 U.S.C. § 941. My understanding is that the DOD General Counsel has historically served as an informal DOD liaison with the Court. If confirmed, I expect to support the work of the Court while respecting its independence.

Question. The Code Committee established under Article 146 of the Uniform Code of Military Justice.

Answer. I understand that the Code Committee consists of the Judges of the United States Court of Appeals for the Armed Forces, the Judge Advocates General of the Military Departments, the Judge Advocate General and Chief Counsel of the Coast Guard, the Staff Judge Advocate to the Commandant of the Marine Corps, and two recognized authorities on military justice appointed by the Secretary of Defense from public life. The General Counsel has no formal relationship to the Code Committee. However, the General Counsel may provide informal support to the Code Committee when requested and regularly communicates with the Code Committee with respect to the activities and recommendations of the Joint Service Committee on Military Justice.

Question. The Attorney General.

Answer. The Attorney General is the chief legal officer and law enforcement authority of the United States. As General Counsel of the Central Intelligence Agency, I have worked closely with the Attorney General and his staff on a number of matters. If confirmed, I look forward to continuing the productive relationship that I have enjoyed with the leadership of the Department of Justice.

Question. The Office of Legal Counsel at the Department of Justice.

Answer. The Assistant Attorney General for the Office of Legal Counsel issues legal opinions that are binding on the executive branch, including the Department of Defense, and regularly provides advice to attorneys throughout the Executive branch. As a result, the DOD General Counsel must work closely with the Office of Legal Counsel to ensure that the best possible legal advice is provided to officials of the Department of Defense. As General Counsel of the Central Intelligence Agency, I have had a very close and productive relationship with the Assistant Attorney General and the Office of Legal Counsel, and, if confirmed, I expect that relationship to continue.

Question. The Office of Legal Adviser at the Department of State.

Answer. Many national security matters require the Departments of State and Defense to work closely together and coordinate efforts. As a result, it is necessary for the DOD General Counsel and the Legal Adviser of the Department of State, and their respective staffs, to consult with each other on legal issues of mutual interest on a regular basis. As General Counsel of the Central Intelligence Agency, my relationship with the Legal Adviser and the Legal Adviser's office has been a close and productive one, and, if confirmed, I look forward to continuing that relationship.

Question. The General Counsel of the Central Intelligence Agency.

Answer. My service as General Counsel of the Central Intelligence Agency provides me with special insight into the appropriate relationship between the incumbent of that position and the DOD General Counsel. The Central Intelligence Agency and the Department of Defense share many common interests in significant national security matters, intelligence activities and military operations, and it is therefore critically important for the General Counsel of the Central Intelligence Agency and the DOD General Counsel to work well together and communicate regularly. If confirmed, I am confident that I will have a very close and productive relationship with my successor at the Agency.

Question. The Interagency Legal Advisors Working Group.

Answer. Attorneys from the national security staff and departments and agencies with national security responsibilities meet as needed or directed to discuss legal issues of concern to multiple departments and agencies or about which there may be differences of opinion. As General Counsel of the Central Intelligence Agency, I have participated in these discussions and will continue to do so as DOD General Counsel, if confirmed.

QUALIFICATIONS

Question. Section 140 of title 10, U.S.C., provides that the General Counsel is the chief legal officer of the Department of Defense and that the General Counsel shall perform such functions as the Secretary of Defense may prescribe.

Assuming you are confirmed, what duties do you expect that the Secretary of Defense will prescribe for you?

Answer. If confirmed, I anticipate that the Secretary of Defense will rely on me for legal advice on the full range of issues that he and the Department must address and will expect me, as a member of his senior leadership team, to share with him the benefit of my experience generally.

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. I have spent most of my career, and the past 20 years straight, working at the juncture of law and national security, both in private practice and in government service.

I am currently General Counsel of the Central Intelligence Agency, appointed by the President with the advice and consent of the Senate a little more than 4 years ago. Before that, as a partner at WilmerHale in Washington, I was co-chair of the firm's Defense and National Security Practice Group, as well as a member of the firm's Regulatory and Litigation Departments. During the Clinton administration, I served as Deputy General Counsel for Legal Counsel, Principal Deputy General Counsel and, for an extended period, Acting General Counsel of the Department of Defense. I then joined the Department of Justice as the Deputy Assistant Attorney General responsible for civil appellate matters. Returning to the Department of De-

fense, I served as General Counsel of the Department of the Navy, a Presidential appointment requiring Senate confirmation.

These experiences have given me a deep understanding of legal and policy issues relating to national defense. I have also gained valuable insight into the critical role of the General Counsel in advising the Secretary of Defense and representing the Department. For the past 4 years, I have dealt extensively with the terrorist threat and other security challenges facing the United States. Perhaps most important, my experience over a professional lifetime has instilled in me a profound appreciation for the men and women who devote their lives to defending our country.

CLIENT

Question. In your opinion, who is the client of the General Counsel of the Department of Defense?

Answer. The client of the General Counsel of the Department of Defense is the Department of Defense and, ultimately, the United States of America.

DUTIES AND CHALLENGES

Question. In your view, what are the major challenges confronting the next General Counsel of the Department of Defense?

Answer. The major challenges I will face, if confirmed, relate directly to the major challenges confronting the Department as a whole. Among them are the conflict with al Qaeda and transition in Afghanistan, as well as other national security challenges, and continuing efforts to ensure full compliance with all applicable law in addressing those challenges. Other priority areas with substantial legal aspects include military detention operations and the military commissions. There are also pressures caused by diminishing budgets and the effects of sequestration, and resulting challenges in both the acquisition and personnel areas. In the acquisition area, for example, bid protests and other contract litigation may be expected to increase as more companies compete for fewer contracts or decide to file contract claims. Furloughs and anticipated reductions in personnel are also likely to raise significant legal issues.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. The Department is well served by a cadre of experienced attorneys who are experts in relevant areas of law, both in the Office of General Counsel and in the larger DOD legal community. If confirmed, my hope is to provide leadership and the support those attorneys need to provide the best possible legal advice to their component clients. For my part, I will do my utmost to assist the Secretary in meeting the various challenges confronting the Department.

Question. What do you consider to be the most serious problems in the performance of the functions of the General Counsel of the Department of Defense?

Answer. I expect that I will have a better sense of any needs relating to the performance of the DOD General Counsel's functions after spending some time in the position, if confirmed. I understand that current budget pressures, aging of the workforce, and difficulty in replacing attorneys who retire without others having similar expertise may pose significant problems.

Question. What management actions and timelines would you establish to address these problems?

Answer. If confirmed, I intend to treat my colleagues with the respect they so richly deserve, and to focus on resources, succession planning and recruitment with reference to the workforce of my office.

Question. What do you see as the greatest legal problems facing the Department in the coming year?

Answer. In addition to the challenges discussed above, one area that has received a great deal of attention recently, which I expect will draw continued attention in the coming year, would be intelligence activities conducted by the Department of Defense that potentially implicate privacy and civil liberties. DOD attorneys will, I expect, continue to assist their component clients in finding lawful paths to reach operational objectives, facilitating the national security mission while ensuring full compliance with all applicable law and, specifically, strict adherence to the standards and procedures protecting privacy and civil liberties. I also see sexual assault in the military as an urgent problem with substantial legal aspects that will require sustained attention in the coming year, as discussed in response to specific questions below.

Question. Does the Office of the General Counsel have the resources to deal with these problems and do its everyday work?

Answer. I expect that I will have a better sense of any needs relating to Office of General Counsel resources after spending some time in the position, if confirmed.

I understand that furloughs and anticipated reductions in personnel may pose significant challenges in this regard.

LEGAL OPINIONS

Question. Are legal opinions of the Office of the General Counsel binding on all lawyers within the Department of Defense?

Answer. The DOD General Counsel is the chief legal officer of the Department of Defense. Accordingly, the legal opinions of the DOD Office of General Counsel are controlling throughout the Department of Defense. There is an exception for the lawyers in the Office of the Inspector General, as the General Counsel to the Inspector General is expressly exempted from the scope of 10 U.S.C. § 140 by virtue of section 907 of the NDAA for Fiscal Year 2009 A (title 5 U.S.C. App. Inspector General Act of 1978 § 8(h)). I note also that title 10 prohibits any officer or employee of DOD from interfering with the ability of certain senior military lawyers to give independent legal advice to their respective principals.

Question. How will you ensure that such legal opinions are available to lawyers in the various components of the Department of Defense?

Answer. Written opinions of the DOD Office of General Counsel are disseminated throughout the Department in the ordinary course of business, using normal departmental distribution processes. If confirmed, I expect to continue this practice.

Question. If confirmed, are there specific categories of General Counsel legal opinions that you expect to reconsider and possibly revise? If so, what categories?

Answer. I am not aware of any specific categories of General Counsel legal opinions that are in need of reconsideration or revision. However, if confirmed and such a need arises, I would review those opinions in consultation with the appropriate attorneys and subject matter experts within the Department.

Question. What role do you expect to play, if confirmed, in the development and consideration (or reconsideration) of legal opinions by the Office of Legal Counsel (OLC) of the Department of Justice that directly affect the Department of Defense?

Answer. While the Department of Justice is ultimately responsible for the legal opinions of the Office of Legal Counsel, if confirmed, I expect to work closely with the Office of Legal Counsel in the development and consideration of legal opinions that directly affect the Department of Defense. (I am not aware of any such opinions currently in effect that are in need of reconsideration.)

Question. What actions would you take in response to an opinion issued by OLC with which you disagreed as a matter of proper interpretation of the law?

Answer. I would not hesitate to inform the Office of Legal Counsel if I disagreed with one of its legal opinions. I would raise any unresolved concerns directly with the Assistant Attorney General. If necessary and as appropriate, I would be prepared to take the matter all the way up to the Attorney General. I recognize, however, that the Attorney General is the chief legal officer of the United States and that his or her legal opinions are controlling throughout the Executive branch.

INDEPENDENT LEGAL ADVICE

Question. In response to attempts within the Department of Defense to subordinate legal functions and authorities of the Judge Advocates General to the General Counsels of the Department of Defense and the Military Services, Congress enacted legislation prohibiting any officer or employee of the Department of Defense from interfering with the ability of the Judge Advocates General of the Military Services and the legal advisor to the Chairman of the Joint Chiefs of Staff to provide independent legal advice to the Chairman, Service Secretaries, and Service Chiefs. Congress also required a study and review by outside experts of the relationships between the legal elements of each of the Military Departments.

What is your view of the need for the Judge Advocates General of the services, the Staff Judge Advocate to the Commandant of the Marine Corps, and the legal advisor to the Chairman of the Joint Chiefs of Staff to provide independent legal advice to Service Secretaries, Chairman of the Joint Chiefs, Chiefs of Staff of the Army and Air Force, and the Chief of Naval Operations?

Answer. I believe that the ability of these senior military lawyers to provide independent legal advice to their principals is critically important. During my prior service as General Counsel of the Department of the Navy and as Principal Deputy General Counsel of the Department of Defense, long before any legislation in this regard, it was my firm expectation that the senior military lawyers with whom I worked would provide independent legal advice to their principals, entirely without hindrance. As a member of the 2005 Independent Review Panel to Study the Relationships between military department General Counsels and Judge Advocates General, I had an opportunity to reflect on these issues and to reaffirm the independ-

ence of the "TJAGs" in providing legal advice to the leadership of their respective military departments. In my experience, the best legal advice is often the product of consultation and, where possible, consensus. Accordingly, in my view, the advice given by senior military lawyers should be informed by consultation with other departmental lawyers as appropriate. If confirmed, I expect to benefit from, and will insist on, the independent views of the senior military lawyers with whom I will work.

Question. What is your view of the responsibility of judge advocates within the services and joint commands to provide independent legal advice to military commanders?

Answer. Judge advocates within the Services and joint commands must provide military commanders timely legal advice that is independent of improper external influence. While exercising their best judgment, the advice given may be informed by consultation with other departmental lawyers, as circumstances permit, such as more senior judge advocates in the chain of command, and it should be governed by any relevant legal guidance from authoritative sources such as the Department of Justice or within the Department of Defense.

Question. If confirmed, would you propose any changes to the current relationships between the uniformed judge advocates and General Counsels?

Answer. As I understand the current relationships, I would not propose any changes, if confirmed.

DETAINEE ISSUES

Question. Section 1403 of the National Defense Authorization Act for Fiscal Year 2006 provides that no individual in the custody or under the physical control of the U.S. Government, regardless of nationality or physical location shall be subject to cruel, inhuman, or degrading treatment or punishment.

In your view, is the prohibition in the best interest of the United States? Why or why not?

Answer. I believe this prohibition to be in the best interest of the United States, consistent with the national security and with fundamental American values.

Question. Do you believe that the phrase "cruel, inhuman, or degrading treatment or punishment" has been adequately and appropriately defined for the purpose of this provision?

Answer. The Detainee Treatment Act of 2005 and the Military Commissions Act of 2009 define "cruel, inhuman, or degrading treatment or punishment" as the cruel, unusual, and inhumane treatment or punishment prohibited by the Fifth, Eighth, and Fourteenth Amendments to the U.S. Constitution. I think this is an adequate and appropriate definition.

Question. What role do you believe the General Counsel of the Department of Defense should play in the interpretation of this standard?

Answer. The General Counsel should play a primary role in advising the Secretary of Defense and those who fall under his command on the standards governing the treatment of persons detained by the U.S. military, including regarding any interpretation, if necessary, of the standard quoted above.

Question. What role do you believe the Judge Advocates General of the military services should play in the interpretation of this standard?

Answer. The Judge Advocates General and other military lawyers should play a prominent role in the interpretation of standards related to the treatment of detainees. I believe The Judge Advocates General and the lawyers they lead bring experience and an important perspective to these and many other matters, and they play a vital role in supporting the operating forces worldwide. Judge advocates must be depended on to provide timely day-to-day legal advice to military commanders in the field. If confirmed, and if called on to offer any guidance on this standard, I would expect to consult The Judge Advocates General and the Chairman's Legal Counsel.

Question. If confirmed, will you take steps to ensure that all relevant Department of Defense directives, regulations, policies, practices, and procedures fully comply with the requirements of section 1403 and with Common Article 3 of the Geneva Conventions?

Answer. Yes.

Question. Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the Department of Defense Detainee Program, dated September 5, 2006?

Answer. Yes.

Question. Section 2441 of title 18, U.S.C., as amended by the Military Commissions Act of 2006, defines grave breaches of common Article 3 of the Geneva Conventions, including torture and cruel and inhuman treatment.

In your view, does section 2441 define these terms in a manner that provides appropriate protection from abusive treatment to U.S. detainees in foreign custody and to foreign detainees in U.S. custody?

Answer. I believe the standard as defined in U.S. domestic law is appropriate for purposes of protection from abusive treatment when applied to detention at home and abroad.

Question. Do you believe that the United States has the legal authority to continue holding alleged members and supporters of al Qaeda and the Taliban as enemy combatants?

Answer. Congress and the Federal courts have recognized the Executive branch's authority to detain individuals who were part of, or substantially supported, al Qaeda or Taliban forces, or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act, or has directly supported hostilities, in aid of such enemy forces.

Question. Do you believe that the Federal courts have the procedures and capabilities needed to fairly and appropriately review the detention of enemy combatants, pursuant to habeas corpus petitions?

Answer. The Federal courts have established clear procedures for a habeas petitioner to obtain extensive discovery from the government and for the petitioner to participate in his case (during unclassified proceedings). In the habeas litigation, the courts have provided detainees with a meaningful opportunity to contest the lawfulness of their detention, while protecting core national security interests, such as the protection of classified information and the continued detention of enemy belligerents who pose a threat to the United States.

Question. What role would you expect to play, if confirmed, under the Periodic Review Board procedures for reviewing the status of Guantanamo detainees and determining whether the United States should continue to hold such detainees?

Answer. If confirmed, I would expect to provide legal advice to the Secretary of Defense on the status of the Guantanamo detainees and determinations whether such detainees should continue to be held. In addition, the General Counsel appoints the legal advisor to the Periodic Review Board and is in the legal advisor's supervisory chain.

Question. The Military Commissions Act of 2009 revised the 2006 procedures for military commission trials of "alien unlawful enemy combatants".

In your view, does the Military Commissions Act of 2009 provide appropriate legal standards and processes for the trial of alien unlawful enemy combatants?

Answer. The Military Commissions Act of 2009 provides appropriate standards and processes for the trial of alien unprivileged enemy belligerents.

Question. What role would you expect to play, if confirmed, in determining whether Guantanamo detainees should be tried for war crimes, and if so, in what forum?

Answer. The Convening Authority has the responsibility for determining whether to refer charges to a military commission. The General Counsel does not have a role in the referral of charges. If confirmed, I would expect to provide legal advice, as necessary, to the Secretary of Defense on these matters.

Question. What is your understanding of the relationship between the General Counsel of the Department of Defense and the legal advisor to the convening authority, the chief prosecutor, and the chief defense counsel for the military commissions?

Answer. The Legal Advisor to the Convening Authority and Chief Prosecutor are supervised by the Deputy General Counsel (Legal Counsel). The Chief Defense Counsel is supervised by the Deputy General Counsel (Personnel & Health Policy). Both the Deputy General Counsel (Legal Counsel) and the Deputy General Counsel (Personnel & Health Policy) report to the General Counsel.

COERCIVE INTERROGATION TECHNIQUES

Question. As discussed in a 2008 report of the Senate Armed Services Committee, Survival, Evasion, Resistance, and Escape (SERE) techniques used to train members of our military were never intended to be used by U.S. interrogators. Rather, the techniques—which are based on Communist Chinese interrogation techniques used during the Korean War to elicit confessions—were developed to expose U.S. soldiers to the abusive treatment they might be subjected to if captured by our enemies.

Do you believe interrogation techniques derived from SERE techniques are an effective way to acquire useful intelligence?

Answer. While I have no expertise in either SERE training or methods of interrogation, in my view, the fact that certain techniques have been used to train servicemembers in withstanding abusive treatment if captured is not indicative of the effectiveness of those techniques in obtaining information from detainees, nor does it show such techniques to be superior to conventional interrogation techniques.

Under Executive Order 13491, issued January 22, 2009, departments and agencies of the U.S. Government are prohibited from using any interrogation technique that is not authorized by and listed in the Army Field Manual. My understanding is that none of the interrogation techniques contained in the Army Field Manual—FM 2–22.3, "Human Intelligence Collector Operations," September 2006—was derived from SERE techniques.

Question. In your opinion, is there any comparability between a friendly trainer exposing our troops to SERE techniques, including waterboarding, for minutes to show what they could face if captured and using these techniques on an enemy to in an effort to extract intelligence?

Answer. While I have no expertise in either SERE training or methods of interrogation, in my view, the two activities are significantly different for purposes of meaningful comparison. They are conducted for very different purposes, and they are carried out in very different contexts/environments. Notably, the person subjected to such techniques during SERE training is aware that he or she is participating in a training exercise and not in fact undergoing interrogation by hostile forces.

Question. In your opinion, does waterboarding constitute torture?

Answer. Under current law, waterboarding constitutes torture. As waterboarding was banned by Executive order in January 2009, I have had no occasion to independently examine the question with reference to any CIA activities during my tenure as General Counsel. However, I believe the law on this is now well settled: in addition to the President, Attorney General Holder has stated that waterboarding is torture. That is the law in my view, and I fully support the President's decision to ban waterboarding and the other "enhanced interrogation techniques".

At the time the waterboard was used in connection with the former detention and interrogation program, Agency personnel relied on then-authoritative legal opinions issued by the Department of Justice. Of course, those opinions have since been disavowed and withdrawn by the Department of Justice. However, the Attorney General has repeatedly made clear that anyone who acted in good faith and within the scope of the legal guidance given by the Justice Department would not be subject to prosecution.

Question. Is waterboarding torture within the meaning of the Geneva Conventions?

Answer. See answer above. For purposes of defining torture under the Geneva Conventions, the U.S. military uses the definition of torture under U.S. domestic law. See U.S. Army Field Manual 2–22.3. So if an activity is torture under U.S. law, then it is torture for purposes of the Geneva Conventions. Inasmuch as waterboarding is torture under U.S. law, as noted above, waterboarding is torture within the meaning of the Geneva Conventions.

MILITARY COMMISSIONS ACT

Question. In your view, do military commissions constituted pursuant to the Military Commissions Act of 2009 provide an effective forum for trying violations of the law of armed conflict?

Answer. Military commissions are an appropriate forum for trying offenses against the law of war and other offenses traditionally triable by military commission. The applicability of certain offenses to conduct occurring prior to 2006 is currently the subject of pending litigation in Federal court.

Question. What do you see as the advantages and disadvantages of military commissions as a forum for trying detainees for terrorism-related offenses?

Answer. The reforms of the Military Commissions Act of 2009 ensure that military commissions provide appropriate processes for the trial of alien unprivileged enemy belligerents. In addition, the Department of Defense has made many improvements to the transparency of the process, including closed-circuit transmission of all open proceedings to the general public. Nonetheless, legal challenges remain, particularly in light of the number of unsettled legal issues.

Question. Do you see the need for any changes to the Military Commissions Act of 2009?

Answer. I am not aware of any need for changes to the 2009 Military Commissions Act.

Question. Under what circumstances, if any, do you believe it would be appropriate for the U.S. military to use force, including deadly force, against U.S. citizens?

Answer. Citizenship does not confer immunity on one who takes up arms against our country. However, it is critically important to respect the Constitutional rights of American citizens, even those who may be plotting against the United States. The requirements of Due Process and the circumstances in which the U.S. Government could lawfully target an enemy belligerent/terrorist operator known to be a U.S. person were outlined in the speech by the Attorney General in March of last year and are discussed in some detail in the Department of Justice white paper that has been released. In addition, the policy standards and procedures announced in May of this year require that if the United States considers an operation against a terrorist identified as a U.S. person, the Department of Justice will conduct an additional legal analysis to ensure that such action may be conducted against the individual consistent with the Constitution and laws of the United States.

Question. Under what circumstances, if any, do you believe it would be appropriate for the U.S. military to use force, including deadly force, inside the United States?

Answer. It is a mission of the U.S. military to defend the United States from attack, and the performance of this mission could involve the use of military force to repel an armed attack launched against our homeland. In the conflict with al Qaeda and its militant allies, the U.S. military does not employ deadly force in the United States. As a policy matter, moreover, the use of military force is unnecessary because well-established law enforcement authorities in this country provide the best means for incapacitating a terrorist threat. The United States has a long history of using the criminal justice system to incapacitate individuals located in our country who pose a threat to the United States and its interests.

INTERNATIONAL LAW

Question. In a speech at Columbia Law School and a similar address at Harvard Law School, you discuss a "four-box matrix" which has been used to assist in the legal review of proposed actions by the Central Intelligence Agency. The second box in this matrix is designed to evaluate the "Authority to Act with reference to International Law Principles."

If a proposed action by the Department of Defense is fully in compliance with U.S. law but there is a question of whether the proposed action is permitted under international law, customary international law or international law principles, does this ambiguity effect, and if so to what extent, or negate the ability of the Department to carry out the proposed action?

Answer. As a threshold matter, all U.S. military operations must be authorized under U.S. domestic law. This authority could be conferred by statute or, in the absence of congressional authorization, under certain circumstances, the President may rely on his constitutional authority as Commander in Chief and Chief Executive, as well as his authority to conduct foreign relations, to authorize the use of military force. There are significant constitutional and statutory limitations on the scope and duration of military operations that the President may authorize.

When the United States uses military force in a foreign country, it complies with all applicable international law.

If confirmed, I would work closely with my colleagues, including the Chairman's Legal Counsel and interagency lawyers, to ensure that U.S. military operations abroad comply with both U.S. domestic and applicable international law.

Question. In an address at Northwestern Law School in 2012, Attorney General Eric Holder stated that the administration has implemented special procedures to afford a level of due process review before lethal force is taken pursuant to the Authorization for the Use of Military Force of 2001 against a U.S. citizen.

What is your understanding of the extent to which the administration intends to provide similar procedural due process protections to potential targets outside areas of active armed conflict who are not U.S. citizens?

Answer. The policy standards and procedures announced in May of this year, which govern the United States' use of force in counterterrorism operations outside the United States and areas of active hostilities and are either already in place or will be transitioned into place, apply generally to all terrorist targets, regardless of whether they are American citizens. Particularly as relates to non-U.S. persons abroad, the standards and procedures were promulgated as a matter of policy rather than per requirements of due process.

Question. During the Vietnam war some criticized the layers of bureaucracy which obstructed the timely authorization for an attack on legitimate military targets. In

the current conflict, as in the Vietnam war, targets of opportunity can come and go in a moment's notice.

Are you concerned that the procedures cited by the administration, as summarized in the Fact Sheet: U.S. Policy Standards and Procedures for the Use of Force in Counterterrorism Operations Outside the United States and Areas if Active Hostilities, for targeting terrorists outside active areas of armed conflict could similarly complicate and add to the length of time required to target an overseas, non-U.S. citizen al Qaeda member?

Answer. I agree that agility and timeliness are important attributes in a decisionmaking process for approving military targets and authorizing military action against such targets. My understanding is that the policy standards and procedures announced in May of this year were developed in close consultation with the departments and agencies with national security responsibilities, including specifically civilian and military leaders responsible for military operations abroad, and with the objective of having a decisionmaking process that would be practically workable and yield timely decisions. In addition, the policy standards and procedures include a reservation by the President permitting action to be taken in extraordinary circumstances.

Question. How do you assess the risk that the procedures could lead to targets of opportunity being missed or could unnecessarily obstruct our ability to fight the war?

Answer. As noted, the policy standards and procedures were developed with the objective of having a decisionmaking process that would be practically workable and yield timely decisions. In addition, risk in this regard should be mitigated by the reservation by the President permitting a departure from otherwise applicable standards and procedures in extraordinary circumstances.

AUTHORITY FOR USE OF MILITARY FORCE/LAW OF ARMED CONFLICT

Question. On September 18, 2001, Congress passed the Authorization for the Use of Military Force (AUMF) (Public Law 107–40), which provides that "the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons." This AUMF remains in effect and provides the legal authority for certain U.S. military actions.

What is your understanding of the role of the General Counsel in interpreting the AUMF and in the application of the AUMF to military activities?

Answer. I understand that the General Counsel, as chief legal officer of the Department of Defense, is responsible for providing advice on legal matters involving the Department of Defense and for overseeing legal services provided within the Department of Defense. The interpretation and application of the 2001 Authorization for Use of Military Force to military activities is a legal matter on which the General Counsel would provide advice to the Secretary of Defense, the Deputy Secretary of Defense, Office of the Secretary of Defense organizations and, as appropriate, other Department of Defense components.

Question. What is your understanding of how the AUMF intersects with the international law of armed conflict?

Answer. It is my understanding that the interpretation of the 2001 Authorization for Use of Military Force, a domestic law of the United States, is informed by principles of international law, specifically, by the law of armed conflict.

Question. In your view, does the Department of Defense have the legal authorities it needs to conduct military operations against entities responsible for September 11 and against those who plan further attacks against the United States?

Answer. The 2001 Authorization for Use of Military Force provides broad legal authority for military operations against those responsible for the September 11 attacks and those harboring them, which authority has been applied to al Qaeda, the Taliban, and associated forces. In addition, the President could order military action to stop further attacks against the United States pursuant to his constitutional authority as Commander in Chief and Chief Executive, even if the terrorist threat was unrelated to al Qaeda, the Taliban, or an associated force. My understanding is that the existing authorities are believed to be adequate and appropriate for military operations to counter the current and immediately foreseeable terrorist threat.

Question. In your view, do existing legal authorities provide the U.S. military the legal flexibility it needs to respond to new and emerging terrorism threats?

Answer. Current Department of Defense strategy calls for increasing reliance on foreign partners as opposed to large-scale deployments of U.S. forces to address new

and emerging terrorism threats. If confirmed, I look forward to examining whether new or revised legal authority for the U.S. military to support the efforts of foreign partners to respond to new and emerging threats is appropriate.

Question. Without the AUMF, would the U.S. military have the legal authority to use force, including deadly force against members of al Qaeda and associated forces? If so, under what circumstances?

Answer. The United States did, in fact, use military force against members of al Qaeda before the 2001 Authorization for Use of Military Force was enacted. If there were no 2001 Authorization for Use of Military Force, the President would have authority as Commander in Chief and Chief Executive to order military action against al Qaeda and associated forces if necessary to protect an important national interest, as with an imminent threat of violent attack. There are, however, significant constitutional and statutory limitations on the scope and duration of military operations that the President may order in the absence of congressional authorization.

Question. What is the impact of the President's Policy Guidance on Counterterrorism on legal application of the AUMF with respect to counterterrorism operations?

Answer. The policy standards and procedures announced in May of this year, which govern the United States' use of force in counterterrorism operations outside the United States and areas of active hostilities, apply to military operations undertaken pursuant to the 2001 Authorization for Use of Military Force, although they do not apply to ongoing military operations in Afghanistan. Beyond the bedrock requirement of a legal basis—where the use of force is authorized under the 2001 Authorization for the Use of Military Force and hence would be legally permissible—the standards and procedures set forth additional requirements for when force should be used as a matter of policy, with particular emphasis on whether the action will protect American lives.

Question. In your view, would it be appropriate for the United States to use military force against terrorist groups that have not engaged in hostilities directly against the United States, but merely shown an intent to do so? If so, under what circumstances?

Answer. The use of military force may be appropriate when necessary to stop an imminent terrorist attack on the United States, U.S. persons or interests abroad, or a U.S. ally by a group that has not previously engaged in hostilities directly against the United States.

Question. What impact will the end of combat operations in Afghanistan at the end of 2014 have on the application of the AUMF?

Answer. I understand that the U.S. and NATO roles in Afghanistan after 2014 are still being discussed within the U.S. Government and NATO and negotiated with the Government of Afghanistan. I also note that the President recently committed to engaging Congress and the American people in efforts to refine, and ultimately repeal, the 2001 Authorization for Use of Military Force. Thus, I do not think one can predict today whether or how the 2001 Authorization for Use of Military Force might be applied in Afghanistan after 2014.

Question. What is your understanding of the current status of the DOD Law of War Manual and what steps will you take, if confirmed, to complete this important document?

Answer. I am advised that the DOD Law of War Manual is in the final revision process managed by the DOD Law of War Working Group. That group is chaired by a representative from the DOD Office of General Counsel and is composed of representatives of the Judge Advocates General and the General Counsels of the military departments, the Staff Judge Advocate to the Commandant of the Marine Corps, and the Legal Counsel to the Chairman of the Joint Chiefs of Staff. I understand that significant progress has been made through the concerted efforts of dedicated military and civilian lawyers within DOD and with assistance from colleagues at the Departments of State and Justice. If confirmed, I will support these efforts with a view to completing this important manual as expeditiously as possible.

UNMANNED SYSTEMS

Question. What are your views on whether the Department of Defense should assume greater responsibility for the operation of unmanned aerial systems (drones)?

Answer. The U.S. military has used remotely piloted aircraft since they were first developed to conduct intelligence, surveillance and reconnaissance, as well as direct action during armed conflict. I support the administration's policy as it relates to the responsibility of the Department of Defense for the operation of such aircraft.

Question. What legal benefits or risks to national security would be implicated if the Department were to take the lead role in operating unmanned systems?

Answer. The role of the Department of Defense in operating remotely piloted aircraft, and associated benefits and risks, are chiefly policy considerations. If confirmed, my focus with respect to military operations using remotely piloted aircraft will be on the legal basis for such operations and compliance with applicable law in conducting such operations.

CONTRACTORS ON THE BATTLEFIELD

Question. U.S. military operations in Iraq and Afghanistan have relied on contractor support to a greater degree than any previous U.S. military operations. The extensive involvement of contractor employees in a broad array of activities—including security functions—has raised questions about the legal accountability of contractor employees for their actions.

Do you believe that current Department of Defense regulations appropriately define and limit the scope of security functions that may be performed by contractors in an area of combat operations?

Answer. I am not familiar with the referenced Department regulations in this area, but am prepared to review them, if confirmed.

Question. What changes, if any, would you recommend to such regulations?

Answer. See answer above.

Question. Do you believe that current Department of Defense regulations appropriately define and limit the scope of contractor participation in the interrogation of detainees?

Answer. I am not familiar with the referenced Department regulations in this area, but am prepared to review them, if confirmed.

Question. What changes, if any, would you recommend to such regulations?

Answer. See answer above.

Question. OMB Circular A–76 defines "inherently governmental functions" to include "discretionary functions" that could "significantly affect the life, liberty, or property of private persons".

In your view, is the performance of security functions that may reasonably be expected to require the use of deadly force in highly hazardous public areas in an area of combat operations an inherently governmental function?

Answer. I have not previously had any substantial involvement with this set of issues and am not familiar with how the concept of inherently governmental function has been defined and applied in this context. I am advised that by incorporating the definition from the Federal Activities Inventory Reform Act (title 31 U.S.C. 501 note), section 2463 of title 10, U.S.C., defines inherently governmental function as a function that is so intimately related to the public interest that it must be performed by government employees. If confirmed, I intend to look at the application of this provision with considerable care.

Question. In your view, is the interrogation of enemy prisoners of war and other detainees during and in the aftermath of hostilities an inherently governmental function?

Answer. See answer above.

Question. What role do you expect to play, if confirmed, in addressing the issue of what functions may appropriately be performed by contractors on the battlefield?

Answer. If confirmed, I expect to be actively involved in addressing the legal issues relating to the proper role of contractors on the battlefield.

Question. The Military Extraterritorial Jurisdiction Act (MEJA) was enacted in 2000 to extend the criminal jurisdiction of the U.S. courts to persons employed by or accompanying the Armed Forces outside the United States.

In your view, does MEJA provide appropriate jurisdiction for alleged criminal actions of contractor employees in Iraq, Afghanistan, and other areas of combat operations?

Answer. I understand the importance of appropriate accountability for all persons supporting our Armed Forces wherever located. I am generally aware of the Military Extraterritorial Jurisdiction Act of 2000 (MEJA), but I am not familiar with the particular provisions and how well they have served to provide criminal jurisdiction over contractor employees in areas of combat operations.

Question. What changes, if any, would you recommend to MEJA?

Answer. I am not now in a position to propose any changes to MEJA. If confirmed, and if after further review I perceive a need, I will recommend any changes I believe to be warranted.

Question. What role would you expect to play, if confirmed, in developing administration recommendations for changes to MEJA?

Answer. If confirmed, I expect to be actively involved in any effort to develop administration recommendations for changes to MEJA.

Question. Section 552 of the National Defense Authorization Act for Fiscal Year 2007 extended criminal jurisdiction of the military courts under the Uniform Code of Military Justice to persons serving with or accompanying an armed force in the field during time of declared war or a contingency operation, such as our current operations in Iraq and Afghanistan.

In your view, does the UCMJ provide appropriate jurisdiction for alleged criminal actions of contractor employees in Iraq, Afghanistan, and other areas of combat operations?

Answer. I support the position that civilians serving with or accompanying our Armed Forces overseas who commit crimes should be held appropriately accountable. I do not now have an informed view as to whether the UCMJ currently provides the appropriate criminal jurisdiction over contractor employees in areas of combat operations.

Question. What is your view of the procedures agreed upon by the Department of Defense and the Department of Justice to reconcile jurisdictional responsibilities under MEJA and the UCMJ?

Answer. I am aware generally that there are procedures to reconcile these responsibilities reflected in a Secretary of Defense memorandum of March 10, 2008. If confirmed, I am prepared to examine this memorandum and give thought to whether it reflects the appropriate balance.

Question. What changes, if any, would you recommend to the UCMJ to ensure appropriate jurisdiction for alleged criminal actions of contractor employees?

Answer. I have no recommendations for any such changes to the UCMJ at this time. If confirmed, and if after further review I perceive a need, I will recommend any changes I believe to be warranted.

MILITARY JUSTICE MATTERS

Question. Article 6 of the Uniform Code of Military Justice gives primary responsibility for legal advice concerning military justice to the Judge Advocates General.

What is your understanding of the General Counsel's functions with regard to military justice and the Judge Advocates General?

Answer. I understand that the General Counsel has a limited role in military justice, and no direct role in any particular military justice cases. The Secretary of Defense may become involved in military justice in limited circumstances. In those situations, the General Counsel provides legal advice to the Secretary.

The General Counsel is also responsible for designating a non-voting representative to the Joint Service Committee on Military Justice and may serve as an informal DOD liaison with the U.S. Court of Appeals for the Armed Forces.

Question. In your view, how should the General Counsel approach military justice matters—both in terms of specific cases and general policy issues to provide useful advice without generating problems of unlawful command influence?

Answer. As with other senior civilian and military leaders within the Department, the General Counsel must avoid any action that may constitute, or may appear to constitute, unlawful command influence.

Question. The May 30, 2013 Defense Legal Policy Board (DLPB) report on military justice in combat zones recommended a change in joint doctrine to specify that discipline is the responsibility of Joint Force Commanders at all levels. The report recommended that this proposal should be presented to the DOD General Counsel and Secretary of Defense to be integrated into DOD and joint policy, and when appropriate, reviewed by the Joint Service Committee on Military Justice to be uniformly implemented by the Services.

In your view, is it essential to preserve the role of the military commander, including the Joint Force Commander in deployed situations, for disposition of military justice matters?

Answer. I understand that the May 30, 2013 report of the Subcommittee on Military Justice in Combat Zones and the Defense Legal Policy Board's June 14, 2013 memorandum transmitting that report to the Secretary of Defense endorsed the preservation of the role of the military commander, including the Joint Force Commander in deployed situations, in the disposition of military justice matters. As a general matter, I appreciate the central importance of the commander's role in the military justice system historically, but I am not sufficiently familiar with the subcommittee's report and the Board's memorandum to express a view on any recommendations in this regard. I look forward to reviewing them, if confirmed.

Question. What are your views on whether it would be appropriate to preserve the role of the commander as disposition authority, for the entire spectrum of military operations, from deployment to redeployment, in combat areas as well as in garrison?

Answer. I am not now prepared to offer specific assessments of the optimal command role in the disposition of allegations of crimes and other misconduct committed by servicemembers. If confirmed, I intend to look at this issue with considerable care.

Question. If confirmed, what action will you take to ensure that the recommendations of the DLPB with respect to military justice in combat zones are implemented by DOD and the services?

Answer. If confirmed, I expect to review the recommendations of the Subcommittee and the Board, advise the Secretary of Defense with reference to those recommendations, and assist in seeking appropriate changes in policy, regulations or statutes to implement such recommendations as the Secretary adopts.

PREVENTION OF AND RESPONSE TO SEXUAL ASSAULTS

Question. In 2012, for the fourth year in a row, there were more than 3,000 reported cases of sexual assault in the military, including 2,558 unrestricted reports, and an additional 816 restricted reports (restricted, meaning that, in accordance with the victim's request, they were handled in a confidential manner and not investigated). Moreover, a recent survey conducted by the DOD indicates that the actual number of sexual offenses could be considerably higher, as 6.1 percent of Active Duty women and 1.2 percent of Active Duty men surveyed reported having experienced an incident of unwanted sexual contact in the previous 12 months.

What is your understanding of the role of the DOD General Counsel in addressing the problem of sexual assault in the military?

Answer. If confirmed, I expect to play an active role, as the Department's chief legal officer and as a member of the Secretary's senior leadership team, in the ongoing effort to eradicate this scourge from the military. I will oversee the attorneys currently advising the Under Secretary of Defense for Personnel and Readiness and the Sexual Assault Prevention and Response Office, assisting in the implementation of the 2013 DOD Sexual Assault Prevention and Response Strategic Plan, and supporting the important work of the Response Systems Panel. Beyond that, I hope to work with the Secretary and other Department leaders—and with this committee—to make sure that solving this problem remains a top priority, that no effort is spared to get a demonstrably effective system in place, and that any legal impediments are promptly addressed.

Question. Do you believe the DOD General Counsel's role in addressing the problem of sexual assault in the military is appropriate, and, if not, how should it be modified?

Answer. If confirmed, I will look at the role of the DOD General Counsel in addressing the problem of sexual assault in the military to assess whether I or my office can do any more to assist.

Question. What is your assessment of the DOD sexual assault prevention and response program?

Answer. As I understand it, sexual assault against servicemembers is a gravely serious problem and has been a longstanding one. The problem goes beyond the incidence of crimes involving sexual assault and includes concern about possible impediments to coming forward such as fear of retaliation and lack of confidence that action will be taken. The fact that the problem has persisted despite previous efforts directed at both prevention and response is disturbing and I expect deeply frustrating to those who have been working to end it. I am not sufficiently informed to express a personal view on the current DOD sexual assault prevention and response program. I understand that the program has undergone numerous changes, that several provisions from the past two authorization acts are being implemented, and that additional legislative proposals are under active consideration. If confirmed, I will do my level best working with DOD lawyers, Department leadership and Congress to rid the military of sexual assault.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. While I am not now in a position to express a personal view, I am advised that an unrestricted report of sexual assault allows law enforcement involvement and investigation, while restricted reporting allows a victim to disclose the details of the assault to specific individuals and receive medical treatment and counseling without involving law enforcement or triggering an automatic investigation. The goal of restricted reporting is to give the victim the support and confidence eventually to come forward with an unrestricted report so the offender can be held accountable and to strike an appropriate balance between the need for the prosecution of sexual offenders on the one hand and the privacy and physical and mental well-being of the victim on the other.

Question. What is your understanding of the adequacy of DOD oversight of military service implementation of the DOD and Service policies for the prevention of and response to sexual assaults?

Answer. While I am not now in a position to express a personal view, it is my understanding that there is robust oversight of the Department policies for the prevention of and response to sexual assaults. I am advised that the Secretary of Defense has a weekly accountability and assessment meeting with senior Department leaders and that DOD participates in the White House Health of the Force Group meetings to discuss DOD actions to combat sexual assault. I am also aware that the Secretary issued a Strategic Plan directing the Services to align their programs with the Strategic Plan, and that the Director, Sexual Assault Prevention and Response Office hosts quarterly integrated product teams attended by senior leaders from the Services, National Guard Bureau, Office of Secretary of Defense, and Office of the DOD Inspector General. I also understand that the Joint Chiefs of Staff established a quarterly executive council to assess the effectiveness of sexual assault prevention and response across the joint force.

Question. What is your assessment of current DOD policy as it pertains to the legal issues surrounding the investigation and prosecution of sexual assault cases?

Answer. I am not now prepared to offer assessments with reference to the legal issues surrounding the investigation and prosecution of sexual assault cases. If confirmed, I will engage with the Judge Advocates General and other civilian and military leaders and subject matter experts to determine what issues, if any, need to be addressed.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults have occurred?

Answer. I think the chain of command is instrumental in changing the military culture. Commanders are responsible for the good order and discipline of their units and are indispensable to creating a zero tolerance climate for sexual assaults. However, eradicating sexual assault cannot be limited to the chain of command—everyone has a role in changing military culture to ensure that servicemembers can serve without fear of sexual assault.

Question. In your view, what would be the impact of requiring judge advocates outside the chain of command, rather than commanders, to determine whether allegations of sexual assault should be prosecuted by the military?

Answer. I am not now in a position to express a personal view concerning the optimal roles of commanders and judge advocates in the disposition of sexual assault allegations. I understand that this is the subject of intense debate. If confirmed, I will examine the issue and hope to play a constructive role in the debate.

Question. Article 60 of the Uniform Code of Military Justice requires the convening authority to take action on the sentence issued by a court-martial and authorizes a convening authority, in his sole discretion, to take action of the findings of a court-martial, including setting aside a finding of guilty or changing a finding of guilty to a finding of guilty of a lessor included offense.

What is your view about the authority of a convening authority to set aside or modify findings of guilt and authority to reduce a sentence imposed by court-martial?

Answer. I understand that the Department has proposed legislation that would modify Article 60 by allowing convening authorities to amend findings of guilt only in those cases where the servicemember was acquitted of a more serious offense and the offense of which he was found guilty is a minor offense, not normally disposed of by court-martial. The Department's proposal would also require the convening authority to explain in writing any modifications made to the court-martial findings and sentence. I support this proposal. As to limiting the authority of the convening authority to modify a court-martial sentence, one would have to consider the consequences such a limitation would have on the ability to reach plea bargains in appropriate cases, such as where the victim wishes to avoid being called as a witness in a contested trial.

RELIGIOUS ACTIVITY IN THE ARMED FORCES

Question. What is your understanding of current policies and programs of the Department of Defense and the military services regarding religious practices in the military?

Answer. I understand that the Department of Defense has a long history of supporting, to the extent possible, the free exercise of religion by those servicemembers who choose to do so, while respecting the rights of those who do not.

Question. In your view, do policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs,

including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. I have not had the opportunity to study the Department's current policies in sufficient detail to allow me to make a judgment on the appropriateness of those policies. I understand that the current Department policy on religious accommodation is being revised. If confirmed, I intend to become involved in that revision process.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact unit cohesion and good order and discipline?

Answer. Again, I am unable to make a judgment regarding the Department's current policies. However, I believe this question correctly highlights the considerations that must be balanced when considering religious accommodation: the individual servicemember's free exercise of religion or no religion, and the Department's requirement to maintain unit cohesion, good order and discipline, and the other elements that comprise military readiness.

Question. In your opinion, do existing policies and practices regarding public prayers offered by military chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious belief?

Answer. I believe that military chaplains perform a vital service not only for servicemembers and their families, but also for commanders as advisors. I also believe that military chaplains should be allowed to perform religious services in accordance with the tenets of their religions and without interference from the chain of command. While I am not in a position to opine on the existing policies and practices, I understand that the DOD policy governing the military chaplains' program is being revised, and, if confirmed, I intend to become involved in that revision process.

LEGAL ETHICS

Question. What is your understanding of the action a Department of Defense attorney should take if the attorney becomes aware of improper activities by a Department of Defense official who has sought the attorney's legal advice and the official is unwilling to follow the attorney's advice?

Answer. All Department attorneys are under an obligation to faithfully comply with all applicable laws and regulations, including regulatory reporting requirements. DOD Directive 5505.06, "Investigations of Allegations Against Senior Officials of the Department of Defense," requires referral to the DOD Inspector General of suspected misconduct by senior DOD officials, while DOD regulation, DOD 5500.07–R (Joint Ethics Regulation), requires DOD personnel to report suspected violations of the criminal and administrative rules on ethics and conflicts of interest to appropriate DOD authorities, e.g., the Defense Criminal Investigative Service.

Generally, if a DOD attorney learns of improper activities by an official who has sought his or her legal advice but is unwilling to follow it, the attorney should immediately notify appropriate authorities, usually his or her legal supervisor (or the senior attorney in the next higher level of his or her organization), for review and appropriate action by that higher level official. This is an appropriate way to escalate concerns to ensure that suitable corrective action is promptly taken.

Question. Do you believe that the present limits on pro bono activities of government attorneys are generally correct as a matter of policy or does the policy need to be reviewed?

Answer. In my judgment, participation in pro bono activities and professional legal associations contributes in a meaningful way to the continued professional development of the Federal legal workforce, and, if confirmed, I would encourage DOD attorneys to participate in pro bono activities consistent with the law. To my knowledge, the present limits on pro bono activities are appropriate. I understand that my predecessor issued a pro bono policy. If confirmed, I am prepared to review that policy to ensure it meets the current needs of DOD and the attorneys who wish to contribute their services.

As you may know, two Federal statutes prohibit (with only minor exceptions) Federal personnel from representing clients before the Federal Government, including the Federal courts. That said, I am aware that there are a number of opportunities for DOD attorneys to participate in a variety of pro bono activities, including drafting wills and representing clients in domestic violence cases, landlord/tenant disputes, and personal injury cases, when those matters are before state rather than Federal courts.

Question. In your view, do the laws, regulations and guidelines that establish the rules of professional responsibility for attorneys in the Department of Defense provide adequate guidance?

Answer. To my knowledge, the laws, regulations, and guidelines that establish rules of professional responsibility for DOD attorneys are appropriate. If confirmed, I am prepared to examine the adequacy of the professional responsibility rules for attorneys in the DOD Office of General Counsel and the Defense Legal Services Agency, and make appropriate modifications or issue supplemental guidance if warranted.

LAW OF THE SEA

Question. The United Nations Convention on the Law of the Sea (UNCLOS) is currently pending in the Senate.

What are your views whether or not the United States should accede to UNCLOS?

Answer. I support U.S. accession to the Law of the Sea Convention, and I know that the administration including Secretary Hagel strongly supports accession. Although we have succeeded to date in preserving and protecting our navigational freedoms through reliance on customary international law, joining the Convention would place our national security on a firmer legal footing. Customary international law changes over time, subject to state practice. Treaty law remains the firmest legal foundation upon which to base our global presence.

Question. From a national security standpoint, what do you see as the legal advantages and disadvantages of the United States being a party to UNCLOS?

Answer. I agree with Secretary Hagel that becoming a party to the Law of the Sea Convention would enhance the U.S. security posture around the globe in several significant ways. First, accession would enable the United States to reinforce all of the rights, freedoms, and uses of the sea and airspace codified in the Convention, including the navigational and over-flight rights that are critical to the global mobility of U.S. forces, as well as the right to submit extended continental shelf claims that would help us preserve the rights to potential resources. Additionally, accession would help the United States promote a common rules-based approach in the resolution of territorial and maritime disputes, particularly in East Asia, thereby reducing international tension. Further, accession would add to the Department's credibility in a large number of multilateral venues where Law of the Sea matters are often discussed. Lastly, accession would reassure some nations that have expressed concerns over the legality of cooperative security efforts promoted by the United States, such as the Proliferation Security Initiative. The United States has longstanding interests in freedom of the seas and respect for international law, and our accession to the Convention would further demonstrate our commitment to those national interests.

I do not see national security disadvantages of being a party to the Convention. Although some have suggested that the treaty could subject our maritime forces to the jurisdiction of international tribunals, the Convention expressly permits a party to exclude from international dispute settlement those matters that concern "military activities." Thus, the United States could assert the exclusive right to determine what constitutes a military activity.

Question. In your view, is customary international law alone sufficient to safeguard U.S. navigational and overflight rights and freedoms worldwide?

Answer. As noted above, accession would enable the United States to reinforce all of the rights, freedoms, and uses of the sea and airspace codified in the Convention, including the navigational and over-flight rights that are critical to the global mobility of U.S. forces. Although we have succeeded to date in preserving and protecting our navigational freedoms through reliance on customary international law, joining the Convention would place our national security on a firmer legal footing. Customary international law changes over time, subject to state practice. Treaty law remains the firmest legal foundation upon which to base our global presence.

PROCESSING THE ANNUAL DEPARTMENT OF DEFENSE LEGISLATIVE REQUEST

Question. One of the current responsibilities of the General Counsel of the Department of Defense is to coordinate the Department's legislative program and to provide the Department's views on legislative proposals initiated from outside the Department.

If confirmed, what actions will you take to ensure that the Department's legislative proposals are submitted in a timely manner to ensure ample opportunity for consideration by Congress before markup of the annual National Defense Authorization Act?

Answer. I understand that the Office of General Counsel and the Office of the Assistant Secretary of Defense for Legislative Affairs have worked, and continue to work, closely together on improvements to the Department's Legislative Program—in consultation with the Office of Management and Budget—to transmit the Department's legislative proposals to Congress in a timely manner. If confirmed, I will monitor these efforts and look for any ways in which the process can be improved.

Question. What actions would you take, if confirmed, to ensure Congress receives the Department's views on other proposed legislation in a timely manner?

Answer. I understand that the Office of General Counsel has worked closely with the Office of the Assistant Secretary of Defense for Legislative Affairs and the Office of Management and Budget to respond to request for views on congressional bills expeditiously. If confirmed, I will work to ensure that the Department provides Congress with timely views on proposed legislation.

JUDICIAL REVIEW

Question. What is your understanding of the appropriate role of the Article III courts in the review of military activities?

Answer. Judicial review of ongoing military operations would pose difficult constitutional and practical difficulties. Many of the military's other activities are appropriately subject to judicial review, though the courts often exercise "a healthy deference to legislative and executive judgments in the area of military affairs." *Rostker* v. *Goldberg*, 453 U.S. 57, 66 (1981).

ROLE IN THE OFFICER PROMOTION AND CONFIRMATION PROCESS

Question. In your view, what is the role of the General Counsel of the Department of Defense in ensuring the integrity and proper functioning of the officer promotion process?

Answer. It is essential that the integrity and independence of the promotion selection process be maintained. Based on my prior service at the Department of Defense, I know that the Secretary of each military department, in consultation with his or her General Counsel and Judge Advocate General, has the initial responsibility to ensure that the promotion selection process for both Regular and Reserve officers is in compliance with law and DOD policy. However, I am also aware that all reports of promotion selection boards are reviewed by the DOD Office of General Counsel prior to final action on the report by the Secretary of Defense or the Under Secretary of Defense for Personnel and Readiness.

If confirmed and I were to determine that a promotion selection board failed to conform to law or policy, it would be my duty to inform the Secretary of Defense or Under Secretary of Defense for Personnel and Readiness of the irregularities and to recommend appropriate corrective action. Further, in providing advice to the Secretary of Defense and the Under Secretary of Defense for Personnel and Readiness, I would ensure that officer promotion policies promulgated in DOD regulations fairly and accurately reflect the law.

Question. What is the role of the General Counsel of the Department of Defense, if any, in reviewing and providing potentially adverse information pertaining to a nomination to the Senate Armed Services Committee?

Answer. It is my understanding that the DOD Office of General Counsel reviews all nomination packages pertaining to officers with attributed adverse information before the package is forwarded to the Secretary of Defense for approval. The General Counsel ensures that any adverse information attributed to such officers is supported by evidence in the associated reports of investigation. I am informed that the General Counsel frequently provides specific advice to the Under Secretary of Defense for Personnel and Readiness and the Secretary of Defense concerning difficult or unusual cases.

LITIGATION INVOLVING THE DEPARTMENT OF DEFENSE

Question. In your opinion, what is the relationship between the Department of Defense and the Department of Justice with respect to litigation involving the Department of Defense?

Answer. Although the Department of Justice has statutory responsibility to represent the United States, its agencies, and its officers, including the Department of Defense, in all litigation matters, Department of Defense attorneys often work directly with counsel at the Department of Justice in cases in which DOD, or one or more of its components or officials, is a party or has an interest.

Question. In your view, does the Department need more independence and resources to conduct its own litigation or to improve upon its current supporting role?

Answer. At this time, I am not aware that any changes are needed. My understanding is that the Department's lawyers have exceptionally strong relationships with their counterparts at the Department of Justice, and that the current arrangement serves the Department well.

COURT OF APPEALS DECISION

Question. On January 4, 2000, the U.S. Court of Appeals for the District of Columbia Circuit decided the case of National Center for Manufacturing Sciences v. Department of Defense, 199 F. 3d 507 (D.C. Cir. 2000). The court concluded that "Because of the existence of title 10 U.S.C. section 114, it is clear that any monies appropriated for NCMS by Congress for research must be authorized before they can be appropriated and distributed"; and "Because title 10 U.S.C. section 114(a)(2) requires authorization of these funds before they become available, appropriation alone is insufficient."

What is your view of the court's decision in this case and its implications regarding the obligation of funds that are appropriated, but not authorized?

Answer. I am aware of the concerns about whether funds can be utilized that are appropriated but not authorized. In this regard, situations where funds have been appropriated but not authorized are often complex and may involve unique statutory language. The Department has always been sensitive to the concerns that exist whenever the amounts appropriated may exceed the amounts authorized and, even before the 2000 decision cited in the question, has worked closely with the authorizing and appropriating committees when such situations arise. If confirmed, I hope and expect that the Department, and the DOD General Counsel, will continue its practice of working closely with our oversight committees whenever this situation appears to be presented.

ROLE IN MILITARY PERSONNEL POLICY MATTERS

Question. What role, if any, should the General Counsel play in military personnel policy and individual cases, including cases before the service boards for the correction of military records?

Answer. The potential range of issues that might require legal advice from the Office of General Counsel is very broad. The Office of General Counsel provides legal advice on policy issues pertaining to military personnel, working closely with the Office of the Under Secretary of Defense for Personnel and Readiness, which has responsibility for Department policy for the correction boards of the military departments. The Office of General Counsel performs a pre-publication legal sufficiency review of every DOD policy issuance pertaining to military personnel.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the General Counsel of the Department of Defense?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTION SUBMITTED BY SENATOR CARL LEVIN

NEW LAW OF WAR MANUAL

1. Senator LEVIN. Mr. Preston, is there a consensus among the senior military lawyers of the four Services that the new Law of War manual, as it has been rewritten, accurately and adequately reflects the law governing U.S. Armed Forces?

Mr. PRESTON. I have been informed that the draft DOD Law of War manual is still in the final revision process. My understanding is that senior military lawyers of the four Services are helping to revise it and are integral to the review process, and that they will continue to be actively involved until the manual is completed and ready for publication. If confirmed, I intend to consult with the senior military lawyers in this regard.

QUESTION SUBMITTED BY SENATORS CARL LEVIN AND MARK UDALL

DETENTION AND INTERROGATION ISSUES

2. Senator LEVIN and Senator UDALL. Mr. Preston, on June 27, 2013, the Central Intelligence Agency (CIA) submitted its formal response to the Senate Select Committee on Intelligence's (SSCI) Study of the CIA's Detention and Interrogation Program. What was your role in the review and approval of the CIA response to the SSCI's study?

Mr. PRESTON. My role with respect to the Agency's response to the SSCI's study is perhaps best understood in the context of my broader role as General Counsel of the CIA. For the past 4-plus years, my highest priority as General Counsel has been working to ensure that the Agency is and remains in full compliance with all applicable law in the conduct of intelligence activities, with particular attention to ongoing counterterrorism programs. With respect to the former detention and interrogation program, which was ended by Executive Order prior to my arrival, the primary focus of the Office of General Counsel during my tenure has been on supporting the work of the Department of Justice and the SSCI in their respective reviews of the former detention and interrogation program, with particular emphasis on the document production process, as well as supporting the U.S. Government's efforts to criminally prosecute terrorist detainees.

The preparation of Agency comments following receipt of the SSCI report was undertaken at the direction of the then-Acting Director and performed by a team of senior career officers. The product of their work was ultimately submitted to the Director, via the Deputy Director, for approval. My involvement in this process was limited. I did not personally participate in the team's formulation of substantive comments, nor did I independently review the factual basis for their findings and conclusions. I reviewed the comments, with particular attention to the recommendations, and made suggestions, chiefly as to presentation, in hopes of enhancing the utility of the comments, to the agency and the committee, in the discussion between them that would follow. My role was principally one of advising the Director and the Deputy Director as they considered how best to engage with the committee in light of its report and, of critical importance, how to improve the Agency's conduct and oversight of other sensitive programs going forward.

3. Senator LEVIN and Senator UDALL. Mr. Preston, on November 20, 2008, the Senate Armed Services Committee issued a report titled, Inquiry into the Treatment of Detainees in U.S. Custody. Have you reviewed this report?

Mr. PRESTON. I reviewed portions of the referenced report in 2009, prior to my appointment as General Counsel of the CIA.

4. Senator LEVIN and Senator UDALL. Mr. Preston, do you disagree with any of the report's conclusions? If so, which ones and why?

Mr. PRESTON. I do not recall having any disagreement with the report's conclusions. I should point out that I am not sufficiently familiar with the facts or record underlying the report to offer a personal view on factual propositions. As I recall, a central focus of the report is on the U.S. Government's reliance on Survival, Evasion, Resistance, and Escape (SERE) techniques in deriving interrogation techniques that were used on detainees. While I have no expertise in SERE training or methods of interrogation, it is my firm view that the fact that certain techniques have been used to train servicemembers in withstanding abusive treatment if captured is not indicative of the effectiveness of those techniques in obtaining information from detainees, nor does it say anything about the lawfulness or propriety of using such techniques to interrogate detainees.

QUESTION SUBMITTED BY SENATOR CLAIRE MCCASKILL

BONUSES PAID TO SENIOR EXECUTIVE SERVICE EMPLOYEES OF THE DEPARTMENT OF DEFENSE

5. Senator MCCASKILL. Mr. Preston, if confirmed, will you commit to reviewing and changing, if necessary, the metrics used to determine the performance level of Senior Executive Service (SES) employees in the Office of General Counsel and provide information to this committee regarding the progress and results of your review?

Mr. PRESTON. As General Counsel of the Department of the Navy and the Principal Deputy General Counsel of the Department of Defense, I worked closely with the SES level attorneys in the DOD Office of General Counsel. I was impressed by their uniform professional excellence, selfless dedication, and commitment to the rule of law. My view of the outstanding performance of these SES level attorneys has been strengthened during my service as the CIA General Counsel. In a period of furloughs, pay freezes, and hiring freezes, it is unlikely that funds will be available to pay bonuses, increasing the challenge of keeping the Office of General Counsel staffed with superb lawyers. Nonetheless, if confirmed, I will review the criteria used to evaluate the performance of SES level attorneys in the Office of General Counsel and report the results of that review as you request. If I determine that changes are necessary, I will implement them.

QUESTIONS SUBMITTED BY SENATOR MARK UDALL

LAW OF WAR MANUAL

6. Senator UDALL. Mr. Preston, it is my understanding that in 1995, DOD decided to prepare a single, department-wide manual on the Law of War. This was designed to be an authoritative, peer-reviewed statement of the Law of War as recognized by the United States, based on both treaty obligations and state practice. I also understand that a Law of War Working Group, consisting of experts from the Services and the Office of the Secretary of Defense (OSD) Office of the General Counsel was formed in 1996 and charged with drafting the new manual. There were experts from the State Department and law of war experts from a number of other countries that provided input and advice during the drafting process. The Department of Justice (DOJ) was invited to join the process, but declined. I also understand that in 2009, a 1000 page draft underwent international peer review by senior military law experts from Canada, Australia, New Zealand, and the United Kingdom (U.K.) as well as experts from academic institutions in the United States and the U.K. I also understand that in 2010, when the draft manual was in the final stages, the DOJ intervened and requested an opportunity to review the draft—despite having declined to participate earlier. I also understand that despite commitments made to the DOD General Counsel that the DOJ review would be limited to substantive issues and would be conducted within a month, the DOJ review has yet to be completed. I also have received information indicating that the changes proposed by DOJ to date have been at odds with the tenets and principles of the Law of War reflected in the peer-reviewed draft of 2010, to the point that it seems unlikely that the current draft as changed would be able to gain consensus as an authoritative statement of the Law of War either within DOD or more broadly. If confirmed, will you commit to providing the committee as soon as possible information detailing the current status of the draft Manual?

Mr. PRESTON. If confirmed, I will inquire into the current status of the draft DOD Law of War manual and provide the committee information detailing its status as soon as possible. As I noted in response to an earlier question, it is my understanding that the Law of War manual is undergoing internal review, and that that senior military lawyers of the four Services are helping to revise it and are integral to the review process, and that they will continue to be actively involved until the manual is completed and ready for publication.

7. Senator UDALL. Mr. Preston, if confirmed, will you commit to providing the committee in written form your independent assessment of whether the background summary above is accurate, and, if you conclude that some or all of the information above is inaccurate or incomplete, to advising the committee in detail about which information is inaccurate or incomplete, and what the correct information is?

Mr. PRESTON. If confirmed, I will inquire into the current status of the draft DOD Law of War manual and provide the committee information detailing its status as soon as possible. As I noted in response to an earlier question, it is my under-

standing that the Law of War manual is undergoing internal review, and that that senior military lawyers of the four Services are helping to revise it and are integral to the review process, and that they will continue to be actively involved until the manual is completed and ready for publication.

8. Senator UDALL. Mr. Preston, if confirmed, will you commit to taking such steps as may be necessary to ensure that content and form of the draft Manual is such that it is suitable both as a peer-reviewed, authoritative statement of the Law of War as accepted by the United States, and as a practical guide, incorporating historical examples, for Law of War practitioners, especially those deployed with U.S. operational forces?

Mr. PRESTON. If confirmed, I will take such steps within my power as may be necessary to ensure that the content and form of the draft DOD Law of War manual reflects input from peer reviewers and is suitable both as an authoritative statement of the Law of War as accepted by the United States, and as a practical guide for Law of War practitioners, especially those deployed with U.S. operational forces. Historical examples should inform and illustrate the manual as appropriate.

STUDY ON DETENTION AND INTERROGATION PROGRAM

9. Senator UDALL. Mr. Preston, having reviewed the SSCI's study and participated in the CIA's response, do you believe that DOJ was always provided accurate information about the CIA's detention and interrogation program? If not, do you believe that any inaccurate information was material to DOJ's legal analysis?

Mr. PRESTON. My understanding is that DOJ did not always have accurate information about the detention and interrogation program in that the actual conduct of that program was not always consistent with the way the program had been described to DOJ. Of particular note, I understand that, in a number of instances, enhanced interrogation techniques, specifically waterboarding, were applied substantially more frequently than previously had been described to DOJ. I cannot say what DOJ would or would not have considered material at the time. I can tell you that, if I were in a comparable situation, I would consider information of this nature to be material.

While I have been General Counsel of the CIA, the relationship between the Agency and DOJ's Office of Legal Counsel (OLC) has been characterized by frequent and candid communication concerning the Agency's sensitive programs, with particular attention to ensuring that the OLC is provided complete and accurate information on which to base its legal advice to the Agency. In addition, the Agency is developing an internal mechanism for periodically and systematically reviewing OLC opinions regarding sensitive programs to ensure that OLC is informed of any material changes in facts or circumstances.

COVERT ACTION/SECRET MILITARY OPERATIONS

10. Senator UDALL. Mr. Preston, in your response to my questions about the difference between covert action and secret military operations, you noted that you had not yet "wrestled with how one would advise the U.S. military on the precise parameters of that concept, and the precise concept of attribution in the military context." I'd like to give you another opportunity to answer my set of questions, which I'll list again here: In your view, when does a secret military operation meet the statutory definition of covert action and require a finding, and when does it not?

Mr. PRESTON. While as CIA General Counsel I have not been called upon to advise with respect to the conduct of military operations, I would consider a secret military operation to meet the statutory definition of covert action: (a) if it were "an activity or activities of the U.S. Government to influence political, economic, or military conditions abroad, where it is intended that the role of the U.S. Government will not be apparent or acknowledged publicly," and (b) if such activity did not fall under one of the four statutory exceptions:

(1) activities the primary purpose of which is to acquire intelligence, traditional counterintelligence activities, traditional activities to improve or maintain the operational security of U.S. Government programs, or administrative activities;
(2) traditional diplomatic or military activities or routine support to such activities;
(3) traditional law enforcement activities conducted by U.S. Government law enforcement agencies or routine support to such activities; or

(4) activities to provide routine support to the overt activities (other than activities described in paragraph (1), (2), or (3)) of other U.S. Government agencies abroad.

It is my understanding that the Department of Defense conducts activities that fall under each of those four exceptions. Whether a particular secret military operation falls within one of the statutory exceptions to the definition of covert action or, absent attribution, would constitute covert action that must be authorized by the President under a Finding requires a fact-specific analysis, informed by historical military practice and precedent. If confirmed, I look forward to examining these matters with great care and attention.

11. Senator UDALL. Mr. Preston, if the military refuses to answer the public's questions about a reported operation, does it become a covert action? If not, what is the basis for that denial? As an example, why are unacknowledged 1208 assistance programs not covert action?

Mr. PRESTON. The fact that certain information regarding a military operation is not discussed publicly does not necessarily mean that the operation constitutes covert action. As defined by the statute, covert action is an activity or activities to "influence political, economic, or military conditions abroad, where it is intended that the role of the U.S. Government will not be apparent or acknowledged publicly," subject to specific exceptions. Thus, for example, military operations that are traditional intelligence, counterintelligence, or military activities and routine support to such activities are excepted from the statutory definition of covert action. Further, my understanding is that a particular secret military operation conducted in the context of broader campaigns that are publicly known is not regarded as covert action, which by definition must be neither "apparent" nor "acknowledged publicly".

While I am not familiar with programs under section 1208, I understand that certain aspects of the support provided under the authority of section 1208 are classified to protect the operation and the personnel involved. I am further advised that support provided under the authority of section 1208 to operations by U.S. Special Operations Forces to combat terrorism is not considered covert action because it is explicitly authorized by Congress and because it falls within the exception to section 503 of the National Security Act for a "traditional military activity." I also understand that the Department of Defense fully informs Congress about activities under the authority of section 1208, in accordance with the reporting requirements of that section.

If confirmed, I expect to examine these matters with great care and attention.

12. Senator UDALL. Mr. Preston, under what circumstances can a secret military program, as distinct from a particular technical operation, be briefed only to the chairman and ranking member?

Mr. PRESTON. It is my understanding that in the context of special access programs (SAPs) of the Department of Defense, there is a narrow set of circumstances under which the Secretary of Defense may determine that certain very sensitive information be reported only to the chairman and the ranking member of the congressional defense committees. Section 119 of title 10, U.S.C., ensures congressional oversight of DOD SAPs by requiring, inter alia, annual reports to the congressional defense committees on each SAP, as well as reports on initiation and termination of individual SAPs. In addition, section 119(e) provides that, only on a "case-by-case basis," the Secretary of Defense may waive a SAP reporting requirement, if the Secretary determines that the inclusion of the required information "would adversely affect the national security." If the Secretary exercises this authority, the Secretary must provide the omitted information and the justification for the waiver, jointly to the chairman and ranking member of each of the defense committees. The congressional defense committees that receive these reports (including those whose chairman and ranking member receive the "waived" SAP information) are the Committee on Armed Services, the Committee on Appropriations, and the Defense Subcommittee of the Committee on Appropriations of the Senate, and the Committee on Armed Services, the Committee on Appropriations, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

In the event that a secret military program consisted of activities to be conducted pursuant to a Presidential Finding authorizing covert action, then the congressional reporting requirements in section 503 of the National Security Act would apply.

AUTHORITY FOR USE OF MILITARY FORCE/LAW OF ARMED CONFLICT

13. Senator UDALL. Mr. Preston, under what circumstances, if any, can military operations be initiated outside a declared war zone without the concurrence of the President, the Secretary of Defense, or the U.S. chief of mission in the country?

Mr. PRESTON. The President and the Secretary of Defense are at the top of the military chain of command and have full authority for direction and control of military operations. I understand that, in circumstances such as sudden attack or disaster, theater military commanders have certain delegated authority to initiate appropriate military responses as necessary to save lives and protect the forces under their command. All such operations remain subject to the direction and control of the President and the Secretary of Defense.

Chiefs of mission are not in the military chain of command. I understand that, in some circumstances, the President or the Secretary of Defense has approved military operations on the condition that, if the chief of mission expresses disagreement with an activity, the theater military commander will resolve the disagreement or seek further guidance from the Secretary of Defense before proceeding with the activity. This ensures that the views of chiefs of mission regarding potential military operations outside a war zone are fully considered while also preserving the military chain of command.

14. Senator UDALL. Mr. Preston, in your advance questions for the committee, you stated that "If there were no 2001 Authorization for Use of Military Force, the President would have authority as Commander-in-Chief and Chief Executive to order military action against al Qaeda and associated forces if necessary to protect an important national interest, as with an imminent threat of violent attack."

Please elaborate on your statement regarding the President's authority to order military operations outside any Authorized for the Use of Force (AUMF) to "protect an important national interest." Do you view this authority as broader than imminent threat?

Mr. PRESTON. In my response, I noted imminent threat in particular as it would be the probable basis for ordering action against al Qaeda or in the broader counterterrorism context. I am aware of opinions of the Office of Legal Counsel, Department of Justice, that address the President's authority to order certain military operations without the prior, express authorization of Congress. Most recently, the April 2011 opinion regarding Authority to Use Military Force in Libya stated that the Office of Legal Counsel has identified a variety of national interests that, alone or in combination, may justify use of military force by the President. I understand that an "imminent threat" is one possible circumstance in which it might be lawful and appropriate for the President to order military operations without prior congressional authorization, but that imminent threat is not the only circumstance when this may be appropriate. I also note that there are important limitations on the scope and duration of military operations that the President may order in the absence of congressional authorization.

QUESTION SUBMITTED BY SENATOR JOE MANCHIN III

SEXUAL ASSAULT IN THE MILITARY

15. Senator MANCHIN. Mr. Preston, DOD is adamantly opposed to taking sexual assault cases out of the chain of command. If confirmed, your advice to the Secretary of Defense on this matter will be very important. Sexual assault is not a new challenge to the military. You are familiar with this because you served as the Navy's general counsel in the late 1990s. How has your experience with the Navy shaped your views on the role of the chain of command in sexual assault cases?

Mr. PRESTON. My prior experience as General Counsel of the Department of the Navy and as the Principal Deputy General Counsel of the Department of Defense enhances my understanding of the importance of the chain of command to a military organization and the historical integration of the military justice system into the command structure. However, I have not prejudged the optimal role of the commander in the process of adjudicating sexual assault allegations in the military. I am aware that the Response Systems Panel established under section 576 of the National Defense Authorization Act for Fiscal Year 2013 is tasked with providing the Secretary of Defense and Congress with an assessment of the strengths and weaknesses of the military's systems to respond to sexual assaults. The Panel's work will include an assessment of the roles and effectiveness of commanders at all levels. If confirmed, I will consider with an open mind the appropriate role of the

chain of command in sexual assault cases and provide my best advice to the Secretary.

QUESTIONS SUBMITTED BY SENATOR TIM KAINE

AUTHORIZATION FOR USE OF MILITARY FORCE

16. Senator KAINE. Mr. Preston, what is your understanding of the scope, duration, and limitations of the 2001 AUMF?

Mr. PRESTON. The 2001 AUMF encompasses those who are part of, or substantially support, al Qaeda, the Taliban, or associated forces. Courts and Congress, in the context of detention, have endorsed the Executive branch view that the AUMF applies to associated forces that have joined the fight with al Qaeda and against the United States. My understanding of the concept of associated forces is that it is narrow, reaching only forces of an organized, armed group that has entered the fight alongside al Qaeda and a co-belligerent with al Qaeda in hostilities against the United States or its coalition partners.

With respect to geographic limitations, the enemy in this conflict has not confined itself to any one country. The AUMF does not restrict the use military of force against al Qaeda to areas of active hostilities such as Afghanistan. Moreover, the United States can, consistent with international law, prosecute the armed conflict with al Qaeda outside such areas. U.S. military operations are conducted consistent with international law and with respect for another State's sovereignty. With reference to the use of force in counterterrorism operations outside the United States and areas of active hostilities, U.S. military operations are also subject to the policy standards and procedures announced in May of this year.

The President has said that our systematic effort to dismantle terrorist organizations must continue, but that the war against al Qaeda, like all wars, must end. The President has also invited engagement with Congress on the future of the AUMF. As for the duration of the conflict with al Qaeda and continuing authority to counter terrorist threats post conflict, I believe our system works best when there is agreement between the two political branches on how the Nation should proceed. If confirmed, I hope to play a constructive role in that process.

17. Senator KAINE. Mr. Preston, is there a need for AUMF reform now, given combat forces are being withdrawn from Afghanistan?

Mr. PRESTON. Although there will come a point when al Qaeda, the Taliban, and associated forces have been so degraded and dismantled that the United States is no longer be in an ongoing armed conflict, the end of the U.S. combat role in Afghanistan will not necessarily mark that point. However, it does draw attention to the duration of the conflict with al Qaeda and continuing authority to counter terrorist threats post conflict. The President has invited engagement with Congress on the future of the AUMF. If confirmed, I look forward to participating in that discussion.

18. Senator KAINE. Mr. Preston, does the President have the authority needed to conduct operations ongoing anywhere else in the world and, if not, should he come to Congress to get such an authority on a case-by-case basis?

Mr. PRESTON. It is the considered view of the Department of Defense that the President has adequate authority to conduct military operations against al Qaeda, the Taliban, and associated forces. Consistent with the AUMF, the authority to use military force against al Qaeda is not restricted geographically to "hot" battlefields like Afghanistan. Indeed, as outlined in the President's recent War Powers reports to Congress, such military operations have been conducted in Yemen and Somalia, in addition to Afghanistan. My understanding is that the existing authorities are believed to be adequate and appropriate for military operations to counter the current and immediately foreseeable threat. Although the President has the authority to respond as necessary to new threats, I believe the President would consult with Congress to determine if additional authority is appropriate.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

INTERNATIONAL LAW

19. Senator INHOFE. Mr. Preston, if a proposed action by DOD is fully in compliance with U.S. law but there is a question of whether the proposed action is permitted under international law, customary international law, or international law

principles, does this ambiguity affect or negate the ability of DOD to carry out the proposed action?

Mr. PRESTON. My understanding is that the United States complies with all applicable international law when it uses military force in a foreign country. Any question in this regard should be resolved if at all possible, and any remaining ambiguity should be brought to the attention of the decisionmaker. If confirmed, I would work closely with my colleagues, including the Legal Counsel to the Chairman of the Joint Chiefs of Staff and counsel for the other national security agencies, to ensure that U.S. military operations abroad comply with both U.S. domestic and applicable international law.

AUTHORIZED FOR THE USE OF FORCE

20. Senator INHOFE. Mr. Preston, does the AUMF apply to groups which formed after the events of September 11, 2001?

Mr. PRESTON. The AUMF applies to "those nations, organizations or persons [the President] determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons."

A group that formed after the events of September 11, 2001, may be within the scope of the AUMF if the group is an organized, armed group that has entered the fight alongside al Qaeda and it is a co-belligerent with al Qaeda in hostilities against the United States or its coalition partners. The Executive branch refers to such groups as "associated forces" of al Qaeda, and this interpretation of the AUMF to reach "associated forces" has been supported by the courts and Congress.

21. Senator INHOFE. Mr. Preston, does the AUMF only apply to those groups which only believe in al Qaeda's ideology?

Mr. PRESTON. The AUMF applies to al Qaeda, the Taliban, and associated forces. The AUMF does not apply to groups solely because they are ideologically aligned with al Qaeda. Instead, to be an associated force, the group must be an organized, armed group that has entered the fight alongside al Qaeda and a co-belligerent with al Qaeda in hostilities against the United States and its coalition partners.

22. Senator INHOFE. Mr. Preston, does the AUMF apply to groups which support al Qaeda's ideology and have taken violent action, but not against the United States, and the group has not received tangible support from al Qaeda?

Mr. PRESTON. The determination of whether a group is an associated force turns on whether the group has entered the fight alongside al Qaeda and is engaged in hostilities against the United States or its coalition partners. Such a determination is necessarily dependent on specific facts and circumstances.

23. Senator INHOFE. Mr. Preston, do you foresee a time in which the administration will support modifying the AUMF?

Mr. PRESTON. In his recent speech at National Defense University, the President invited engagement with Congress in efforts to refine, and ultimately repeal, the AUMF.

GUANTANAMO BAY DETAINEES

24. Senator INHOFE. Mr. Preston, if we were to close Guantanamo Bay and transfer the detainees to the United States for trial in civilian court would we not have to provide Miranda rights advice and warnings to the detainees thereby greatly reducing our ability to collect intelligence from them?

Mr. PRESTON. While I have not focused on this issue in the performance of my current duties, my understanding is as follows. Transferring detainees to the United States for prosecution would not be expected to reduce our ability to collect valuable intelligence. Most of the detainees held at Guantanamo Bay have been in U.S. custody for at least 10 years, so there has already been significant opportunity for intelligence collection. There is also no requirement to provide Miranda warnings prior to intelligence questioning if statements derived from that questioning are not used in a criminal proceeding. Furthermore, a long and growing list of terrorism suspects who have been prosecuted in our Federal courts—to include Najibullah Zazi, Faisal Shahzad, David Headley, and Umar Faruq Abdulmutallab—have provided extremely valuable intelligence while they were held by law enforcement before trial. The prospect of a long prison sentence has led many hardened terrorists to cooperate with our intelligence professionals.

NEW COUNTERTERRORISM PROCEDURES

25. Senator INHOFE. Mr. Preston, during the Vietnam war some criticized the layers of bureaucracy which obstructed the timely authorization for an attack on legitimate military targets. In the current conflict, as in the Vietnam war, targets of opportunity can come and go in a moment's notice. Therefore, won't the new procedures articulated in the administration's Fact Sheet: U.S. Policy Standards and Procedures for the Use of Force in Counterterrorism Operations Outside the United States and Areas if Active Hostilities, complicate and add to the length of time required to target an overseas, non-U.S. citizen member of al Qaeda?

Mr. PRESTON. I agree that agility and timeliness are important attributes in a decisionmaking process for approving military targets and authorizing military action against such targets. My understanding is that the policy standards and procedures announced in May of this year were developed in close consultation with the departments and agencies with national security responsibilities, including specifically civilian and military leaders responsible for military operations abroad, and with the objective of having a decisionmaking process that would be practically workable and yield timely decisions. In addition, the policy standards and procedures include a reservation by the President permitting action to be taken in extraordinary circumstances.

26. Senator INHOFE. Mr. Preston, will these additional layers of bureaucracy not lead to targets of opportunity being missed?

Mr. PRESTON. As noted, the policy standards and procedures were developed with the objective of having a decisionmaking process that would be practically workable and yield timely decisions. In addition, risk in this regard should be mitigated by the reservation by the President permitting a departure from otherwise applicable standards and procedures in extraordinary circumstances.

27. Senator INHOFE. Mr. Preston, do these policies unnecessarily obstruct our ability to fight the war?

Mr. PRESTON. As noted, the policy standards and procedures were developed in close consultation with the departments and agencies with national security responsibilities, including specifically civilian and military leaders responsible for military operations abroad. I would defer to those leaders on this question, and I do not believe the policy would have been adopted if those leaders believed it would unnecessarily obstruct our ability to fight the war.

28. Senator INHOFE. Mr. Preston, it appears the administration has implemented special procedures to address its concerns that U.S. citizens who are members of al Qaeda or its affiliates should still be afforded a level of due process review before lethal force is taken pursuant to the AUMF of 2001. These procedures were outlined by Attorney General Eric Holder in his address at Northwestern Law School in 2012. Though this appears to be a sensible approach regarding U.S. citizens, it now appears, as articulated in President Obama's May 2013 speech, that the administration will use a similar review before targeting terrorists who are non-U.S. citizens and are located outside areas of active hostilities. Does this create a situation in which overseas terrorists are provided with similar constitutional protections as overseas U.S. citizens who have taken up arms against their own country?

Mr. PRESTON. In his recent speech at National Defense University, the President noted that the targeting of a U.S. citizen raises constitutional issues that are not present in other actions. The President also described a threshold for taking lethal action outside areas of active hostilities that applies regardless of whether the terrorist target is a U.S. citizen. I understand that this threshold—and the rest of the policy standards and procedures announced at the time of the President's speech—have been instituted as a matter of policy. To the best of my knowledge, neither the threshold, nor the other standards and procedures constitutes or reflects any legal judgment or intent to extend Due Process or any other rights to foreign nationals abroad.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

DRONE POLICY

29. Senator AYOTTE. Mr. Preston, based on your current role as General Counsel for the CIA, from a perspective of how best to protect our country and go after those who want to kill Americans, what are the advantages and disadvantages of shifting most or all drone attacks from the CIA to DOD?

Mr. PRESTON. With reference to this question and the two questions that follow, I could not comment in this setting on any intelligence activities.

I understand that attacking America's enemies in armed conflict is a traditional competency of the U.S. military and that the U.S. military has extensive experience in the use of remotely piloted aircraft to conduct attacks during armed conflict. The appropriate role of the Department of Defense in operating remotely piloted aircraft, weighing advantages and disadvantages, is essentially a policy decision for the President to make. If confirmed, my focus with respect to military operations using remotely piloted aircraft will be on the legal basis for such operations and compliance with applicable law in conducting such operations.

30. Senator AYOTTE. Mr. Preston, will drone attacks operated by DOD confront more legal constraints?

Mr. PRESTON. The use of military force against the Nation's enemies, whether by remotely piloted aircraft or other means, is subject to the Constitution and U.S. laws, to the law of war, and to the direction and control of the President and the Secretary of Defense. I am aware that the U.S. military uses remotely piloted aircraft to attack terrorists consistent with all applicable law and, if confirmed, I would review such operations for compliance with all applicable law.

31. Senator AYOTTE. Mr. Preston, will fewer drone attacks be conducted because of additional legal constraints?

Mr. PRESTON. The number of attacks by the U.S. military, whether using remotely piloted aircraft or by other means, depends on a variety of factors, circumstances and judgments, such that it would be difficult to isolate the impact, if any, of legal constraints on that number.

DETAINEE POLICY

32. Senator AYOTTE. Mr. Preston, President Obama has sought to close Naval Station, Guantanamo Bay and has refused to put new detainees there, despite the repeated testimony of our military leaders that a designated detention facility for the long-term detention and interrogation of foreign terrorists would be very helpful. This refusal has put our military leaders in a difficult and dangerous situation. The lack of a designated long-term detention facility has forced our military to use substandard, ad-hoc workarounds as they did in the case of Abdul Kadir Warsame. If we captured Ayman al Zawahiri tonight, can you tell me where we would detain him for long-term Law of War detention and interrogation?

Mr. PRESTON. First a determination would have to be made as to whether or not he should be held in military custody for interrogation. Eventually, a determination would have to be made as to disposition, whether it be prosecution in Federal court, trial by military commission or law of war detention long term. The appropriate place of detention would depend on those determinations. At the President's direction, the Department is in the process of identifying a secure facility in the United States for holding military commissions. There is also an outstanding indictment against al Zawahiri.

33. Senator AYOTTE. Mr. Preston, in your opinion, are the detainees held at Naval Station, Guantanamo Bay being treated in a professional and humane manner, which is compliant with U.S. law?

Mr. PRESTON. In 2009, a review was conducted to ensure that the treatment of Guantanamo detainees fully complied with U.S. domestic and international law. My understanding is that that review found that the detainees were being treated in a professional and humane manner that was fully consistent with all applicable law. To the best of my knowledge, that remains the case today.

QUESTIONS SUBMITTED BY SENATOR MIKE LEE

NATIONAL SECURITY AGENCY

34. Senator LEE. Mr. Preston, the National Security Agency (NSA) is under the jurisdiction of DOD. As the General Counsel for DOD, you will have a large amount of influence over the programs at NSA that have recently been in the news for collecting metadata on millions of Americans in large databases. I am concerned that this information might be used for purposes not originally contemplated when the databases were created, not necessarily by this administration but in the future,

which may endanger the liberties of Americans. Do you believe that at some point the collection and aggregation of metadata implicates constitutional concerns?

Mr. PRESTON. Whether or at what point the collection and aggregation of metadata regarding U.S. persons by the U.S. Government implicates constitutional concerns is a question of great importance and complexity. While the Supreme Court's decision in *Smith* v. *Maryland* is cited for the proposition that there is no protected privacy interest in business records of this sort, I understand that some may have doubts about the applicability of that decision in this context. If confirmed, I expect to play an active role in any further consideration of this issue, together with the appropriate attorneys at the Department of Justice.

35. Senator LEE. Mr. Preston, what limiting practices do you believe should guide the Government in determining the types and amount of information it can collect about Americans?

Mr. PRESTON. Current law and policy strike a balance between protecting the national security of our country and protecting the constitutional rights of our citizens, and it is imperative that the intelligence activities of the U.S. Government, particularly any collection of information about U.S. persons, strictly adhere to all applicable prohibitions and limitations aimed at safeguarding privacy and civil liberties. Executive Order (EO) 12333, as amended, directs U.S. Government departments and agencies to use all means, consistent with applicable Federal law and this order, and with full consideration of the rights of U.S. persons, to obtain reliable intelligence information to protect the United States and its interests. EO 12333 provides that "[t]he U.S. Government has a solemn obligation, and shall continue in the conduct of intelligence activities under this order, to protect fully the legal rights of all U.S. persons, including freedoms, civil liberties, and privacy rights guaranteed by Federal law." Intelligence Community elements are authorized to collect, retain, or disseminate information concerning U.S. persons only in accordance with procedures established by the head of the Intelligence Community element concerned or by the head of a department containing such element and approved by the Attorney General. Intelligence Community elements are required to use the least intrusive collection techniques feasible within the United States or directed against U.S. persons abroad. Such techniques as electronic surveillance, unconsented physical searches, mail surveillance, physical surveillance, or monitoring devices may be used only in accordance with procedures established by the head of the Intelligence Community element concerned or the head of a department containing such element and approved by the Attorney General, after consultation with the Director of National Intelligence. Such procedures shall protect constitutional and other legal rights and limit use of such information to lawful governmental purposes.

The Department of Defense has implemented EO 12333 in procedures approved by the Attorney General. The purpose of these procedures is to enable the DOD intelligence components to accomplish their missions effectively while protecting the constitutional rights and privacy of U.S. persons. The DOD intelligence components may collect information that identifies a U.S. person only if it is necessary to conduct a function assigned to the collecting component and only if the information falls within a specified category (e.g., the information is obtained with the consent of the U.S. person concerned, is publicly available, or is foreign intelligence or counterintelligence).

DRONES

36. Senator LEE. Mr. Preston, do you believe that the Constitution allows for the U.S. Government to target an American citizen on foreign soil with a drone if they are suspected of engaging in terrorist activity and are perceived to be an imminent threat?

Mr. PRESTON. Citizenship does not confer immunity on one who takes up arms against our country. However, it is critically important to respect the constitutional rights of American citizens, even those who may be plotting against the United States. The requirements of Due Process and the circumstances in which the U.S. Government could lawfully target an enemy belligerent/terrorist operator known to be a U.S. person—whether using a remotely piloted aircraft or by other means—were outlined in the speech by the Attorney General in March of last year and are discussed in some detail in the Department of Justice white paper that has been released. In addition, the policy standards and procedures announced in May of this year require that if the United States considers an operation against a terrorist identified as a U.S. person, the Department of Justice will conduct an additional

legal analysis to ensure that such action may be conducted against the individual consistent with the Constitution and laws of the United States.

37. Senator LEE. Mr. Preston, how do you define imminent threat?

Mr. PRESTON. Imminent threat is a concept long known in the law and in practice as relates to the use of military force, but also a concept that has evolved with the emergence of non-state actors planning and executing terrorist attacks with tactics foreign to conventional warfare. This is not the adversary of old, amassing forces on the border, with troops in uniform and arms unconcealed, in advance of an invasion, nor is it an adversary that pays any heed to the law of war, instead hiding among and intentionally targeting innocent civilians.

In the current context, imminent threat would encompass those engaged in planning, approving or carrying out violent attacks against the United States. Additional considerations would include the window of opportunity to act, the chance of reducing collateral harm to civilians, and the likelihood of heading off future disastrous attacks. In any given instance, the determination whether a threat is imminent is based on an assessment of all facts and circumstances known at the time.

DETENTION

38. Senator LEE. Mr. Preston, do you believe the Constitution permits the Government to apprehend a U.S. citizen on American soil and detain that individual indefinitely in a military detainment facility?

Mr. PRESTON. I understand that the law is unsettled on this question. As a matter of policy, the President has declared that the U.S. Government "will not authorize the indefinite military detention without trial of American citizens" and further stated that "doing so would break with our most important traditions and values as a Nation."

WAR POWERS

39. Senator LEE. Mr. Preston, did you support the President's decision to use military force in Libya in 2011?

Mr. PRESTON. As General Counsel of the CIA, I had no role in the decision to use military force in Libya in 2011. To the best of my recollection, I did not participate in the substantive discussions concerning the use of military force preceding the President's decision. That said, I do not wish to suggest that I did not support the decision once made. If confirmed, I expect to be actively involved in the consideration of any contemplated use of military force in a foreign country in the future.

40. Senator LEE. Mr. Preston, do you believe that he had the proper authority to do so, and do you believe that the President needs authorization from Congress to arm rebels in Syria?

Mr. PRESTON. With respect Libya, I had no role, as CIA General Counsel, in addressing the authority to use military force, under U.S. domestic law or international law, and I do not recall having any material involvement in those discussions. As I understand it, the President acted in Libya to protect U.S. national interests and prevent a massacre. On March 21, 2011, in his report to Congress about the use of military force in Libya consistent with the War Powers Resolution, the President explained that the use of military force in Libya served important U.S. interests in preventing instability in the Middle East and preserving the credibility and effectiveness of the United Nations Security Council. Although U.S. strikes in Libya exceeded 60 days, my understanding is that the administration concluded, given that the risk to U.S. forces was low and the mission and use of force limited, the term "hostilities" did not apply and, therefore, continuing operations were consistent with the War Powers Resolution. I understand that U.S. and NATO operations in Libya had a basis in international law by virtue of U.N. Security Council resolutions under Chapter VII of the U.N. Charter.

With respect to Syria, all U.S. military operations must be authorized under U.S. domestic law. Without an authorization from Congress, the President could have authority as Commander in Chief and Chief Executive to order military action, depending on the particular facts and circumstances. There are, however, significant constitutional and statutory limitations on the scope and duration of military operations that the President may order in the absence of congressional authorization.

41. Senator LEE. Mr. Preston, do you believe that the current AUMF from 2001 needs to be updated or changed at this point? If so, how?

Mr. PRESTON. It is the considered view of the Department of Defense that the President has adequate authority to conduct military operations against al Qaeda, the Taliban, and associated forces. My understanding is that the existing authorities are believed to be adequate and appropriate for military operations to counter the current and immediately foreseeable threat. The President has invited engagement with Congress on the future of the AUMF. If confirmed, I look forward to participating in that discussion.

ADDITIONAL QUESTIONS SUBMITTED BY SENATOR MARK UDALL

Senate Armed Services Committee
Questions for the Record for the
Honorable Stephen W. Preston, CIA General Counsel,
Nominated to be the General Counsel of the Department of Defense
August 9, 2013

Senator Mark Udall

Our great nation is based on a system of checks and balances. I believe that it is essential that the Congress be able to exercise appropriate oversight of executive branch agencies and that agencies appropriately respond to congressional requests. Most executive branch agencies work hard to provide Congress with the information needed to conduct effective oversight. It is important that such best practices be replicated throughout the government. Likewise, it is essential that such practices as unacceptable responses to congressional requests and oversight do not spread to other agencies.

As you know, I have concerns regarding the CIA's recent engagement with the congressional oversight process, to include periods of time during which you have served as General Counsel of the CIA. In your testimony to the Senate Armed Services Committee, you stated that you believed the CIA's response to the Senate Select Committee on Intelligence's *Study on the CIA Detention and Interrogation Program* (the *Committee Study*) was "appropriate," and that you accepted the conclusions of the CIA response. You also stated that you had some involvement in the CIA's response, noting, "For my part, I don't believe there's anything legally objectionable. That's the determination I need to make."

In responding to the questions below, I note the following:

I strongly agree that it is essential that the Congress be able to exercise appropriate oversight of Executive branch agencies and that agencies appropriately respond to congressional requests. Doing a better job of congressional notification and ensuring the proper provision of information concerning covert action and other intelligence activities to the Intelligence Committees has been a top priority of the Directors under which I have served, starting with Director Panetta, and one that I have fully supported. As I stated at this Committee's hearing on my nomination, if confirmed, I will be fully committed to ensuring that the Armed Services Committees are kept properly informed in furtherance of their critical oversight responsibilities vis-à-vis the Department of Defense.

My role with respect to the Agency's response to the SSCI's study is perhaps best understood in the context of my broader role as General Counsel of the CIA. For the past four-plus years, my highest priority as General Counsel has been working to ensure that the Agency is and remains in full compliance with all applicable law in the conduct of intelligence activities, with particular attention to ongoing counterterrorism programs. With respect to the former detention and interrogation program, which was ended by Executive Order prior to my arrival, the primary focus of the Office of General Counsel during my tenure has been on supporting the work of the

Department of Justice and the SSCI in their respective reviews of the former program, with particular emphasis on the document production process, as well as supporting the U.S. Government's efforts to criminally prosecute terrorist detainees.

The preparation of Agency comments following receipt of the SSCI report was undertaken at the direction of the Acting Director and performed by a team of senior career officers. The product of their work was ultimately submitted to the Director, via the Deputy Director, for approval. My involvement in this process was limited. I did not personally participate in the team's formulation of substantive comments, nor did I independently review the factual basis for their findings and conclusions. I reviewed the comments, with particular attention to the recommendations, and made suggestions, chiefly as to presentation, in hopes of enhancing the utility of the comments, to the Agency and the Committee, in the discussion between them that would follow. My role was principally one of advising the Director and the Deputy Director as they considered how best to engage with the Committee in light of its report and, of critical importance, how to improve the Agency's conduct and oversight of other sensitive programs going forward.

In its response, the Agency confirmed its agreement with a number of the study's conclusions, acknowledged shortcomings, and set forth Director-approved remedial measures to address them. The response does not defend the historical policy decision to use enhanced interrogation techniques as part of the former program. In submitting the response, moreover, Director Brennan made clear his view that enhanced interrogation techniques are not an appropriate method to obtain intelligence and his agreement with the President's decision to ban their use. My views are exactly the same as Director Brennan's in both respects. Insofar as the Agency's response also identifies areas of disagreement with the SSCI's study, I see the response not as a rebuttal to the study or any kind of counter-report, but as comments on the study for the Committee's consideration as it seeks to ensure an accurate record of the former detention and interrogation program. In my view, as previously indicated, the preparation of comments by Agency officers and the Director's submission of such comments for the Committee's consideration was a lawful and appropriate step in the ongoing dialogue between CIA and its congressional overseers. There is now underway an important discussion between the Agency and the Committee – between the Director and Committee leadership, and between the respective staff members most familiar with the facts. I am prepared to abide the outcome of that process.

Views on the Responsibilities of Government Agencies to Respond to Congressional Oversight Requests—CIA Response to the Senate Select Committee on Intelligence

1. As you know, on December 14, 2012, the Senate Select Committee on Intelligence provided a nearly 6,300-page *Study on the CIA Detention and Interrogation Program* to the CIA and other agencies for "review and comment." The CIA's response was requested by February 15, 2013. The Committee did not receive the CIA's response until June 27, 2013. During this more than six-month period, Committee Members repeatedly requested that CIA personnel meet with the Committee staff to discuss the *Committee Study*. The CIA declined all requests to meet with its oversight committee on this matter. In your previous response to questions on your role in the CIA's response to the *Committee Study*, you stated: *"My role*

was principally one of advising the Director and the Deputy Director as they considered how best to engage with the Committee in light of its report and, of critical importance, how to improve the Agency's conduct and oversight of other sensitive programs going forward."

a. Please elaborate on your specific role in the CIA's decision to decline to meet or communicate with the Members and staff of the CIA's oversight committee on this matter of "critical importance" for more than six months. Did you object to the CIA's decision not to meet with the Committee or its staff? Do you believe this decision was reasonable and appropriate given the "critical importance" of the matter and the repeated requests by multiple Members of the Committee for CIA personnel to meet with Committee staff?

b. If confirmed as General Counsel of the Department of Defense, will you ensure, to the best of your ability, that the Department will communicate and meet with the Senate Armed Services Committee Members and its staff in a timely and reasonable manner?

The SSCI's study was formally adopted by the Committee and provided to the Agency for response in December 2012. At that point, the Agency undertook to review the study and prepare comments for the Committee's consideration. Agency leadership determined that it would be most productive to review the report and digest its findings and conclusions before trying to reengage with the Committee in the nature of a substantive response. As any comments on the SSCI's study would not be the Agency's considered response unless and until such comments were reviewed and adopted by the Director, Agency leadership also determined that it would be premature and potentially counterproductive to have substantive discussions at a staff level prior to that time. In my view, leadership's judgment in this regard was not unreasonable.

The process took longer than the 60 days originally allotted by the Committee for the Agency's response. This was due in part to the volume of the report, but also to the change in leadership at the Agency, with the nomination and confirmation of a new Director in the first quarter of this year. The Acting Director sought to keep Committee leadership apprised of the Agency's progress and, on at least one occasion during the process, met with the Chairman and Vice Chairman to foreshadow the Agency's preliminary views thus far developed. Following his appointment, the Director also sought to keep Committee leadership apprised of the Agency's progress, and he and the Deputy Director met with Committee leadership in June to walk through the Agency's response to the SSCI's study. As agreed at that meeting, extensive staff-level meetings ensued, and those discussions continue.

If confirmed, I will certainly do everything in my power to ensure that the Department of Defense communicates and meets with Senate Armed Services Committee Members and staff in a timely and reasonable manner. As noted above, I have fully supported efforts to ensure the proper provision of information to the Intelligence Committees, and, if confirmed, I will be fully committed to such efforts with respect to the Armed Services Committees. This would include communicating and meeting with this Committee on a timely and reasonable basis.

CIA Response to the Senate Select Committee on Intelligence

2. In your testimony to the Senate Armed Services Committee, you stated that you believed the CIA's response to the Senate Select Committee on Intelligence's *Study on the CIA Detention and Interrogation Program* was "appropriate." The CIA response largely responds to a small summary portion of the *Committee Study*, not to the material in the 300-page Executive Summary, or to the larger 6,300-page document. CIA personnel have confirmed that when the CIA response makes an affirmative statement about what the CIA believes is *not* in the *Committee Study*, the CIA response is merely referencing bullet points in a short 50-page section of the *Committee Study* that precedes the Executive Summary, not the larger *Committee Study* or its full Executive Summary. CIA personnel have further relayed that no one person at the CIA has read the full 6,300-page *Committee Study*.

    a. Given Director Brennan's statement at his Senate confirmation hearing that he looked forward "to reading the entire 6000-page volume, because it is of such gravity and importance;" the additional four months beyond the February 15, 2013, deadline the CIA took to respond to the *Committee Study*; as well as Director Brennan's testimony to the House Permanent Select Committee on Intelligence that the CIA was taking the extra time to provide a thorough response, do you believe it was appropriate for the CIA to largely respond only to a small section of the *Committee Study* that precedes the Executive Summary?

The Agency undertook to review and respond to the SSCI report to the full extent believed possible given its volume and that of the underlying record material, and given very limited time constraints, imposed originally by the Committee's 60-day deadline and, once that was exceeded, by the practical imperative to respond expeditiously following the appointment of a new Director. In light of these circumstances, the Acting Director adopted a team approach, relying on a group of experienced intelligence officers, rather than a single individual, to conduct the review and prepare comments. He deemed it impractical to respond on a line-by-line basis to the 6,300-page report in any reasonable timeframe, so he directed the team to focus on the study's 20 conclusions and conduct a "deep dive" on a substantial portion of the study viewed as the basis for a number of the study's central conclusions. I understand that the members of the team divided up the substantive matters identified and, in the course of formulating their comments, sought to review those portions of the report and underlying record material relating to the subjects as assigned. Accordingly, while the response is organized in terms of and seeks to address the study's conclusions, my understanding is that the review and resulting comments were not confined to the bare statement of conclusions or even the summary volume of the report. To be sure, the Agency's response does not constitute an encyclopedic treatment of the SSCI's study. To the extent that there are matters apparently not addressed and believed to be important to an understanding of the former program, they would be entirely appropriate for discussion in the staff-level meetings currently in progress.

Views on Responsive Document Production Pursuant to Committee Oversight Requests

3. On July 19, 2013, the New York Times reported that the Senate Select Committee on Intelligence's *Study of the CIA Detention and Interrogation Program* "took years to complete and cost more than $40 million." In your previous response to questions on your role in the CIA's response, you stated: *"My role was principally one of advising the Director and the Deputy Director as they considered how best to engage with the Committee in light of its*

report and, of critical importance, how to improve the Agency's conduct and oversight of other sensitive programs going forward."

a. The CIA declined to provide the Senate Select Committee on Intelligence with access to CIA records at the Committee's secure office space in the Hart Senate Office Building. Instead, the CIA insisted that the Committee review documents at a government building in Virginia. Once the CIA produced relevant documents related to the CIA detention and interrogation program, the CIA then insisted that CIA personnel—and private contractors employed by the CIA—review each document multiple times to ensure unrelated documents were not provided to a small number of fully cleared Committee staff. What role did you play in the decision to employ these unnecessary multi-layered review steps that delayed CIA document production to the Committee at significant governmental expense?

b. During the CIA's document production of more than six million pages of records, the CIA removed several thousand CIA documents that the CIA believed could be subject to executive privilege claims by the President. While the documents represent an admittedly small percentage of the total number of records produced, the documents—deemed responsive—have nonetheless not been provided to the Committee. What role did you, and other members of CIA leadership, play in the decision to withhold these responsive documents from the Committee? Do you believe it is proper for a federal agency to deny the production of responsive documents to a congressional oversight committee for significant periods of time absent an executive privilege claim by the President?

c. If confirmed as General Counsel of the Department of Defense, will you ensure, to the best of your ability, that the Department will provide responsive documents as requested by the Senate Armed Services Committee absent an executive privilege claim by the President?

During its review of the former detention and interrogation program, the Committee was provided access to highly sensitive CIA materials, including operational cable traffic, internal electronic communications and other information. All told, the Committee was provided access to more than six million pages of materials, some in a large initial production to the Committee in 2009 and the rest in follow-on tranches in response to hundreds of staff requests over the next three years. It is my understanding that the particular arrangements for access – including scope, location and associated limitations – stemmed from discussions between the Agency and the Committee, initially between Director Panetta and the Chairman and then at a staff level over time. While in most instances I was not directly involved, I believe that the judgments underlying these arrangements were made in a good faith effort to provide adequate protection for particularly sensitive national security information, to ensure access to the materials needed by the Committee to perform its oversight function and otherwise to facilitate the review, and to follow conventional document collection/review/production practices as applicable under the circumstances.

With specific reference to documents potentially subject to a claim of executive privilege, as noted in the question, a small percentage of the total number of documents produced was set aside for further review. The Agency has deferred to the White House and has not been substantively involved in subsequent discussions about the disposition of those documents.

If confirmed, I will certainly do everything in my power to ensure that the Department of Defense will provide responsive documents as requested by the Senate Armed Services Committee, and I will consult with the Committee regarding the basis for any good faith delay or denial in providing such documents.

The Provision of Accurate Information by Federal Agencies to the Department of Justice

4. In your previous response to questions on your role in the CIA's response to the Senate Select Committee on Intelligence's *Study of the CIA Detention and Interrogation Program*, you stated that you had some involvement in the CIA's response, noting, "For my part, I don't believe there's anything legally objectionable. That's the determination I need to make." The CIA response states: "we found no evidence that any information was known to be false when it was provided [to the Department of Justice] or that additional or more frequent updates would have altered OLC's key judgments." You have written in response to a question on this matter:

   > "My understanding is that DOJ did not always have accurate information about the detention and interrogation program in that the actual conduct of that program was not always consistent with the way the program had been described to DOJ. Of particular note, I understand that, in a number of instances, enhanced interrogation techniques, specifically waterboarding, were applied substantially more frequently than previously had been described to DOJ. I cannot say what DOJ would or would not have considered material at the time. I can tell you that, if I were in a comparable situation, I would consider information of this nature to be material."

   The information you have referenced above regarding the discrepancies between the actual use of the waterboard and the description of its use that CIA provided to the Department of Justice—while significant and material—was known prior to the *Committee Study*. Volume II of the *Committee Study*, specifically a 128-page section entitled, *CIA Representations to the Department of Justice Related to Intelligence, Effectiveness, and Operation of the Interrogation Program*, details how far more inaccurate information was provided to the Department of Justice.

   a. In light of the critical nature of this subject, please review the *CIA Representations* section (referenced above) of the *Committee Study* and describe your views on whether the factual record as recounted in the *Committee Study* supports the CIA's legal conclusion that accurate, timely and complete information would not have "altered OLC's key judgments."

   b. As noted above, you have stated in your previous response to a Question for the Record that "I cannot say what DOJ would or would not have considered

material at the time. I can tell you that, if I were in a comparable situation, I would consider information of this nature to be material." After reviewing discrepancies between the factual record and OLC key judgments, do you agree with the CIA's response that "revisiting its factual representations and updating them as necessary... would not have had a practical impact on the outcome"? Please explain whether your position differs from the CIA's conclusion that OLC key judgments would not have been altered. For reference, you might review key judgments in the following documents:

- *Memorandum Regarding Interrogation of al Qaeda Operative* (August 1, 2002);
- Letters from the Department of Justice related to the interrogation of individual detainees, including to the Acting Director of Central Intelligence, dated July 22, 2004; to the CIA Acting General Counsel, dated August 6, 2004; to the CIA Acting General Counsel, dated August 26, 2004; to the CIA Acting General Counsel, dated September 6, 2004; and to the CIA Acting General Counsel, dated September 20, 2004;
- *Memorandum Regarding Application of 18 U.S.C. §§ 2340-2340A to Certain Techniques That May be Used in the Interrogation of a High Value al Qaeda Detainee* (May 10, 2005);
- *Memorandum Regarding Application of 18 U.S.C. §§ 2340-2340A to the Combined Use of Certain Techniques in the Interrogation of High Value al Qaeda Detainees* (May 10, 2005)
- *Memorandum Regarding Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May Be Used in the Interrogation of High Value al Qaeda Detainees* (May 30, 2005)
- *Memorandum Regarding Application of the Detainee Treatment Act to Conditions of Confinement at Central Intelligence Agency Detention Facilities* (August 31, 2006)
- *Memorandum Regarding Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value al Qaeda Detainees* (July 20, 2007)

c. The CIA response to the *Committee Study* states: "while it would have been prudent to seek guidance from OLC on the complete range of techniques prior to their use, we disagree with any implication that, absent prior OLC review, the use of the 'unapproved' techniques was unlawful or otherwise violated policy." Please state whether you agree with this legal determination and explain your legal reasoning.

d. You have stated in your previous response to a Question for the Record that: "While I have been General Counsel of the CIA, the relationship between the Agency and DOJ's Office of Legal Counsel (OLC) has been characterized by frequent and candid communication concerning the Agency's sensitive programs, with particular attention to ensuring that the OLC is provided complete and accurate information on which to base its legal advice to the Agency. In addition, the Agency is developing an internal

mechanism for periodically and systematically reviewing OLC opinions regarding sensitive programs to ensure that OLC is informed of any material changes in facts or circumstances." Please describe your views on the importance of federal agencies conveying and ensuring the OLC is properly informed of relevant information. How will you approach your interactions with the Office of Legal Counsel if confirmed as General Counsel of the Department of Defense?

Departments and agencies rely on OLC for authoritative legal guidance on a variety of difficult and consequential issues in an effort to ensure that their programs and operations are entirely lawful. This system works if and to the extent that OLC is properly informed of the information needed to address the legal issues presented. In my view, this is of fundamental importance. During my tenure as CIA General Counsel, I have worked to ensure that the Agency provides the full range of relevant information to OLC. If confirmed, I will do likewise at the Department of Defense, continuing to engage, in an atmosphere of transparency, with my OLC colleagues.

With reference to the factual representations concerning the former detention and interrogation program, it would be difficult to determine with certainty what information DOJ officials years ago would have regarded as outcome determinative. That notwithstanding, I have reviewed the section of the SSCI's study (and the other material) identified in the question, and I believe CIA's efforts fell well short of our current practices when it comes to providing information relevant to OLC's legal analysis. If CIA had adhered to what we regard as proper practice today, it would have ensured that its representations to OLC on matters relating to the former program were and remained complete and accurate – updated as necessary on a timely basis – as we do today. In sum, I believe timely disclosure of all relevant facts to OLC is a necessary predicate to obtaining its authoritative legal guidance. Providing such disclosure is the current practice of the Agency, and it will certainly be my practice at the Department of Defense, if I am confirmed.

On the particular point raised in (c) of the question, I also agree that CIA should have sought guidance from OLC with regard to the complete range of interrogation techniques prior to their use. I understand the Agency's response to the SSCI's study to acknowledge this point, noting only that failure to so engage with OLC did not, in and of itself, render any given technique unlawful.

Responding to Congressional Oversight

5. The CIA response to the Senate Select Committee on Intelligence's *Study of the CIA Detention and Interrogation Program* states that "We disagree with the *Study's* conclusion that the Agency actively impeded Congressional oversight of the CIA detention and interrogation program."

    a. In light of the critical nature of this subject, and its direct relevance to your nomination, please review the 298-page section in Volume II of the *Committee Study*, entitled, *CIA Representations on the CIA Interrogation Program And the Effectiveness of the CIA's Enhanced Interrogation Techniques To Congress*, as well as any other appropriate sections, and state whether you concur with the CIA's response.

b. The CIA response states that the White House had the "responsibility" for determining whether the CIA would brief the full Committee or only the Chairman and Vice Chairman. The CIA response also notes that "We do not want to suggest that CIA chafed under these restrictions; on the contrary, it undoubtedly was comfortable with them." Do you believe that the limitations on briefings to the Committee Chairman and Vice Chairman for nearly four and a half years was appropriate, or adhered to the letter or spirit of the *National Security Act of 1947, as amended*, regardless of White House direction at the time?

c. Based on your review of the aforementioned 298-page section, and other associated sections of the *Committee Study*, do you believe that the briefings provided to the Committee Chairman and Vice Chairman prior to September 6, 2006, fulfilled the CIA's obligation, under the *National Security Act*, to keep the congressional intelligence committees "fully and currently informed of the intelligence activities of the United States, including any significant anticipated intelligence activity"? In your response, please provide your assessment of whether the record indicates that information provided to the Committee Chairman and Vice Chairman was accurate, complete, or timely.

d. Based on your review of the 298-page section, and other associated sections of the *Committee Study*, do you believe that the briefings provided to the full Committee beginning on September 6, 2006, fulfilled the CIA's obligation, under the *National Security Act*, to keep the congressional intelligence committees "fully and currently informed of the intelligence activities of the United States, including any significant anticipated intelligence activity"? In your response, please address whether information provided to the Committee was accurate, complete, or timely.

e. To what extent do you view the CIA's past engagement with the Senate Select Committee on Intelligence on the CIA's Detention and Interrogation program—as well as the CIA's most recent response and engagement with the Committee on this matter—as a model for the Department of Defense's engagement with the Senate Armed Services Committee?

I have reviewed the section of the SSCI's study identified in the question, and I believe CIA's efforts in this regard fell well short of our current practices when it comes to congressional reporting. I would not regard them as a model for the Department of Defense's engagement with this Committee. Had the Executive understood and discharged its congressional reporting obligations as we have in my experience since 2009, I do not believe that the briefings on a program of this nature, magnitude and duration would have continued on a limited, leadership-only basis. Moreover, as discussed in the Agency's response and further explored in the staff-level discussions, briefings to the Committees included inaccurate information related to aspects of the program of express interest to Members. What we regard as proper practice today is driven by faithful application of the National Security Act of 1947. It is also informed by the very high priority the Directors under which I have served have placed on doing a better job of congressional notification and ensuring the proper provision of information concerning covert action and other intelligence activities to the Intelligence Committees. To repeat, I have fully

supported these efforts and, if confirmed, will be fully committed to such efforts with respect to the Armed Services Committees.

Section 331 of the Intelligence Authorization Act

6. The CIA response to the *Committee Study* states that "We disagree with the Study's contention that limiting access is tantamount to impeding oversight." To support this conclusion, the CIA response states that the narrative of the *Committee Study* "does not reflect mutually agreed upon past or current practices for handling restricted access programs." The CIA response continues: "Indeed, the Committee codified, as part of the FY12 Intelligence Authorization Act, the practice of briefing sensitive matters to just the Chairman and Ranking Member [sic], along with notice to the rest of the Committee that their leadership has received such a briefing."

    a. Is the statement above a reference to Section 331 ("Notification procedures.") of the FY10 Intelligence Authorization Act, reported out by the Committee on July 22, 2009, and again, on July 15, 2010? If not, please identify the provision in the FY12 Intelligence Authorization Act to which the CIA response is referring in this statement.

    b. Please confirm your understanding that the language and intent of that legislation was not to "codify... mutually agreed upon past or current practices," but rather, as the Committee report states, to provide for the "improvement of notification" by ensuring that, "[i]n the event the DNI or head of an Intelligence Community element does not provide [notification] to the full congressional intelligence committees," the full committee shall be provided notice of this fact. If this is not your understanding, please provide an explanation for the conflict between the sponsors' and Committee's legislative intent to improve full Committee notification and the CIA's alternative interpretation of this law as expressed in the CIA's response.

The statement quoted above from the Agency's response to the SSCI's study refers to section 331 of the FY10 Intelligence Authorization Act, but I believe the statement was inartfully drawn to the extent that it can be read to suggest that, in enacting this legislation, the Congress or the Committee intended to endorse or embrace the Executive's practice of limited notification of certain sensitive matters to Committee leadership. My understanding of the legislation is that it makes provision for situations in which the Executive determines to provide notification to fewer than all Committee Members ("If the President determines that ..., the finding may be reported to ...") and, specifically, puts into law the requirement of notice to all Committee Members of the fact of the limited notification ("In any case where ..., the President shall provide to ...") As I understand it, such notice to all Committee Members was not the pre-existing practice, but rather was an improvement put into place by the legislation. In short, the requirements of section 331 are as stated in the plain language of the provision, and the legislative intent is as stated in the legislative history of the Act, to include specifically the views expressed by Senator Rockefeller.

Previous Responses to Questions for the Record

7. You were asked in a previous Question for the Record about the CIA's past representations that information obtained from the CIA's enhanced interrogation techniques was "otherwise unavailable" to the United States Government, and the CIA's response, which states the CIA now believes these representations were "inherently speculative." The CIA response further states, "it is unknowable whether, without enhanced techniques, CIA or non-CIA interrogators could have acquired the same information from those detainees." In your response, you stated, "I understand this to be saying that information was provided by detainees following the application of enhanced interrogation techniques and that it is not possible to know whether the same information would have been obtained had other interrogation methods been used, because there is no way to turn the clock back and question these detainees all over again in a different fashion. In this sense, it is unknowable."

    a. As you know, in its cataloging of intelligence in U.S. government databases, the Committee accepted the CIA's broad definition of information obtained from CIA enhanced interrogation techniques – to include all information a detainee provided during or after CIA enhanced interrogation techniques, even if that information was provided several years after the use of enhanced interrogation techniques – as information derived from the techniques. Instead of speculating on what might have resulted if the CIA had tried to "turn the clock back and question these detainees all over again in a different fashion," the Committee sought to confirm CIA representations that information the CIA claimed was derived from enhanced interrogation techniques was, as the CIA represented, otherwise unavailable to the U.S. government through other intelligence sources.

    Referencing the same standard, in a previous response you relayed that "otherwise unavailable" meant "otherwise unavailable to the Agency through other sources." This interpretation of "otherwise unavailable" is consistent with CIA representations to the CIA Office of Inspector General, Congress, and the Department of Justice, among others. For example, see the May 30, 2005, Office of Legal Counsel Memorandum, which describes CIA representations on effectiveness and the need to obtain "otherwise unavailable intelligence" to protect the nation.

    Using the term "otherwise unavailable," as you stated, "otherwise unavailable to the Agency through other sources," which is consistent with past CIA representations, do you agree that a review of intelligence community records could determine whether information the CIA claims resulted from enhanced interrogation techniques was either "otherwise unavailable," or previously available "to the Agency through other sources"?

For purposes of this question, I understand "otherwise unavailable" to focus not on whether conventional interrogation techniques would have produced information different from that obtained following application of enhanced interrogation techniques, but on whether the information obtained was in fact available from sources other than the detainee subjected to such enhanced techniques. Understood in this way, I agree that it may be possible to make a determination as to whether information obtained following application of enhanced interrogation techniques was "otherwise unavailable," depending of course on the state and content of the record. My understanding is that differing views of the record in this regard are being discussed in the staff-level meetings currently in progress.

Attachment: Intelligence Authorization Act of Fiscal Year 2010

ADDITIONAL VIEWS OF SENATOR ROCKEFELLER

The Congressional notification provisions in the bill that we are reporting out today constitute an important improvement over the status quo. They require that the congressional intelligence committees and the President establish written procedures regarding the details of notification processes and expectations; that the President provide written notice about intelligence activities and covert actions, including changes in covert action findings and the legal authority under which an intelligence activity or a covert action is or will be conducted; that the President provide written reasons for limiting access to notifications to less than the full committee; and that the President maintain records of all notifications, including names of Members briefed and dates of the briefings.

I support these provisions because I expect that they will go a long way toward correcting past deficiencies. However, I believe that additional clarity is needed regarding whether or not the full committee will be aware of three critical facts in circumstances of less-than-full-committee notifications: (1) the fact that such a limited access notification has occurred, (2) the general subject of the limited notification, and (3) the reasons for limiting access.

There are situations in which a limited notification is appropriate and even necessary, but those situations are rare. Congressional notification procedures—and practices—should reflect that rarity. Most importantly, they should prevent limited notification from impeding the committees' oversight responsibilities, because effective congressional oversight of intelligence activities is critical to the national security interests of the United States.

As Senator Snowe and I noted in our additional views to the Committee's July 22, 2009 report of an earlier version of this bill, the Committee has supported clarity on these matters in four consecutive intelligence authorization bills. I will continue to work with my colleagues in establishing written notification procedures that resolve any ambiguities in favor of full committee awareness.

The Congressional notification provisions in the bill that we are reporting out today are a good first step—but only a first step.

JOHN D. ROCKEFELLER, IV.

[The nomination reference of Hon. Stephen W. Preston follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 11, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Stephen Woolman Preston, of the District of Columbia, to be General Counsel of theDepartment of Defense, vice Jeh Charles Johnson, resigned.

[The biographical sketch of Hon. Stephen W. Preston, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF HON. STEPHEN W. PRESTON

Education:

Yale University

- September 1975–May 1979

- Bachelor of Arts Degree awarded May 1979

Trinity College, University of Dublin

- September 1979–May 1980
- Graduate Diploma awarded May 1980

Harvard University

- September 1980–June 1983
- Juris Doctor Degree awarded June 1983

Employment record:

Central Intelligence Agency

- General Counsel
- July 2009–present

Wilmer Cutler Pickering Hale and Dorr LLP

- Partner
- March 2001–June 2009

Department ofthe Navy

- General Counsel
- September 1998–November 2000

U.S. Department of Justice

- Deputy Assistant Attorney General, Civil Division
- September 1995–September 1998

Department of Defense

- Principal Deputy General Counsel
- Deputy General Counsel (Legal Counsel)
- Consultant
- August 1993–September 1995

Wilmer, Cutler & Pickering

- Partner
- Associate
- January 1986–August 1993

Center for Law in the Public Interest

- Visiting Fellow
- September 1984–December 1985

Chambers of Hon. Phyllis A Kravitch, U.S. Court of Appeals for the Eleventh Circuit, Savannah, GA

- Law Clerk
- August 1983–July 1984

Honors and awards:

Central Intelligence Agency Distinguished Intelligence Medal (2012)
National Intelligence Distinguished Service Medal (2012)
Central Intelligence Agency Director's Award (2011)
Central Intelligence Agency Director's Award (2010)
Department of Defense Medal for Distinguished Public Service, bronze palm in lieu of second award (2000)
Department of the Navy Distinguished Public Service Award (2000)
Department of Defense Medal for Distinguished Public Service (1995)
Resolution, Navy–Marine Corps Court of Military Review (1988)
Honoree, Women's Legal Defense Fund (1987)
J.D., magna cum laude, Harvard University (1983)
Editor, Harvard Law Review (1982–1983)
Graduate Diploma, with First Class Honors, University of Dublin (1980)
B.A., summa cum laude, Yale University (1979)
Phi Eta Kappa (1979)

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Hon. Stephen W. Preston in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Stephen Woolman Preston.

2. **Position to which nominated:**
General Counsel of the Department of Defense.

3. **Date of nomination:**
June 11, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
May 30, 1957; Atlanta, GA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married.

7. **Names and ages of children:**
Two children.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
1980–1983, Harvard University, J.D., June 1983
1979–1980, Trinity College, University of Dublin, Graduate Diploma, May 1980
1975–1979, Yale University, B.A., May 1979
1971–1975, The Lovett School, High School Diploma, June 1975

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
2009–Present, General Counsel, Central Intelligence Agency
2001–2009, Partner, Wilmer Cutler Pickering Hale and Dorr LLC

10. **Government experience:** List any advisory, consultative, honorary or other part–time service or positions with Federal, State, or local governments, other than those listed above.
2005, Member, Independent Panel to Review Legal Services in the Department of Defense
1998–2000, General Counsel, Department of the Navy
1995–1998, Deputy Assistant Attorney General, Civil Division, U.S. Department of Justice
1993–1995, Principal Deputy General Counsel Deputy General Counsel (Legal Counsel), Consultant, Department of Defense
1983–1984, Law Clerk, Chambers of Hon. Phyllis A. Kravitch, U.S. Court of Appeals for the Eleventh Circuit, Savannah, GA

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corpora-

tion, company, firm, partnership, or other business enterprise, educational, or other institution.

Member, Bartram Ridge Development LLC
Trustee, Family Trust I
Trustee, Family Trust II

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

All Souls Memorial Episcopal Church
American Bar Association
American Bar Foundation
Council on Foreign Relations District of Columbia Bar
Harvard Club of Washington, DC.
International Association for the Study of Irish Literatures
Kalorama Citizens Association
Kennedy Center Membership Program
Metropolitan Club of Washington, DC.
Naval Historical Foundation
Navy League of the United States
Phi Beta Kappa
Smithsonian Institution Resident Associate Program
Saint Anthony Hall
The Elizabethan Club of Yale University
U.S. Navy Memorial
U.S. Naval Institute
Yale Club of Washington, DC

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Barack Obama Presidential Campaign—canvassing activity (2008).

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

Barack Obama Presidential Campaign—contribution of $2,300 (2008)
Michael Bennet Senatorial Campaign—contribution of $500 (2009)
Michael Signer Virginia Lieutenant Governor Campaign—contribution of $250 (2009)
Deval Patrick Gubernatorial Campaign—contribution of $500 (2010)

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Phi Beta Kappa (1979)
B.A., summa cum laude, Yale University (1979)
Graduate Diploma, with First Class Honors, University of Dublin (1980)
Editor, Harvard Law Review (1982–1983)
J.D., magna cum laude, Harvard University (1983) Honoree, Women's Legal Defense Fund (1987)
Resolution, Navy-Marine Corps Court of Military Review (1988)
Department of Defense Medal for Distinguished Public Service (1995)
Department of Defense Medal for Distinguished Public Service, bronze palm in lieu of second award (2000)
Department of the Navy Distinguished Public Service Award (2000)
Central Intelligence Agency Director's Award (2010)
Central Intelligence Agency Director's Award (2011)
Central Intelligence Agency Distinguished Intelligence Medal (2012)
National Intelligence Distinguished Service Medal (2012)

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Author, "CIA and the Rule of Law," 6 J. Nat'l Security L. & Pol'y 1 (2012)
Co-author, "CFIUS and Foreign Investment" in Homeland Security Legal and Policy Issues, ABA Publication (2009)
Co-author, "National Security Versus Business" in The European Lawyer (April 2008)

Co-author, "The CFIUS Review Process: A Regime in Flux" presented at The Foreign Investment and National Security Act of 2007: Navigating the Regulations, ABA Conference (April 4, 2008)

Co-author, "When Will Security Squelch a Foreign Investment Deal" in Executive Counsel (March/April 2008)

Co-author, "Many Transnational Deals Now Face a Security Review" in Executive Counsel (January/February 2006)

Co-author, Legal Services in the Department of Defense: Advancing Productive Relationships, DOD Report (September 15, 2005)

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

Speaker, CIA and the Rule of Law, Harvard Law School (April 10, 2012) (drawn from informal remarks initially delivered at Columbia Law School in October 2011)

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

Stephen W. Preston

This 22nd day of July, 2013.

[The nomination of Hon. Stephen W. Preston was reported to the Senate by Chairman Levin on July 30, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on October 16, 2013.]

[Prepared questions submitted to Hon. Jon T. Rymer by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. These reforms have also improved cooperation between the Services and the combatant commanders in the strategic planning process, in the development of requirements, in joint training and education, and in the execution of military operations.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. The Goldwater-Nichols Act has strengthened our Armed Forces by promoting joint operability, increasing readiness, and creating a higher standard of warfighting efficiency. I am unaware of the need for any modifications to this act at this time. If confirmed, I will notify Congress if the Office of Inspector General identifies the need for modifications to the act.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. Please see response above.

RELATIONSHIPS

Question. If confirmed, what would your working relationship be with:

The Secretary of Defense.

Answer. Section 8(c) of the Inspector General (IG) Act of 1978, as amended (the IG Act) states that the IG shall "be the principal adviser to the Secretary of Defense for matters relating to the prevention and detection of fraud, waste, and abuse in the programs and operations of the Department . . . " If confirmed, I will seek to maintain a strong and effective relationship with the Secretary that enables me to carry out my statutory duties with the independence required under the IG Act, while enabling the Secretary to exercise his statutory supervisory authority.

Question. The Deputy Secretary of Defense.

Answer. Section 3(a) of the IG Act states that "each IG shall report to and be under the general supervision of the head of the establishment involved or, to the extent such authority is delegated, the officer next in rank below such head." DOD Directive 5106.01, dated April 10, 2012, states that "the IG of the DOD shall report to and be under the general supervision of the Secretary of Defense and the Deputy Secretary of Defense . . . " Accordingly, if confirmed, my relationship with the Deputy Secretary of Defense will be similar to my relationship with the Secretary of Defense.

Question. The Under Secretary of Defense (Comptroller/Chief Financial Officer).

Answer. If confirmed, I will work with the USD(C/CFO) to formulate the IG's portion of the annual President's budget for submission to Office of the Secretary of Defense (OSD) and Office of Management and Budget (OMB), as well as request required resources to conduct the IG's mission. I will work with the USD(C/CFO) on areas of concern within the financial management arena which have been a longstanding major management challenge for the Department. I will conduct and supervise audits, investigations, and inspections relating to the programs and operations of the establishment in order to promote economy, efficiency, and effectiveness.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics (AT&L).

Answer. I have been advised that the office of the DOD IG has also identified acquisition processes and contract management as a major management challenges for DOD. It is therefore essential for the IG to maintain an effective working relationship with the USD(AT&L). If confirmed, I anticipate working closely with the Under Secretary concerning the allocation of IG resources in the acquisition area, and how best to implement audit recommendations pertaining to acquisition processes. As IG, I would also recommend policies, in coordination with the USD(AT&L) and the USD(Comptroller), to ensure that audit oversight of contractor activities and financial management are coordinated and carried out in an efficient manner to prevent duplication.

Question. The Assistant Secretaries of Defense.

Answer. I will work with the various Assistant Secretaries of Defense in managing challenges faced by the Department.

Question. The General Counsel of the Department of Defense.

Answer. If confirmed, I will work with the General Counsel of DOD who serves as the Chief Legal Officer of DOD. I have been advised that an Office of General Counsel within the Office of Inspector General was established outside of the authority, direction and control of the General Counsel of DOD on September 23, 2008. I believe that the establishment of this independent Office of Counsel ensures that the IG receives independent legal advice and is in accordance with the provisions of the National Defense Authorization Act (NDAA) of 2009 and the IG Reform Act of 2008.

Question. The Director of Operational Test and Evaluation (DOT&E).

Answer. I have been advised that the IG and the DOT&E have a common interest in ensuring that equipment and weapons systems provided to the warfighter perform effectively and as planned. If confirmed, I would expect to consult as appropriate with the Director concerning the initiation of oversight efforts in these areas.

Question. The Director of Cost Assessment and Program Evaluation.

Answer. I am told that the IG and the Director of Cost Assessment and Program Evaluation will have a common interest in ensuring that acquisitions made by the Department undergo cost assessments and program evaluations. I will seek to establish a cooperative working relationship with this office.

Question. The Inspectors General of the Military Departments, Defense Agencies, and the Joint Staff.

Answer. Section 8(c)(2) of the IG Act states that the IG of DOD "shall . . . initiate, conduct, and supervise such audits and investigations in DOD (including the military departments) as the IG considers appropriate . . . " Section 8(c)(9) adds that the IG "shall . . . give particular regard to the activities of the internal audit, inspection, and investigative units of the military departments with a view toward avoiding duplication and ensuring effective coordination and cooperation . . ." If confirmed, I will ensure that the DOD IG coordinates and avoids duplicative efforts. As I understand it, the DOD oversight community uses internal coordination mechanisms to deconflict potential duplicative efforts. In addition, DOD directives govern certain programs in which the IGs of the military departments participate.

Question. The Inspectors General of subordinate commands.

Answer. My relationship with the IGs of subordinate commands will be based on the IG role described above. If confirmed, I will work closely with the other DOD IGs to carry out applicable policies and guidance; avoid duplication, overlapping, and gaps; and work to build a strong team.

Question. The Criminal Investigative Services of the Military Departments.

Answer. Under the IG Act, the IG has the authority to initiate, conduct, and supervise criminal investigations relating to any and all programs and operations of the DOD. In addition, the IG is statutorily mandated to develop policy, monitor and evaluate program performance, and provide guidance regarding all criminal investigative programs within the Department. It is my understanding that the DOD IG works frequently in close coordination with the Military Criminal Investigative Organizations (MCIOs) on joint investigations. If confirmed, I will work closely with each of the MCIOs to ensure that investigative resources are used effectively.

Question. The Audit Agencies of the Military Departments.

Answer. Section 4(a) of the IG Act establishes broad jurisdiction for the IG to conduct audits and investigations within DOD, and section 8(c)(2) states that the IG "shall . . . initiate, conduct, and supervise such audits and investigations in the DOD (including the military departments) as the IG considers appropriate." If confirmed, I will work with the audit agencies of the military departments to ensure audit resources are used effectively within the Department.

Question. The Defense Contract Audit Agency.

Answer. If confirmed, I will work with DCAA, as prescribed in the IG Act. Although DCAA reports to the Under Secretary of Defense (Comptroller), it operates under audit policies established by the IG.

Question. The Defense Acquisition Regulatory Council.

Answer. As I understand it, the DOD IG regularly provides comments to the Defense Acquisition Regulatory Council on proposed changes to the Defense Federal Acquisition System and also recommends changes as a result of DOD IG work. If confirmed, I would expect to continue these practices.

Question. The Director of Defense Procurement and Acquisition Policy.

Answer. It is my understanding that the Director of Defense Procurement and Acquisition Policy is responsible for oversight of a large segment of the DOD's acquisition and contracting operations and, accordingly, is a major recipient of reports pro-

vided by the IG. If confirmed, I would expect to continue the current practice of working with the Director.

Question. The Comptroller General and the Government Accountability Office.

Answer. It is my understanding that the DOD IG works very closely with the Comptroller General and the Government Accountability Office (GAO) to coordinate planned and ongoing audits and inspections to avoid any duplication of efforts. I also understand that the DOD IG/GAO liaison office serves as the central liaison between GAO and DOD management during GAO reviews of DOD programs and activities. I have served on both the yellow book and blue book advisory committees at GAO. If confirmed, I would work to maintain these cooperative relationships with the Comptroller General and GAO.

Question. The Special Inspector General for Afghanistan Reconstruction.

Answer. It is my understanding that the DOD IG scope of oversight authority encompasses all DOD funded operations and activities in Afghanistan and elsewhere, while the SIGAR focuses his oversight effort only on funds designated for Afghanistan reconstruction. If confirmed, and in keeping with the IG Act, I will ensure that the DOD IG collaborates effectively with the SIGAR to ensure that we protect the public expenditures in Afghanistan for which we have oversight.

Question. The Council of Inspectors General on Integrity and Efficiency.

Answer. On October 14, 2008, the President signed Public Law 110–409, which established the Council of Inspectors General on Integrity and Efficiency (CIGIE), replacing the PCIE. As the Inspector General of the Federal Deposit Insurance Corporation I serve as Chair of the Audit Committee and as a Member the CIGIE Executive Council since 2008. If confirmed, I plan to continue to be a very active participant in the CIGIE

Question. The Defense Council on Integrity and Efficiency.

Answer. Sections 2 and 3 of the DCIE Charter state that, in accordance with section 2(2) of the IG Act, the DOD IG, who is the DCIE Chairman, is responsible to provide "leadership and coordination and recommend policies for activities designed (A) to promote economy, efficiency, and effectiveness in the administration of, and (B) to prevent and detect fraud and abuse in such programs and operations." If confirmed, I would organize meetings with the established members of the DCIE to discuss issues of common interest and reinforce close working relationships within the DOD oversight community.

Question. The Office of Management and Budget.

Answer. As chairman of the Audit Committee of CIGIE, I have worked with OMB on numerous occasions on matters of accounting and audit policy. If confirmed, I will ensure that this office works with the Office of Management and Budget regarding budget and policy issues. In addition, the Deputy Director for Management of the OMB serves as the Executive Chairperson of the CIGIE.

QUALIFICATIONS

Question. Section 3 of the Inspector General Act of 1978 provides that Inspectors General shall be appointed on the basis of their "integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations."

What background and experience do you possess that you believe qualifies you to perform the duties of the Department of Defense Inspector General (DOD IG), particularly in the area of oversight, audit and investigation?

Answer. Since July 5 2006, I have served as the Inspector General of the Federal Deposit Insurance Corporation (FDIC). I am a Certified Internal Auditor and a Certified Government Auditing Professional. I am currently serving as the Chair of the Audit Committee of the Council of the Inspectors General on Integrity and Efficiency and as Vice Chair of the Council of Inspectors General on Financial Oversight. I am a member of the Comptroller General's Advisory Council on Government Auditing Standards and Chair of the Green Book Advisory Council. I am also a member of the Federal Accounting Standards Advisory Board's Accounting and Auditing Policy Committee. As the IG at the FDIC, I have led the team that has ensured efficiency, effectiveness, and accountability of the policies, programs and performance at the FDIC.

I have served for over 30 years in the active and Reserve components of the U.S. Army and I am a graduate of the U.S. Army's Inspector General School. I worked for 7 years in consulting and internal auditing at a major accounting firm and I have over 15 years of experience as a senior manager in the the banking industry.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. If confirmed, I plan to meet with a broad cross-section of officials and personnel within the Department of Defense, including members of the Armed Forces here and overseas, to listen to their concerns and identify issues that might merit action by the Office of the Inspector General. Also, I plan to spend time listening to the concerns of the Members of Congress and their staffs. If confirmed, I also intend to continue to work closely with members of the CIGIE. I also intend to spend time with all elements of the DOD IG office to learn and benefit from their insights. I will maintain my professional certifications as an auditor and complete all continuing professional education requirement.

Question. Based on your background and experience, are there any changes that you would recommend with respect to the current organization or responsibilities of the DOD IG?

Answer. It would be premature to offer any recommendations for change in these areas until I have had an opportunity to conduct the necessary thorough evaluations of the current DOD IG organization and policies and procedures.

MAJOR CHALLENGES, PROBLEMS, AND PRIORITIES

Question. In your view, what are the major challenges and problems facing the next DOD IG?

Answer. The DOD IG identified the following seven management and performance challenges facing the Department in fiscal year 2012:

1. Financial Management
2. Acquisition Processes and Contract Management
3. Joint Warfighting and Readiness
4. Information Assurance, Security, and Privacy
5. Health Care
6. Equipping and Training Iraq and Afghan Security Forces
7. The Nuclear Enterprise

Additionally, the issue of sexual assaults and suicide prevention within the Armed Forces are serious issues that demand the attention of the DOD IG. In the context of meeting these challenges, the OIG will need to continue to provide extensive oversight in support of the Department's efforts to address these challenges. It is difficult as a nominee to identify specific problems I will confront if confirmed. However, if confirmed, it will be my top priority to learn what challenges and problems the DOD IG office needs to address and to ensure the adequacy of resources required to accomplish its mission.

Question. If you are confirmed, what plans do you have for addressing these challenges and problems?

Answer. If confirmed, I will focus audit, investigative, and inspection efforts on the above discussed management challenges. I will also work with senior DOD civilian and military officials and Congress to identify emerging issues that the Department faces.

Question. If you are confirmed, what broad priorities would you establish in terms of issues which must be addressed by the DOD IG?

Answer. It is difficult as a nominee to formulate priorities because I have not had access to the full range of information and considerations that should inform them, however, I do plan to make sure that the office stays aware that the foundations of an effective OIG are independence and professional standards. If confirmed, I look forward to consulting with senior officials of the Department of Defense, DOD IG, and with Congress, in establishing broad priorities.

Question. If you are confirmed, what changes, if any, would you expect to make in the organization, structure, and staffing of the Office of Inspector General?

Answer. It would be premature to offer any recommendations for change in these areas until I have had an adequate opportunity to observe the operation of the office and conduct the necessary evaluations.

DUTIES

Question. What is your understanding of the duties and functions of the DOD IG?

Answer. The duties and functions of the DOD IG are specified in sections 3, 4, 5, 7, and 8 of the IG Act. Additional duties and responsibilities of the IG are specified in DOD Directive 5106.01, which was signed by the Deputy Secretary of Defense on April 20, 2012.

By statute, the DOD IG conducts and supervises audits and investigations relating to the programs and operations of DOD. The DOD IG also provides leadership and coordination, and recommends policy, for activities designed to: (1) promote economy, efficiency, and effectiveness in the administration of DOD programs and operations; and (2) combat fraud, waste, and abuse. In addition, the IG is respon-

sible for keeping both the Secretary of Defense and Congress fully and currently informed about problems and deficiencies in defense programs, the need for corrective action, and the status of such action.

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of Defense would prescribe for you?

Answer. If confirmed, I expect the Secretary of Defense will prescribe for me the full range of duties and functions set forth in two DOD publications: DOD Directive 5100.1, "Functions of the Department of Defense and Its Major Components," and DOD Directive 5106.01, "Inspector General of the Department of Defense." These publications delineate that the DOD IG provides staff assistance and advice in accordance with the responsibilities specified in the IG Act. Significantly, these publications reinforce that the IG remains an independent and objective unit within DOD. If confirmed, I will consult directly with the Secretary to identify specific areas of concern and emphasis.

Question. Section 2 of the Inspector General Act of 1978 states that its purpose is to create independent and objective units to conduct and supervise audits and investigations; to provide leadership and coordination and recommend policies designed to promote economy, efficiency, and effectiveness; to prevent and detect fraud and abuse; and to provide a means for keeping Congress and agency heads fully and currently informed about problems and deficiencies relating to the administration of programs and operations and the necessity for and progress of corrective action.

Are you committed to maintaining the independence of the DOD IG, as set forth in the Inspector General statute?

Answer. Yes. If confirmed, I will maintain the independence of the IG consistent with the provisions of the IG Act.

Question. Are you committed to keeping the Committee on Armed Services "fully and currently informed," and, if so, what steps will you take, if confirmed, to ensure that this responsibility is carried out?

Answer. Yes. If confirmed, in accordance with section 2(3) of the IG Act, I will keep the Committee on Armed Services "fully and currently informed about problems and deficiencies relating to the administration of such programs and operations and the necessity for and progress of corrective action." I will do so through the dissemination of IG products such as the Semiannual Report to Congress and reports on audits and inspections. In addition, I will provide briefings for Members and staff, and testimony at hearings, when requested, with the intent of maintaining a close relationship.

Section 3 of the Inspector General Act of 1978 provides that the head of an agency, shall exercise "general supervision" over an IG, but shall not "prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation."

What is your understanding of the supervisory authority of the Secretary of Defense over the DOD IG with respect to audits and investigations, in view of the independence provided by sections 2 and 3?

Answer. Section 2 of the IG Act creates independent and objective units to provide a means for keeping the head of the establishment and Congress fully and currently informed about problems and deficiencies relating to the administration of such programs and operations and the necessity for and progress of corrective action.

Section 3 states that each IG shall report to and be under the general supervision of the head of the establishment involved or, to the extent such authority is delegated, to the office next in rank below such head, but shall not report, or be subject to supervision by, any other officer of such establishment. Moreover, neither the head of the establishment nor the office next in rank shall prevent or prohibit the IG from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation.

Question. If confirmed, what action would you take if a senior official of the Department sought to prevent you from "initiating, carrying out, or completing" any audit or investigation within the jurisdiction of the Office of the DOD IG?

Answer. If the action was taken outside the authority of the Secretary of Defense in section 8 of the IG Act, I would notify the Secretary and request his assistance in ensuring compliance with the IG Act by the senior official involved. Failure to resolve the issue, would, in my view, constitute a "particularly serious or flagrant problem, abuse, or deficiency" under section 5(d) of the IG Act. Under this section, the IG is required to report the matter to the head of the establishment, who is then required to transmit the IG's report to Congress within 7 days.

Question. Section 8 of the Inspector General Act of 1978 states that the DOD IG shall "be under the authority, direction, and control of the Secretary of Defense with respect to certain audits or investigations which require access to information con-

cerning sensitive operational plans, intelligence matters, counterintelligence matters, ongoing criminal investigations by other administrative units of the Department of Defense related to national security, or other matters, the disclosure of which, would constitute a serious threat to national security.

What is your understanding of the procedures in place to affect the authority and control of the Secretary of Defense over matters delineated in section 8 of the act?

Answer. To my knowledge, the procedure in place is to follow the IG Act. Under 8(b)(1) or 8(b)(2) of the IG Act, the Secretary has the "authority to stop any investigation, audit, or issuance of subpoenas, if the Secretary determines that such a prohibition is necessary to preserve the national security interests of the United States." I am informed that this provision has never been exercised. However, in the event that the Secretary exercises this authority, I would submit an appropriate statement within 30 days to this committee and other appropriate committees of Congress, as required under section 8(b)(3).

Question. What is your understanding of the extent to which the Inspector General has, as a matter of practice, initiated and conducted audits or investigations covered by section 8 differently from other audits or investigations?

Answer. It is my understanding that the practice of the DOD IG with respect to the initiation and conduct of audits and investigations covered by section 8 is the same as for other audits and investigations.

Question. What changes, if any, do you believe are needed in the practices of the DOD IG for initiating and conducting audits or investigations covered by section 8?

Answer. None to my knowledge.

Question. Sections 4 and 8 of the Inspector General Act of 1978 set forth various duties and responsibilities of Inspectors General beyond the conduct of audits and investigations.

What is your understanding of the supervisory authority exercised by the Secretary of Defense with regard to these issues?

Answer. Beyond the conduct of audits and investigations, section 4 of the IG Act directs the IG to "review existing and proposed legislation and regulations" and make related recommendations in semiannual reports; recommend policies to promote economy and efficiency in the administration of Department programs and operations, and to prevent and detect fraud and abuse; keep the Secretary of Defense and Congress fully and currently informed about fraud and other serious problems, abuses, and deficiencies; recommend corrective actions for such problems, abuses, and deficiencies; and report on the progress made in implementing such corrective actions. Section 8(c)(1) adds that the IG shall "be the principal advisor to the Secretary of Defense for matters relating to the prevention and detection of fraud, waste, and abuse in the programs and operations of the Department." The duties and responsibilities specified in sections 4 and 8 come within the general supervisory authority of the Secretary of Defense established under section 3(a).

INDEPENDENCE

Question. The DOD IG must ensure that the independence of the Office of the Inspector General is maintained, that investigations are unbiased, particularly those involving senior military and civilian officials, and promptly and thoroughly completed, and that the highest standards of ethical conduct are maintained.

Under what circumstances, if any, do you believe it would be appropriate for the DOD IG to consult with officials in the Office of the Secretary of Defense (or other DOD officials outside the Office of the Inspector General) before issuing a report, regarding the findings and recommendations in the report?

Answer. In regards to audits and inspections, I understand it is the current practice for the IG to offer officials in the OSD, or other DOD officials, an opportunity to comment before issuing a report to ensure that the information in the report is factually accurate and to resolve or acknowledge disagreements on conclusions, findings, and recommendations. This is not the practice with criminal investigations. Additionally, it is not appropriate to discuss ongoing criminal or administrative investigations.

Question. To the extent that you believe such consultation is appropriate, what steps, if any, do you believe the Inspector General should take to keep a record of the consultation and record the results in the text of the report?

Answer. I believe it is necessary to consult with all parties to gather the facts to develop findings and recommendations. The facts that are relevant should be included in the text of the report, and a written record of all interviews and consultations should be maintained in the working papers.

Question. Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the DOD IG not investigate or review a particular matter?

Answer. Under section 8 of the IG Act, the Secretary of Defense has the authority to prohibit the IG from initiating, carrying out, or completing any audit or investigation. That authority may be exercised when the audit or investigation requires access to information concerning: sensitive operational plans, intelligence matters, counterintelligence matters, ongoing criminal investigations by other administrative units of DOD related to national security, or other matters the disclosure of which would constitute a serious threat to national security. As noted previously, the Secretary of Defense has never exercised his authority under section 8.

Question. Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the DOD IG not issue a report on a particular matter?

Answer. No one, other than the Secretary of Defense under the provisions delineated in Section 8 of the IG Act, has the authority to ask the DOD IG not to issue a report on a particular matter.

Question. Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the DOD IG alter findings, recommendations, or other pertinent material in a report on a particular matter?

Answer. In the course of conducting audits and inspections, the IG practice is to offer officials in the OSD, or other DOD officials, an opportunity to comment before issuing a report to ensure that the information in the report is factually accurate and to resolve or acknowledge disagreements on conclusions, findings, and recommendations. Additionally, in cases where an administrative investigation substantiates allegations involving a senior DOD official, the senior official is given an opportunity to comment on findings and conclusions as part of fairness and due process. Those comments may require that we alter the findings and are considered before a final report is issued. However, for criminal investigations, it is not appropriate to discuss the results of ongoing investigations. The final decision on the content of reports rests with the IG.

Question. If confirmed, how would you react to a request, which you believed to be inappropriate, to not investigate a particular matter, not issue a report on a particular matter, or alter findings, recommendations, or other pertinent material in a report on a particular matter?

Answer. With respect to the initiation or completion of an audit or investigation, if the request was inappropriate and made outside the authority of the Secretary of Defense in section 8 of the IG Act, I would reject the request. If and when necessary, I would notify the Secretary and request his assistance in ensuring compliance with the IG Act by the senior official involved. Failure to resolve the issue, would, in my view, constitute a "particularly serious or flagrant problem, abuse or deficiency" under section 5(d) of the IG Act. Under this section, the IG is required to report the matter to the head of the establishment, who is then required to transmit the IG's report to Congress. (Additionally, the IG Act requires the Secretary to notify Congress if he exercises his authority under section 8(b) (1) or (2))

CONGRESSIONAL REQUESTS

Question. The Office of Inspector General frequently receives requests from congressional committees and Members of Congress for audits and investigation of matters of public interest.

What is your understanding of the manner in which the Office of Inspector General handles such requests?

Answer. The DOD IG receives many requests from congressional committees and Members of Congress for oversight reviews, but adheres to the same principles of independence in responding to those requests.

Question. If confirmed, will you ensure that the Office of Inspector General continues to respond to congressional requests for audits or investigations in a manner consistent with past practice?

Answer. Recognizing Congress' oversight role and in keeping with the DOD and DOD IG policy, I would continue to make appropriate information available promptly and to cooperate fully with Members of Congress and congressional committees and their staffs.

Question. Under what circumstances, if any, do you believe it would be appropriate for the Office of the Inspector General to redact the contents of any information contained in a report it provides to Congress?

Answer. Consistent with the Freedom of Information Act and Privacy Act, it is the practice of the DOD IG to provide unredacted copies of reports to oversight com-

mittees of Congress. Additional releases, including those to the public, are redacted in accordance with applicable laws.

Question. In past years, a number of audits and investigations conducted by the DOD IG in response to congressional requests have taken excessively long periods of time to complete. In some cases, the individuals who have been the subject of such investigations have left office by the time the DOD IG has completed its work.

What is your view of the timeliness and responsiveness of the DOD IG's recent work in response to congressional requests?

Answer. I am unable to speak to the timeliness of specific DOD IG reports. In general, I strongly believe that IG findings must be provided to both management and to Congress in a timely manner while professional standards for report production are maintained.

Question. What steps, if any, would you take, if confirmed, to ensure the timeliness and responsiveness of such audits and investigations?

Answer. If confirmed, I will review the timeliness of DOD IG responses to congressional requests and require improvements if necessary.

SENIOR OFFICIAL INVESTIGATIONS

Question. The Office of the DOD IG plays a key role in the investigation of allegations of misconduct by senior officers and civilian employees of the Department of Defense. The Committee on Armed Services has a particular interest in investigations concerning senior officials who are subject to Senate confirmation, and relies upon the DOD IG, as well as the Office of the Secretary of Defense, to ensure that these investigations are accurate, complete, and accomplished in a timely manner.

If confirmed, what steps will you take to ensure that the investigations relating to senior officials are completed in a timely and thorough manner and that the results of investigations are promptly provided to this committee?

Answer. If confirmed, I will emphasize the importance of conducting timely, thorough, and accurate investigations. I will continue efforts to promote efficiencies through training and streamlining of investigative processes. I will ensure that cases with Congressional or Secretariat interest—especially flag officers pending Senate confirmation—receive additional resources and attention. I will obtain regular updates from my staff on senior official investigations and will ensure that all results of investigations are promptly provided to the Under Secretary of Defense (Personnel and Readiness) and the Services for review and consideration in the confirmation process.

Question. Do you believe that the current allocation of responsibilities between the DOD IG and the inspectors general of the military departments is appropriate to ensure fair and impartial investigations?

Answer. If confirmed, I will ensure that the allocation of responsibilities between the DOD IG and the Service IGs is appropriate to ensure fair and impartial investigations. The DOD IG customarily asserts investigative jurisdiction in senior official cases in which allegations cross service lines, the subject outranks the Service IG, or the Service IG encounters an impediment to independence. I will insist my office continue prompt and thorough oversight reviews of the Service IG reports of investigation. Vigilant oversight instills public confidence in the integrity and accountability of DOD Leadership.

Question. What additional steps, if any, do you think the DOD IG should take to ensure that investigations carried out by the inspectors general of the military departments are accurate and complete?

Answer. If confirmed, I will ensure my office continues the vigorous oversight reviews of the Service IG reports of investigation to ensure accuracy and completeness. The quality of the Service IG investigations is enhanced by meetings with the Service IGs, semiannual training symposiums, and daily interaction between OIG and Service IG senior official investigators. These efforts strengthen professional relationships, reinforce best practices, and improve the timeliness and quality of investigative work. I will not hesitate to highlight investigative deficiencies in Service IG reports and will offer assistance or assume investigative jurisdiction when appropriate.

Question. At what point in an investigation and under what criteria would you initiate action to ensure that a "flag," or suspension on favorable personnel action, is placed on a military officer?

Answer. If confirmed, I will promptly notify the Service IG of the initiation of a senior official investigation. If a senior official has a pending nomination or Senate confirmation, I will also notify the Under Secretary of Defense (Personnel and Readiness). The components are responsible to ensure the senior officials are "flagged" and not eligible for favorable actions. Upon receipt of an allegation against a senior

official, my office will promptly determine whether the allegation is credible; that is, whether the alleged conduct violates an established standard and whether the allegation includes sufficient detail. If the allegation is determined to be credible, I will take steps to ensure an investigation is initiated and make the appropriate notifications.

RESOURCES AND AUTHORITIES OF THE DOD IG'S OFFICE AND INVESTIGATORS

Question. Do you believe that the DOD IG's office has sufficient resources (in personnel and dollars) to carry out its audit and investigative responsibilities?

Answer. If confirmed, I will assess the adequacy of the resources available to the DOD IG. I would make it a priority to ensure that the DOD IG's office has sufficient resources to carry out its audit and investigative responsibilities.

Question. If confirmed, will you communicate any concerns that you may have about the adequacy of resources available to the Office of Inspector General to Congress and this committee?

Answer. If confirmed, I will.

Question. Some Federal agencies have reacted to limited Inspector General resources by using contractors to perform some audit and investigative functions.

What is your understanding of the DOD IG's role in determining whether the use of contractor resources to perform audit or investigative functions is appropriate?

Answer. For the audit function, the IG Act, section 4(b)(1)(B) establishes the authority of each IG to establish guidelines for determining when it shall be appropriate to use non-Federal auditors. In addition, section 4(b)(1)(C) of the IG Act states that the IG shall take appropriate steps to ensure that any work performed by non-Federal auditors complies with the standards established by the Comptroller General.

Question. With regard to the criminal investigative function, it is considered inherently governmental and therefore contractors are only utilized in very limited investigative support roles.

Under what circumstances, if any, do you believe that the use of contractor resources to perform such functions would be appropriate?

Answer. It is my understanding that DOD Instruction 7600.02 establishes guidance on when it is permissible to use contractor resources to perform audit functions. It specifically permits DOD components to contract for audit services when applicable expertise is unavailable, if augmentation of the audit staff is necessary to execute the annual audit plan, or because temporary audit assistance is required to meet audit reporting requirements mandated by Public Law or DOD regulation. However, the instruction includes an approval process to ensure the appropriate use of non-Federal auditors and that they comply with the Government Auditing Standards issued by the Comptroller General of the United States.

Question. In recent years, the DOD IG has sought and obtained increased authority to issue subpoenas, carry weapons, and make arrests.

Do you believe that the authorities of the Office of Inspector General and its agents are adequate in these areas, or would you recommend further changes in the law?

Answer. In general, I believe the authorities provided by the Inspector General Act, as amended, are adequate. If confirmed, I will review those authorities as they relate to the mission of the DOD IG.

DOD FINANCIAL ACCOUNTING AND AUDITS

Question. The performance of mandatory statutory duties, such as the performance of financial audits, has consumed a growing share of the resources of the Inspector General's office, crowding out other important audit priorities.

What is your view of the relative priority of financial audits, and the resources that should be devoted to such audits?

Answer. Financial audits will continue to be a high priority consistent with the President's Initiatives, the Secretary of Defense's top priorities, the Chief Financial Officers Act of 1990, and the Federal Financial Management Improvement Act of 1994. As the Department improves audit readiness, the requirements for financial statement audits will increase, placing greater demand on DOD IG resources. If confirmed, I will work with the Department and Congress to ensure that the appropriate level of resources continues to be dedicated to financial audits. I will also seek to ensure that resources committed to financial audits do not come at the expense of other audit priorities.

Question. What is your view of the requirements of section 1008 of the NDAA for Fiscal Year 2002, regarding resources directed to the audit of financial statements?

Answer. Section 1008 directs the IG to significantly reduce the level of audit work when the Department has asserted that the financial statements are not reliable and do not meet accounting standards. This allows the IG flexibility to redirect audit resources to other areas within the Department. If confirmed, I will continue to work with the Department and Congress to ensure that the appropriate level of resources is dedicated to audit the Department's financial statements. While audit resources have been redirected to other high priority areas, as the level of audit readiness increases across the Department, there will be a need to focus more resources on those financial statements.

Question. Do you see any need for legislative changes to give the Inspector General greater flexibility to target audit resources?

Answer. If confirmed, I will work with the Department and Congress to assess whether legislation in this area is appropriate.

Question. What is your view of the role of the DOD IG in evaluating and contributing to improvements made in the Department's financial management processes?

Answer. The role of the DOD IG is to serve as a catalyst for improvements in the Department's financial management processes. That role should be consistent with the Department's top priorities, and statutory requirements. If confirmed, I will ensure that the DOD IG continues this vital function.

OVERSIGHT OF ACQUISITION PROGRAMS

Question. Problems with procurement, acquisition, and the ability of the Department and the Military Departments to effectively oversee acquisition programs have called into question the capability of existing DOD oversight mechanisms.

What role, if any, do you believe the Office of the Inspector General should play in achieving acquisition reform?

Answer. The role of the DOD IG is to serve as a catalyst for improvements in the Department's acquisition processes and contract management. That role should be consistent with the President's Initiatives, the Department's top priorities, and statutory requirements. If confirmed, I will ensure that the DOD IG continues this vital function.

Question. Over the last 15 years, the DOD IG has gone from having one auditor for every $500 million on contract by the Department of Defense to one auditor for every $2 billion on contract.

Do you believe that the DOD IG has the resources it needs to conduct effective oversight over the Department's acquisition programs?

Answer. If confirmed, ensuring that the DOD IG has the resources needed to conduct effective oversight over the Department's acquisition programs will be one of my top priorities. The men and women of our Armed Forces, and our Nation's taxpayers, have a right to expect that the funds appropriated by Congress for defense acquisitions are being utilized efficiently and effectively. I understand that Congress has supported DOD IG efforts to increase its oversight resources. It is essential that the IG, the Department, and Congress to work together in a timely way to ensure that the IG has adequate resources to conduct its essential oversight mission.

Question. The DOD IG has played an important role in advising the Department of Defense and Congress on the sufficiency of management controls in the Department's acquisition programs and the impact that legislative and regulatory proposals could have on such management controls.

How do you see the DOD IG's role in this area?

Answer. The DOD IG has an important role in helping the Department to effectively and efficiently manage acquisition resources dedicated to the support of the Department's mission, and in accounting for the management of those resources to the taxpayer. If confirmed, I will ensure that the DOD IG continues its important advisory role.

OVERSIGHT OF DOD ACTIVITIES IN AFGHANISTAN

Question. What is your understanding of the responsibilities and activities of the Office of the DOD IG in investigating and preventing fraud, waste, and abuse in the course of Department of Defense operations in Afghanistan?

Answer. The DOD IG, in accordance with its legislatively mandated mission, conducts audits, investigations and inspections aimed at identifying and preventing fraud, waste, and abuse of funds appropriated to the DOD for its operations in Afghanistan. I am aware that conducting oversight of operations and activities associated with an overseas contingency presents unique challenges. Nevertheless, as with oversight elsewhere within the Department, the purpose of these reviews should be to ensure our men and women in uniform are receiving the right equipment and support to conduct successful operations.

I also understand that, the Defense Criminal Investigative Service, the law enforcement arm of the DOD IG, and its military criminal investigative counterparts, in particular the U.S. Army Criminal Investigative Command (Army CID), investigate major frauds, corruption, thefts, and other compromises of DOD assets in Afghanistan, and other countries in that theater.

If confirmed, I will ensure that the DOD IG continues to focus oversight efforts to investigate and prevent fraud, waste, and abuse of U.S.-provided resources for reconstruction and other purposes in Southwest Asia, in keeping with the IG Act.

Question. If confirmed, what changes, if any, would you plan to make to the DOD IG's oversight activities in Afghanistan?

Answer. If confirmed, I would ensure that DOD IG activities in Southwest Asia remain a top priority. I will also assess the current level of oversight to ensure that adequate resources are being devoted to this mission and that those resources are being allocated appropriately.

Question. If confirmed, what would be your goals with respect to the oversight, audit, and investigation of ongoing U.S. activities Afghanistan?

Answer. If confirmed, my goal would be to ensure that the oversight provided by the DOD IG of ongoing DOD activities in Afghanistan is consistent with the responsibilities in the IG Act and is sufficient to provide assurance to Congress, the Secretary of Defense, and to the American taxpayer that funds supporting DOD activities are expended appropriately and effectively.

Question. The Special Inspector General for Afghanistan Reconstruction (SIGAR) has jurisdiction over contracts for the reconstruction of Afghanistan. However, the SIGAR does not have primary jurisdiction over contracts to support our troops in Afghanistan.

What role do you believe the DOD IG should play in the oversight, audit and investigation of such contracts?

Answer. The DOD IG office should play an active role in ensuring stewardship of taxpayers' dollars and effective contract support for our troops through diligent oversight of the contracting function. This would include audits, inspections, and investigations, as required. I understand the DOD IG chairs the Southwest Asia Joint Planning Group, which is a forum for oversight agencies to coordinate audit efforts in Southwest Asia.

Question. Do you believe that a significant on-the-ground presence is necessary to perform this role?

Answer. Yes. While many oversight activities can be conducted from the continental United States, effective oversight requires being on site to assess conditions, examine documents and talk to witnesses and sources. I am aware that the DOD IG currently maintains offices in Afghanistan and Qatar. As the draw down in U.S. troops in Afghanistan proceeds, we must continually assess personnel needs based on the nature and scope of DOD operations and adjust our on-the-ground presence as appropriate.

Question. What is the relationship of the DOD IG to the SIGAR?

Answer. See response to the previous section regarding "Relationships".

INTELLIGENCE

Question. What is the role of the DOD IG with regard to intelligence activities within DOD?

Answer. Responsibilities and functions of the Inspector General as outlined in DOD Directive 5106.1, "Inspector General of the Department of Defense (IG, DOD)," include the responsibility to audit, evaluate, monitor, and review the programs, policies, procedures, and functions of the DOD Intelligence Community to ensure that intelligence resources are properly managed. I am informed that the Inspector General, through the Deputy Inspector General for Intelligence and Special Program Assessments, has responsibility for oversight of DOD intelligence activities and components to include all DOD Components conducting intelligence activities, including the National Security Agency/Central Security Service (NSA/CSS), the Defense Intelligence Agency (DIA), the Military Department intelligence and counterintelligence activities, and other intelligence and counterintelligence organizations, staffs, and offices, or elements thereof, when used for foreign intelligence or counterintelligence purposes. Other organizations and components under the Inspector General's oversight include the Office of the Under Secretary of Defense for Intelligence (USD (I)), the National Reconnaissance Office (NRO), and the National Geospatial-Intelligence Agency (NGA).

The DOD IG performs an oversight and coordination role through the Joint Intelligence Coordination Working Group (JIOCG). The JIOCG is a DOD working group chaired by the Deputy Inspector General for Intelligence and Special Program As-

sessments and includes representatives from the Service audit agencies, military department IGs, and the IGs of the Defense Intelligence Agencies. The primary goal of the JIOCG is to avoid duplication of effort and enhance coordination and cooperation among IGs and Auditors General inside the DOD, and promote information-sharing among IGs whose functions include audits, inspections, evaluations, or investigations of their respective departments and agencies.

Question. What is the relationship of the DOD IG to the Special Assistant to the Secretary of Defense for Intelligence Oversight?

Answer. DOD Directive 5106.01 requires that intelligence-related actions be coordinated, as appropriate, with the Assistant to the Secretary of Defense (Intelligence Oversight) (ATSD(IO)) to determine respective areas of responsibility in accordance with DOD Directive 5148.11, "assistant to the Secretary of Defense for Intelligence Oversight," dated April 24, 2013. (DOD Directive 5148.11 contains similar language for the ATSD(IO) to coordinate with the IG, as appropriate.) I am advised that the ATSD(IO) is a charter member of the JIOCG, and that the IG has a long history of coordination and cooperation with the ATSD(IO).

Question. What is the relationship of the DOD IG to the Inspector General of the Office of the Director of National Intelligence?

Answer. I understand that the DOD IG's primary relationship with the Intelligence Community IG (IC IG) involves participation in the Intelligence Community (IC) IG Forum. The IC IG Forum promotes information-sharing among the IGs of the departments and agencies of the IC whose functions include audits, inspections/evaluations, or investigations of their respective departments and agencies. The IC IG Forum also strives to avoid duplication of effort and enhance effective coordination and cooperation among IC IGs. The IC IG chairs the IC IG Forum.

In addition to the IC IG Forum relationship, the DOD IG participates in various projects and initiatives undertaken by the IC IG. The IC IG also coordinates with the DOD IG on all ongoing projects relating to DOD intelligence organizations and activities. The IC IG is an Ex-Officio member of the Joint Intelligence Oversight Coordination Group (JIOCG). The JIOCG is a chartered organization which is the DOD focal point for inspectors and auditors general collaboration and deconfliction of project and planning activities.

Question. What is the role of the DOD IG with respect to detainee matters?

Answer. The DOD IG has statutory responsibility for oversight that extends to detainee and interrogation matters. It is my understanding that the DOD IG prepares a summary report every 6 months on investigations of detainee abuse conducted by the MCIOs which is provided to the office of the Under Secretary of Defense for Policy.

Question. What is the role of the DOD IG with respect to interrogation matters?

Answer. Please see my answer to the previous question.

WHISTLEBLOWER PROTECTION

Question. What is your understanding of the role played by the DOD IG in investigating complaints of reprisal against members of the military, DOD civilian employees, and DOD contractor employees, who "blow the whistle" on alleged fraud, waste, and abuse?

Answer. It is my understanding that the DOD IG maintains a robust whistleblower protection program that seeks to ensure that whistleblowers may report fraud, waste, and abuse within the programs and operations of the Department of Defense without fear of reprisal. The DOD IG is responsible for investigating or overseeing investigations conducted by the DOD component inspectors general, regarding allegations of whistleblower reprisal made by members of the Armed Forces, appropriated and nonappropriated fund DOD civilian employees, and DOD contractor/subcontractor employees. Disclosures brought to light by whistleblowers are critical to DOD IG's mission of providing independent, relevant, and timely oversight of the Department.

Question. What is your understanding of the relationship between the DOD IG and the Office of Special Counsel in the protection of DOD civilian employee whistleblowers?

Answer. The Office of Special Counsel is a partner with the Inspector General in the protection of DOD's civilian appropriated-fund employees. OSC receives and has primary jurisdiction to investigate a majority of the civilian whistleblower cases across the Federal Government, pursuant to the Whistleblower Protection Act (WPA), title 5, U.S.C., section 2302. Under the authority of the Inspector General Act, DOD IG provides an alternate means by which DOD civilian appropriated-fund employees may seek protection analogous to protection from reprisal provided by the WPA.

Question. What is your understanding of the legal standards for substantiating a whistleblower claim of reprisal by a member of the military, a DOD civilian employee, or a DOD contractor employee?

Answer. In general, whistleblower reprisal is proven when the evidence establishes that a protected communication or disclosure was a factor in the decision to take, threaten to take, or withhold a personnel action (or a security clearance determination), unless evidence establishes that the action would have been taken, threatened or withheld absent the protected communication or disclosure. There are statute-specific variations though, including the standard of proof for showing whether the action would have been taken, threatened or withheld absent the protected communication or disclosure. Among the statutes and programs administered by DOD IG, the appropriated-fund civilian and contractor/subcontractor investigations require clear and convincing evidence, whereas military and nonappropriated-fund investigations require a preponderance of the evidence to prove that the action would have been taken anyway.

Question. What is your understanding of the changes made by section 827 of the NDAA for Fiscal Year 2013, regarding DOD contractor employee whistleblowers?

Answer. The NDAA for Fiscal Year 2013, signed by President Obama on January 2, 2013, contained numerous enhancements to the existing law protecting Defense contractor employees from whistleblower reprisal, the most significant of which were:

- Extending coverage to employees of Defense subcontractors and, as noted in earlier answers, elevating the agency's burden of proof in rebuttal to clear and convincing evidence.
- Expanding the scope of what constitutes a protected disclosure and to whom such disclosures can be made.
- Prohibiting actions taken by the employer "even if it is undertaken at the request of a Department or administration official" (unless the request takes the form of a nondiscretionary directive and is within the authority of the Department official making the request).

Question. Do you see the need for any further legislative changes to ensure that members of the military, DOD civilian employees, and DOD contractor employees are appropriately protected from reprisal for whistleblowing?

Answer. I am aware that significant enhancements to whistleblower protection, including the Whistleblower Protection Enhancement Act of 2012 and the NDAA for Fiscal Year 2013 amendments to the statute protecting Defense contractor employee whistleblowers, have recently been enacted. Prior to recommending further legislation, if confirmed, I would assess the effectiveness of these changes and work with Congress and others to identify potential gaps in the protections afforded to whistleblowers.

Question. What level of priority will you give, if confirmed, to the DOD IG's whistleblower protection responsibilities?

Answer. Whistleblowing, and the protection of the sources for our investigators, auditors, inspectors and evaluators, will be one of my top priorities. Whistleblowers perform an important public service—often at great professional and personal risk—by exposing fraud, waste, and abuse within the programs and operations of the Department. If confirmed, I will work to ensure that the DOD IG plays a leading role in creating an environment in the Department where whistleblowers can disclose wrongdoing without fear of retribution.

GENERAL COUNSEL TO THE DOD IG

Question. What is your understanding of the history and purpose of section 907 of the NDAA for Fiscal Year 2009, regarding the General Counsel to the DOD IG?

Answer. Section 907 provided for a General Counsel to the DOD IG who would serve at the discretion of the IG, report exclusively to the IG, and be independent of the Office of General Counsel, Department of Defense. I am familiar with and fully support such an arrangement for an IG to receive independent legal advice.

Question. What is your understanding of the role played by the General Counsel to the DOD IG with regard to completed investigations?

Answer. With regard to administrative investigations, attorneys in the Office of General Counsel (OGC) to the DOD IG perform legal sufficiency reviews of senior official and reprisal reports of investigation prior to the final report being submitted to the Inspector General (IG) or Deputy Inspector General for Administrative Investigations (DIG AI), as appropriate, for final approval. In ensuring administrative investigations are legally sufficient, OGC attorneys determine whether the relevant legal or regulatory standards are identified and applied; evidence of record appears complete, credible, and supports the findings of fact by the appropriate standard of

proof; findings of fact support the conclusions reached; and the report is generally understandable.

Question. If confirmed, how would you address disputes between the General Counsel to the DOD IG and a DOD IG investigative team as to findings of fact and the appropriate weight to be given to such facts in a completed investigation?

Answer. My understanding is that OGC and the Office of DIG AI have a commendable working relationship and have established procedures for resolving any disagreements related to sufficiency of investigations. Cases where disagreements cannot be resolved between OGC and DIG AI are rare and typically involve matters that impact the outcome of the investigation or supportability of findings and conclusions. Matters unresolved at the directorate level are elevated to the DIG AI, who consults further with the attorney advisor or the General Counsel to resolve the disagreement. If disputes remain unresolved on cases which require OGC coordination prior to PDIG or IG review/signature, the DIG AI notifies the PDIG or IG of the disagreement and provides additional information as requested. The parties involved continue to address the disagreement, aided by any feedback that the PDIG or IG chooses to provide. I intend to continue that resolution process and provide my advice and direction based on the evidence of the particular case.

AUDIT OVERSIGHT REVIEW AND REPORT CARDS

Question. In recent years, one congressional office has prepared an annual report entitled an "Audit Oversight Review and Report Card." These reports have been highly critical of the performance of the audit functions of the DOD IG.

Are you familiar with these reports?

Answer. Yes

Question. What is your view of the findings and conclusions of these reports?

Answer. The reports presented some valid concerns and opportunities for improvement in the audit organization at the DOD IG.

Question. Are there additional steps that you believe the DOD IG should take to address the findings and conclusions of these reports?

Answer. As an auditor by profession, audit selection and audit quality are very important to me. It is my understanding that there has been improvement over the past few years. If confirmed, I will work with the audit organization to ensure that it continues to meet the mission of producing timely, relevant, and accurate audit products.

Question. If confirmed, will you review the organizational structure of the DOD IG, with the objective of streamlining the organization, reducing duplication or redundancy, and increasing the performance of the organization?

Answer. If confirmed, I will have the goal of having a model audit organization. I will ensure we conduct audits that provide return on investment that promote economy, efficiency, and effectiveness within the Department. I will also ensure the audits are carried out in an efficient manner to prevent duplication.

SEXUAL ASSAULT INVESTIGATIONS

Question. In June, 2011, the GAO issued a report entitled "Military Justice Oversight and Better Collaboration Needed for Sexual Assault Investigations and Adjudications", GAO–11–579, finding that the Department of Defense Inspector General has not performed its designated policy development and oversight responsibilities for sexual assault investigations. The GAO recommended that the DOD Inspector General, in conjunction with the Military Services, develop and implement (1) a policy that specifies procedures for conducting sexual assault investigations and (2) clear goals, objectives, and performance data for monitoring and evaluating the Services' sexual assault investigations and related training.

What is the status of the implementation of the GAO's recommendations?

Answer. In response to GAO's first recommendation the DOD IG developed overarching guidance which establishes policy, assigns responsibilities, and provides procedures for the investigation of adult sexual assault within DOD. This guidance is captured in DODI 5505.18, "Investigation of Adult Sexual Assault in the Department of Defense" which was published on January 25, 2013.

Regarding the second recommendation in June 2011, the DOD IG established a unit dedicated to the oversight of sexual assault and other violent crime investigations. The DOD IG has developed a program of regular and recurring oversight of sexual assault investigations and training. Since its establishment, the unit has evaluated both Military Criminal Investigative Organizations' (MCIOs') sexual assault investigation training and adult sexual assault investigations completed in 2010. These reports were published in February 2013 and July 2013, respectively. The unit is currently evaluating the MCIOs' investigations of sexual assaults of chil-

dren completed in 2012, and DOD's compliance with the Sexual Offender Registration and Notification Act.

Question. If confirmed, will you ensure vigorous oversight and evaluation of the Services' investigations of sexual assault and the related training of investigators?

Answer. Yes, if confirmed, I will endeavor to ensure the DOD IG continues to provide optimum oversight and investigative and policy support in this critically important area. I understand that the DOD IG will evaluate the Department's sexual assault and other violent crime investigations and investigative training on a continuing basis. In the coming year the DOD IG intends to evaluate additional closed MCIO sexual assault investigations, and evaluate MCIO sexual assault victim interview training.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Inspector General of the Department of Defense?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR BILL NELSON

OVERPAYMENTS TO CONTRACTORS

1. Senator NELSON. Mr. Rymer, there have been numerous Department of Defense (DOD) Inspector General (IG) reports citing contractor overpayments, such as Boeing overcharging for repair parts for helicopters (DODIG–2013–103). How do we hold contractors accountable to deliver products and services on time and at the agreed upon price?

Mr. RYMER. The DOD IG can assist the Department in holding contractors accountable by identifying overcharges and requesting funds be returned for goods and services not received; recommending the contracting officer take immediate actions to correct the problems through an appropriate contract remedy, and recommending, when warranted by the contractor's inadequate performance, that the Military Department's designated official start suspension or debarment actions. The DOD IG also makes recommendations to DOD Senior Leadership to hold the contracting official and contracting officer representative accountable for their actions in making sure that the contractor is delivering the products and services on time and at the price stated in the contract. To obtain the maximum benefit of the recommendations that have been made regarding spare parts, the Department should apply lessons learned and operational improvement from the individual contracts that the DOD IG has reviewed more broadly to other contracts for spare parts.

2. Senator NELSON. Mr. Rymer, are these overpayments related in any way to DOD's lack of auditability?

Mr. RYMER. While these overpayments may not be directly related to DOD's lack of auditability, the Department's lack of effective processes and controls creates an environment where overpayments are less likely to be detected and corrected in the normal course of business. If the Department were auditable, they would have systems that talk with each other and processes that ensured that property was prop-

erly valued and included in the inventory management system and the financial statements.

3. Senator NELSON. Mr. Rymer, why is this report classified For Official Use Only (FOUO)?

Mr. RYMER. It is my understanding that the report is marked FOUO because it contains proprietary data protected by the Trades Secrets Act. Proprietary information is exempt from public disclosure pursuant to the Freedom of Information Act.

QUESTION SUBMITTED BY SENATOR CLAIRE MCCASKILL

OFFICE OF THE INSPECTOR GENERAL

4. Senator MCCASKILL. Mr. Rymer, the DOD Office of the Inspector General (DOD OIG) has been critical in efforts to rein in runaway spending and waste, fraud, and abuse at DOD. It has done a tremendous job in what can be a difficult environment to succeed in. Would you let me, or my staff, know if there are any tools that you believe you need to help you do your job more effectively?

Mr. RYMER. If confirmed, I will review the audit, investigative and inspections capabilities of the DOD IG to determine if they possess the resources and authorities needed to provide effective oversight of the Department of Defense. I will promptly advise your office if additional authorities or capabilities are needed in order for the DOD IG to perform its mission independently and professionally.

QUESTIONS SUBMITTED BY SENATOR JOE MANCHIN III

DOD AUDIT

5. Senator MANCHIN. Mr. Rymer, today, DOD is the only Federal agency that still cannot pass an audit. Along with my friend Senator Coburn, I am working on the Audit the Pentagon Act and think it is long past time for a clean audit on DOD's books. DOD accounts for almost 20 percent of the Federal budget, but we don't know exactly where the money is spent. That makes absolutely no sense. If confirmed, what will you do from day one to root out waste and ensure DOD audits its books?

Mr. RYMER. I share your concerns regarding DOD's inability to audit its books. If confirmed, I will work with the DOD IG audit staff to ensure that the financial management work continues to provide actionable recommendations that will improve the Department's financial management controls and reduce vulnerabilities to fraud waste and abuse. If confirmed, I will ensure that the DOD IG conducts audits focusing on identifying improper payments and that the auditors have the necessary data analysis software to analyze high risk areas such as delinquent debt, particularly related to healthcare services provided to DOD personnel, dependents, and veterans.

6. Senator MANCHIN. Mr. Rymer, the Inspector General is absolutely central to DOD's audit process. What will your approach be to ensuring that DOD not only meets the audit standards and timetables, but also that the integrity of the audit process is upheld?

Mr. RYMER. If confirmed, I will ensure that all DOD IG audit staff are fully trained and qualified to perform their duties. Highly qualified staff should have advanced degrees and/or professional certifications to include Certified Public Accountants (CPAs), Certified Internal Auditors (CIAs), Certified Fraud Examiners (CFEs), Certified Information Systems Auditors (CISAs), and Certified Defense Financial Managers (CDFMs). In addition, if confirmed, I will ensure the audit staff provide the appropriate oversight to CPA firms engaged to assist with financial statement audits. I will also ensure that the auditors are able to share knowledge about the Department as well as audit standards and best practices in performing financial statement audits.

QUESTIONS SUBMITTED BY SENATOR TIM KAINE

MILITARY WHISTLEBLOWERS

7. Senator KAINE. Mr. Rymer, do you feel that current law does enough to protect Active Duty whistleblowers who witness fraud, waste, abuse, or crime?

Mr. RYMER. Protection of whistleblowers must be a top priority for the DOD IG. At this time, I am not prepared to comment definitively on the sufficiency of current

law but I do believe that continually educating our military servicemembers on their rights and responsibilities is critical to ensuring these protections are fully exercised. If confirmed, this is a matter I would want to assess more thoroughly. I believe the DOD IG should continually evaluate protections for whistleblowers and suggest improvements, if necessary, to ensure that all of our servicemembers receive the proper protections for being courageous enough to come forward and report allegations of fraud, waste, abuse, and crime.

8. Senator KAINE. Mr. Rymer, what else can be done to stamp out retaliation against those who come forward as victims or witnesses?

Mr. RYMER. Continued outreach from the DOD IG and increased top-down emphasis on whistleblower rights and protections within the Department sends the message that reporting wrongdoing—including reporting allegations of sexual assault—is the right thing to do, and that whistleblowers are protected from reprisal. I am well aware that even the perception of retaliation can reduce the trust and confidence our servicemembers and civilian employees have in the Department. If confirmed, I will continually review our outreach and education programs to ensure we are doing all we can to protect whistleblowers from reprisal. I would also work to ensure that investigations into allegations of reprisal continues to be a high priority in the Office of Inspector General and that all such investigations are conducted in a timely and thorough manner.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

PRIORITIES

9. Senator INHOFE. Mr. Rymer, if confirmed as the DOD Inspector General will you review DOD's use of scarce O&M funds for alternative energy programs?

Mr. RYMER. If confirmed, I will work to ensure the DOD IG continues its audit efforts of the Department's programs to become more energy efficient—including the use of various types of alternative energy. As one of the largest consumers of energy in the world, the Defense Department spends billions of dollars each year on fuel. Becoming more energy efficient makes sense.

10. Senator INHOFE. Mr. Rymer, if confirmed, will you agree to apply your financial and auditing expertise to thoroughly review plans to build a biofuel refinery in light of an April 2013 report by the International Energy Agency that forecasts the United States is on pace to become energy independent by 2030, and to report the results of your review to this committee?

Mr. RYMER. If confirmed, I will ensure that the DOD IG reviews the various initiatives underway at the Department to become more energy efficient and assesses DOD's progress toward meeting its energy efficiency goals. As part of this effort, the DOD IG should assess the use of various types of alternative energies—including biofuel. My goal is to provide the Secretary and Congress with relevant and timely information that can be used to guide policy decisions on various fuel programs.

DOD FINANCIAL ACCOUNTING AND AUDITS

11. Senator INHOFE. Mr. Rymer and Dr. Rabern, if confirmed, what is your understanding of your role in finally establishing the level of audit readiness that is required by law?

Mr. RYMER. The DOD IG must perform the audits required by the CFO Act of 1990. However, section 1008(d) of the National Defense Authorization Act for Fiscal Year 2002 limits the DOD Inspector General to performing only those audit procedures required by generally accepted government auditing standards that are consistent with the representations made by management. In practice this significantly curtails the audit work because most of the Department has not asserted that it is audit ready. It is important that other financial management audits conducted by the DOD IG focus on identifying the necessary improvements that the Department must make to reduce vulnerabilities, improve its financial management operations and continue to progress toward auditability of all the financial statements and meeting the auditability goals for fiscal year 2014 and 2017.

SENIOR OFFICIAL INVESTIGATIONS

12. Senator INHOFE. Mr. Rymer, if confirmed, what is your understanding of your role in providing this committee with timely and accurate information concerning senior officials who are subject to Senate confirmation?

Mr. RYMER. If confirmed, I will ensure that all results of investigations are promptly provided to Senior Management Officials in the Department of Defense for review and consideration in the confirmation process. I will also respond quickly to inquiries from the committee regarding pending nominations of senior officials.

13. Senator INHOFE. Mr. Rymer, what would be your role in evaluating the processes within DOD and the Services to select for promotion and assignment to positions of responsibility, only the best and fully qualified, ethical, and accountable leaders?

Mr. RYMER. I recognize the importance of providing timely and accurate information to DOD and the Services for use in the promotion and assignment process. If confirmed, I will ensure DOD IG completes its investigations in a timely and accurate manner, and continues its vigilant oversight of senior official investigations conducted by the Service IGs. I will promptly provide any adverse information in our records regarding senior officials for the Department's consideration during the selection and nomination process.

[The nomination reference of Hon. Jon T. Rymer follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 24, 2013.

Ordered, That the following nomination be referred sequentially to the Committee on Armed Services; when reported by the Committee on Armed Services, pursuant to an order of January 7, 2009, to be sequentially referred to the Committee on Homeland Security and Governmental Affairs for 20 calendar days:

Jon T. Rymer, of Tennessee, to be Inspector General, Department of Defense, vice Gordon S. Heddell, resigned.

[The biographical sketch of Hon. Jon T. Rymer, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF HON. JON T. RYMER

Education:

University of Tennessee

- September 1973–June 1975
- September 1978–June 1981
- Bachelor of Arts Degree, Economics, awarded 1981

University of Arkansas at Little Rock

- September 1993–August 1996
- Master of Business Administration Degree awarded 1996

Employment record:

Federal Deposit Insurance Corporation

- Inspector General
- July 2006–Present

U.S. Securities and Exchange Commission

- Interim Inspector General
- May 2012–January 2013

Council of the Inspectors General on Integrity and Efficiency

- Audit Committee Chair
- August 2008–Present

U.S. Army

- Command Sergeant Major, U.S. Army Reserve
- Active duty, June 1975–June 1978, November 2004–October 2005

- U.S. Army Reserve June 1978–August 1992,
- U.S. Army Reserve, U.S. Army National Guard, July 1997–June 2013

KPMG LLP

- Director, Banking Advisory Services
- June 1997–November 2004

Boatman's Bank of Arkansas

- Executive Vice President
- November 1992–January 1997

First American National Bank of Tennessee

- Executive Vice President
- June 1981–November 1992

Certifications:

Certified Government Auditing Professional
Certified Internal Auditor

Honors and awards:

Meritorious Service Medal with Oak Leaf Cluster
Army Commendation Medal with two Oak Leaf Clusters
Army Achievement Medal with three Oak Leaf Clusters
Good Conduct Medal
Humanitarian Service Medal

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Hon. Jon T. Rymer in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Jon Thomas Rymer.

2. **Position to which nominated:**
Department of Defense Inspector General.

3. **Date of nomination:**
June 24, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
April 2, 1955; Knoxville, TN.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Debra Joanne Queen.

7. **Names and ages of children:**
Jon Thomson Rymer, age 17.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Bearden High School, Knoxville, TN, 1971–1973, diploma, 1973.
University of Tennessee, Knoxville, TN, 1973–1975, 1978–1981, Bachelor Degree, 1981.
University of Arkansas at Little Rock, 1994–1996, Master of Business Administration Degree, 1996.
University of Cincinnati, 2002–2003, no degree awarded.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
June 1997 to November 2004, KPMG LLP, Chicago, IL, Cincinnati, OH, Director.
June 1975 to August 1992 and July 1997 to present, U.S. Army, U.S. Army National Guard, and U.S. Army Reserve. Served in enlisted ranks from Private to Command Sergeant Major.
July 2006 to Present, Inspector General, Federal Deposit Insurance Corporation, Washington, DC. Served as Interim Inspector General at U.S. Securities and Exchange Commission from May 2012 to January 2013.

10. **Government experience:** List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above.
Chairman of the Audit Committee and member of the Executive Council of the President's Council on Integrity and Efficiency and Council of Inspectors General for Integrity and Efficiency from 2008 to present.
Member of the GAO Advisory Committee of Government Auditing Standards from 2009 to present.
Member of the GAO Advisory Committee of Government Internal Controls Standards from March 2013 to present.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.
None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Member of Institute of Internal Auditors
National Rifle Association

13. **Political affiliations and activities:**
(a) List all offices with a political party which you have held or any public office for which you have been a candidate.
None.
(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.
None.
(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.
McCain for President—three contributions totaling $750 in 2008
Connelly for Congress—$100 - 10/16/2008
National Republican Party—$50 - 04/02/2012
Romney for President—$150 - 10/17/2013

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.
Meritorious Service Medal with Oak Leaf Cluster
Army Commendation Medal with two Oak Leaf Clusters
Army Achievement Medal, four Oak Leaf Clusters
Good Conduct Medal Army Reserve Components Achievement Medal, Three Oak Leaf Clusters
Humanitarian Service Medal

National Defense Service Medal
Ohio Commendation Medal

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.
None.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.
A. IG Perspectives for the FBI, 9/3/2008
B. The FDIC IG–FDIC Accounting and Auditing Conference, 5/21/2008
C. Meeting the Challenges of the Crisis-Association of Government Accountants, 7/13/2010
D. FDIC OIG Update, AICPA, 9/2010
E. The FDIC IG–University of Tennessee Corporate Governance Seminar, 10/2010

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?
(a) Have you adhered to applicable laws and regulations governing conflicts of interest?
Yes.
(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?
No.
(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?
Yes.
(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?
Yes.
(e) Will those witnesses be protected from reprisal for their testimony or briefings?
Yes.
(f) Do you agree, ifconfirmed, to appear and testify upon request before this committee?
Yes.
(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?
Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JON T. RYMER.

This 19th day of July, 2013.

[The nomination of Hon. Jon T. Rymer was reported to the Senate by Chairman Levin on July 30, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on September 17, 2013.]

[Prepared questions submitted to Dr. Susan J. Rabern by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

If so, what areas do you believe might be appropriate to address in these modifications?

Answer. I do not see the need to modify any provisions of the Goldwater-Nichols Act.

DUTIES OF THE ASSISTANT SECRETARY OF THE NAVY (FINANCIAL MANAGEMENT AND COMPTROLLER)

Question. What is your understanding of the duties and functions of the Assistant Secretary of the Navy (Financial Management and Comptroller)?

Answer. The Assistant Secretary of the Navy (Financial Management and Comptroller) directs and manages the financial activities of the Department of the Navy. This means overseeing the management of the annual budget, its execution, financial reporting and subsequent audit, as well as providing independent analysis. The office provides informed recommendations to the senior leadership of the Department of the Navy regarding the efficient and effective allocation of assets, consistent with the national security priorities of the President and the Secretary of Defense. The office provides for the development of a world-class financial management work force and is committed to the American public for the proper stewardship of the resources they entrust to the Department of the Navy.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. I have significant financial management experience in multiple government agencies including the Federal Bureau of Investigation, the U.S. Customs Service, the U.S. Agency for International Development and while on Active Duty in the U.S. Navy.

Question. As Chief Financial Officer of the U.S. Agency for International Development, I was responsible for all financial matters related to the delivery of economic development and humanitarian assistance programs through grants, contracts, and loans to governmental and non-governmental organizations globally. I was responsible for reform and refurbishment of financial systems, implementing changes in the management of government expenditures, trust funds, and loans in over 100 appropriations.

As Assistant Commissioner and Chief Financial Officer of the U.S. Customs Service, I served as the key advisor to the Commissioner on all matters relating financial and resource programs, construction and procurement. I directed the formulation, presentation and execution of the Customs Service budget, obligation of funds and employment ceilings, managed annual appropriations, revenue, procurement, real property and other assets in over 600 locations worldwide.

As the Chief Financial Officer for the Federal Bureau of Investigation, I was the principal advisor to the Director on all financial matters, and responsible for all financial planning, programming, budgeting, investment, and contracting, establishing standards and procedures worldwide.

Question. Do you believe that there are any actions that you need to take to enhance your ability to perform the duties of the Assistant Secretary of the Navy (Financial Management and Comptroller)?

Answer. If confirmed, I will quickly identify any shortcomings in my knowledge regarding the many challenging issues facing the Department of the Navy through discussions with subject matter experts within the Navy and the broader Department of Defense.

RELATIONSHIPS

Question. What is your understanding of the relationship between the Assistant Secretary of the Navy (Financial Management and Comptroller) and each of the following:

The Secretary of the Navy.

Answer. The Assistant Secretary of the Navy (Financial Management and Comptroller) is the principal advisor to the Secretary and Under Secretary of the Navy on fiscal and budgetary matters and performs such other duties as the Secretary or Under Secretary may prescribe.

Question. The Under Secretary of the Navy/Chief Management Officer of the Navy.

Answer. See response above.

Question. The other Assistant Secretaries of the Navy.

Answer. The Assistant Secretary of the Navy (Financial Management and Comptroller) works directly with the other Assistant Secretaries of the Navy to ensure that the financial management activities of their respective organizations are supported.

Question. The General Counsel of the Navy.

Answer. The Assistant Secretary of the Navy (Financial Management and Comptroller) must collaborate with the General Counsel to ensure all operations of the Department conform to fiscal law requirements.

Question. The Chief of Naval Operations.

Answer. The Assistant Secretary of the Navy (Financial Management and Comptroller) should make certain that the Chief of Naval Operations has the financial support necessary to execute his statutory duties and responsibilities.

Question. The Commandant of the Marine Corps.

Answer. Likewise, the Assistant Secretary of the Navy (Financial Management and Comptroller) should make certain that the Commandant of the Marine Corps has the financial support necessary to execute his statutory duties and responsibilities.

Question. The Under Secretary of Defense (Comptroller).

Answer. The Assistant Secretary of the Navy (Financial Management and Comptroller) must work closely with the Under Secretary of Defense (Comptroller) to ensure the appropriate development and execution of budgetary and fiscal policies and initiatives of the President, the Secretary of Defense, and the Secretary of the Navy.

Question. The Deputy Chief Management Officer of the Department of Defense.

Answer. Likewise, the Assistant Secretary of the Navy (Financial Management and Comptroller) must work closely with the Deputy Chief Management Officer of the Department of Defense to ensure the implementation of business systems architecture and to help identify business process improvements.

Question. The Assistant Secretaries for Financial Management of the Army and Air Force.

Answer. The Assistant Secretary of the Navy (Financial Management and Comptroller) must work closely with sister Service counterparts to ensure that decision-making at all levels reflects the strongest cooperation and collaboration (to include sharing of best practices) among the Military Services.

Question. The Chief of Legislative Affairs for the Department of the Navy.

Answer. The Assistant Secretary of the Navy (Financial Management and Comptroller) should work closely with the Chief of Legislative Affairs to ensure that all budgetary and legislative matters are properly conveyed to the appropriate Members of Congress and committees.

MAJOR CHALLENGES

Question. In your view, what are the major challenges that confront the Assistant Secretary of the Navy for Financial Management and Comptroller?

Answer. In sum, (1) balancing the budget while ensuring requirements of the warfighter are met; (2) ensuring the financial management workforce is recruited, retained, trained and developed; (3) ensuring the financial statements within the Navy and Marine Corps are audit-ready.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. Standing alone, the challenges I enumerated above are considerable. In the context of the constraints of the Budget Control Act of 2011, the challenges are even more daunting and can only be accomplished through close coordination with the Under Secretary of Defense (Comptroller), the Secretary and Under Secretary of the Navy, and the Navy's Service Chiefs.

Question. What do you consider to be the most significant problems in the performance of the functions of the Assistant Secretary of the Navy for Financial Management and Comptroller?

Answer. I am aware that the specific impacts of furlough associated with the Department's effort to manage the effects sequestration have had a negative impact on the performance and functions of the Assistant Secretary of the Navy for Financial Management and Comptroller.

Question. If confirmed, what management actions and timelines would you establish to address these problems?

Answer. Specific solutions, which in turn would determine the timeline, must be the product of collaboration with the Office of the Secretary of Defense and Congress. If confirmed, I will do everything in my power to find solutions to the problems and/or to mitigate the impacts.

PRIORITIES

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the Assistant Secretary of the Navy (Financial Management and Comptroller)?

Answer. My priorities are aligned to what I perceive as the Department's greatest challenges. In sum, (1) balancing the budget while ensuring requirements of the warfighter are met; (2) ensuring the financial management workforce is recruited, retained, trained and developed; (3) ensuring the financial statements within the Navy and Marine Corps are audit-ready.

CIVILIAN AND MILITARY ROLES IN THE NAVY BUDGET PROCESS

Question. What is your understanding of the division of responsibility between the Assistant Secretary of the Navy (Financial Management and Comptroller) and the senior military officers responsible for budget matters in Office of the Chief of Naval Operations and headquarters, Marine Corps, in making program and budget decisions, including the preparation of the Navy Program Objective Memorandum, the annual budget submission, and the Future Years Defense Program?

Answer. The Assistant Secretary of the Navy (Financial Management and Comptroller) is responsible for all budget matters within the Department. If I am confirmed, the senior military officers, including the Director of the office of Budget, would serve as principal military advisors to me in my capacity to oversee the development of the Departments Program Objective Memorandum, annual budget submission, and Future Years Defense Program.

FINANCIAL MANAGEMENT AND ACCOUNTABILITY

Question. DOD's financial management deficiencies have been the subject of many audit reports over the past 10 or more years. Despite numerous strategies and initiatives, problems with financial management and data continue.

What do you consider to be the top financial management issues that must be addressed by the Department of the Navy over the next 5 years?

Answer. The top financial management issues include: (1) balancing the budget while ensuring requirements of the warfighter are met; (2) ensuring the financial management workforce is recruited, retained, trained and developed; (3) ensuring the financial statements within the Navy and Marine Corps are audit-ready.

Question. If confirmed, how would you plan to ensure that progress is made toward improved financial management in the Navy?

Answer. If confirmed, I commit to working closely with my civilian counterparts and military leadership within the Department of the Navy and the Office of the Secretary of Defense (Comptroller) to properly allocate resources, to improve our systems and processes, to recruit and retain the right workforce and to achieve auditable financial statements.

Question. If confirmed, what private business practices, if any, would you advocate for adoption by the Department of Defense and the Department of the Navy?

Answer. At this time, I am not aware of any private business practices that I would advocate for adoption. If confirmed, I will consider best financial practices from within the private sector and other well-run Federal or State agencies.

Question. What are the most important performance measurements you would use, if confirmed, to evaluate changes in the Navy's financial operations to determine if its plans and initiatives are being implemented as intended and anticipated results are being achieved?

Answer. The timely distribution and allocation of funds; the timely obligation of funds; balance of funds with the Treasury, the percentage of invoices that are paid in timely fashion, the amount of interest penalties paid, and the timeliness of finan-

cial data are all performance measures that I believe require close monitoring. If confirmed, I would track these metrics along with the scheduled timelines previously established within the Department of the Navy. I would use these indices to evaluate where and how to make any adjustments.

Question. Section 1003 of the National Defense Authorization Act for Fiscal Year 2010 establishes an objective for the Department of Defense to ensure that its financial statements are validated as ready for audit by not later than September 30, 2017. The provision requires the Department to establish interim goals, including objectives for each of the Military Departments.

What is your understanding of the status of Navy efforts to ensure that its financial statement is validated as ready for audit by the statutory deadline?

Answer. I understand that the Department has a Financial Improvement Plan and is making progress toward achieving auditable financial statements. However, a substantial amount of work remains to be completed if the Department is to improve its business processes and systems. Difficult issues must be addressed, including the valuation of major weapon systems and equipment. While I support the 2017 goal, I have not had the opportunity to review the plan and at this time could not inform you of my confidence level that the September 30, 2017 goal is achievable.

Question. What additional steps do you believe the Department of the Navy should take to ensure that it meets the 2017 deadline?

Answer. Maintaining a steady focus and commitment on all Department efforts enabling audit readiness will be critical to success in 2017 and lay the foundation for a sustainable audit environment well into the future. If confirmed, I will review the objectives that have been prepared and determine whether they appear to be reasonable and effective.

Question. What is the role of the Assistant Secretary of the Navy (Financial Management and Comptroller) in this effort?

Answer. The Assistant Secretary of the Navy (Financial Management and Comptroller) provides the overall leadership within the Department to achieve auditable financial statements. However, the ability to produce auditable statements is influenced by all the business operations and processes within the Department. If confirmed, I will work with the civilian and military leadership, process owners and the Office of the Secretary of Defense (Comptroller) to meet the requirement for auditable financial statements.

Question. If confirmed, how will you work with the Chief Management Officer of the Department of the Navy and the Navy Business Transformation Office in this effort?

Answer. If confirmed, I will work closely with the Chief Management Officer of the Department of the Navy and the Navy Business Transformation Office to ensure that budget, finance, and accounting operations are considered in changes to Department of the Navy business processes. I will provide leadership and advice in the financial management functional area and ensure that those efforts are aligned with Department of Defense priorities to achieve and sustain auditable financial statements.

SUPPLEMENTAL FUNDING AND ANNUAL BUDGETING

Question. Since September 11, 2001, the Department of Defense has paid for much of the cost of ongoing military operations through supplemental appropriations, and the fiscal year 2014 budget included a full-year request for overseas contingency operations.

What are your views regarding the use of supplemental appropriations to fund the cost of ongoing military operations?

Answer. The longstanding practice of using supplemental appropriation requests to fund contingency operations has allowed the administration and Congress to specifically identify and review the cost of military operations above those costs necessary to provide for ongoing national security activities. While this has been an added burden to the resource process, it should continue to diminish as operations continue to wind down. I believe this method has been helpful in allowing these two branches of government to fulfill their respective roles and responsibilities.

BUDGET CONTROL ACT AND SEQUESTRATION

Question. Due to the 2011 Budget Control Act (BCA) sequestration is cutting the enacted fiscal year 2013 defense budget by more than $40 billion and, without changes to the BCA, sequestration will cut the DOD budget request by approximately $52 billion.

What are your views regarding the Budget Control Act and sequestration of budgetary resources?

Answer. The BCA is law until the President and Congress negotiate an alternative solution. I agree with the general observations made by those involved that ensuring compliance with BCA implementation requirements has produced significant challenges to effective and efficient DOD operations. I am also aware that the possibility exists for implementation of the BCA in fiscal year 2014 if the law remains in place.

If confirmed, it will be my responsibility to advise the Secretary of the Navy, the Chief of Naval Operations and the Commandant of the Marine Corps how best to implement BCA reductions to lessen the adverse impact that sequestration will have on the Naval enterprise and on national security.

Question. What is your view of the impact that sequestration in fiscal year 2014 and beyond would have in the Department of the Navy?

Answer. At this point, I am unfamiliar with the specific effects of sequestration in fiscal year 2014 and beyond for the Department of the Navy, but I generally understand and personally believe that sequestration will in all likelihood, dramatically, and in very short order, degrade readiness and adversely affect the health and morale of the all volunteer force. If confirmed, it will be my responsibility to advise the Secretary of the Navy, the Chief of Naval Operations and the Commandant of the Marine Corps how best to implement BCA reductions to lessen the adverse impact that sequestration will have on the Naval enterprise and on national security.

FURLOUGH OF NAVY PERSONNEL

Question. It was previously reported that the Navy believed it could structure its available fiscal year 2013 funding to avoid having any furlough days for Navy civilian workers. However, other parts of DOD were not in a position to do the same for their own civilian workers and, in the end, DOD's solution was to have all DOD civilian workers, including Navy civilian workers, take up to 11 furlough days.

What is the impact on the Navy's various budget accounts, and on Navy readiness, of the DOD decision to require Navy civilian workers to be furloughed for up to 11 days?

Answer. While I am aware that the CNO and Commandant had to make very tough choices, I do not have insight into the DOD decision process that required them to direct the DON to furlough. If confirmed, I will be able to study these impacts further and provide you greater insight in the future.

Question. Now that the Navy has finally determined the impact of the March 1, 2013, sequester on the Navy's fiscal year 2013 accounts, was the impact of the sequester on the Navy along the lines of what Navy and DOD officials originally expected and forecast?

Answer. I do not have insight into how the DON is implementing sequestration versus its original forecasts. If confirmed, I will be able to review fiscal year 2013 execution to assess the funal impact of sequestration.

Question. What does the experience with the sequestration of fiscal year 2013 accounts tell us about the potential impact of sequestration later this year or early next year on the Navy's fiscal year 2014 accounts?

Answer. While the President's budget submitted for fiscal year 2014 did not assume the impacts of sequestration, it is my understanding that the Department has been directed to prepare for the possibility of sequestration continuing into fiscal year 2014. I am not aware of any specifics.

AUTHORIZATION FOR NATIONAL DEFENSE PROGRAMS

Question. Do you believe that an authorization pursuant to section 114 of title 10, U.S.C., is necessary before funds for operations and maintenance, procurement, research and development, and military construction may be made available for obligation by the Department of Defense?

Answer. Yes. Furthermore, if confirmed, I will respect the views and prerogatives of the Department's oversight committees.

LABORATORY DIRECTED RESEARCH AND DEVELOPMENT (LDRD)

Question. Section 219 of the NDAA for Fiscal Year 2009 authorized the Secretary of Defense, in consultation with the Secretaries of the military departments, to "establish mechanisms under which the director of a defense laboratory may use an amount of funds equal to not more than three per cent of all funds available to the defense laboratory . . . to fund innovative basic and applied research and several other purposes at these laboratories." Similar to the model of the Department of Energy LDRD program, the purpose of section 219 is to provide funding and discretion to the Navy's laboratory and technical center directors, to support the continued infusion of new ideas that support Navy missions, and in particular to authorize the

directors to exercise some discretion in investing in promising technologies and other laboratory activities.

What should the role and authority of the Navy comptroller's organization be in implementing this statute?

Answer. I agree that the Navy's laboratory and technical centers are vital to supporting Navy's mission. The Navy Comptroller's role in implementing this statute is to develop a budget strategy consistent with the congressional direction, to ensure the implementation and execution of this authority is done in accordance with the law, and to ensure appropriate financial and accounting methods are in place to support this program. If confirmed, I will ensure the Department's budget strategy and policies are in accordance with the law.

Question. How would you intend to enable the laboratory director's discretion over such funding to support its effective implementation, similar to the Department of Energy model?

Answer. At this point, I do not have the necessary familiarity with the Department of Energy model, but if confirmed, I will work with the Assistant Secretary of the Navy (Research, Development and Acquisition) and the Office of the Secretary of Defense (Comptroller) to ensure effective and successful implementation.

BUDGETING TO ADDRESS OPERATIONAL NEEDS AND TECHNOLOGICAL OPPORTUNITIES

Question. The Services often are often faced with situations in which an urgent operational need or a new technological opportunity arises on a timeline that is inconsistent with the relatively slow budgeting and programming process.

How should the Navy change its processes so that its budgeting, programming, and planning processes are more adaptable to emerging operational needs and technological opportunities?

Answer. At this point, I do not have the necessary familiarity with current processes to answer this question, but if confirmed, I will review all current processes to see if there are adjustments to be made that make us more adaptable to emerging operational needs and technological opportunities.

IN-KIND MILITARY CONSTRUCTION

Question. The committee released a report on April 15, 2013, titled "Inquiry into U.S. Costs and Allied Contributions to Support the U.S. Military Presence Overseas." Among other things, the committee's inquiry found that in-kind payments from Germany, South Korea, and Japan have been used to fund questionable military construction projects. The committee's version of the National Defense Authorization Act for Fiscal Year 2014 includes a provision (section 2801) that would require that future military construction projects funded using in-kind payments pursuant to bilateral agreements with partner nations be submitted for congressional authorization in the Military Construction Authorization Act.

If confirmed, how would you ensure that in-kind payments are utilized only for identified U.S. priorities to offset costs that the Department of the Navy would otherwise pay with appropriated funds?

Answer. At this point, I do not have a complete understanding of the prevalence of this method of funding nor the specific details of its prior use within the Department of the Navy. Upon receipt of this question, I reviewed the Navy-specific sections in the referenced report. If confirmed, I will ensure that gaining an understanding this practice will become one of my immediate short-term priorities and that my understanding is placed in the context of other legal authorities and constraints.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes, I agree.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Assistant Secretary of the Navy (Financial Management and Comptroller)?

Answer. Yes, I agree.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes, I agree.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes, I agree.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CLAIRE MCCASKILL

BONUSES PAID TO SENIOR EXECUTIVE SERVICE EMPLOYEES OF THE DEPARTMENT OF DEFENSE

1. Senator MCCASKILL. Dr. Rabern, in 2011, the Department of the Navy (DON) was among the few Federal agencies that awarded, on average, more than one bonus per Senior Executive Service (SES) employee. The Navy was also one of the five agencies with the highest average spending on SES bonuses, awarding more than $13,000 in bonuses per SES employee. If confirmed, will you share with this committee the status of bonuses paid to SES employees in the Navy in fiscal year 2012, including the total amount paid, the amount per SES employee, the number and percentage of SES employees receiving bonuses, and whether any SES employees received aggregate pay above the statutory limit of $230,700?

Dr. RABERN. Yes, if confirmed I will share with the committee the status of SES bonuses in the Navy.

2. Senator MCCASKILL. Dr. Rabern, will you commit to reviewing, and changing, if necessary, the metrics used to determine the performance level of SES employees, and provide information to this committee regarding the progress and results of your review?

Dr. RABERN. Yes, if confirmed I commit to reviewing the metrics used to determine the performance level of SES employees and, if necessary, will propose changes to the appropriate DON, Department of Defense (DOD), or Office of Personnel Management officials.

DEPARTMENT OF THE NAVY AUDIT

3. Senator MCCASKILL. Dr. Rabern, Public Law 111–84, the National Defense Authorization Act of 2010, enacted October 28, 2009, requires auditable DOD financial statements by September 30, 2017. While progress is being made, the current Assistant Secretary of the Navy (Financial Management and Comptroller) acknowledged several material weaknesses related to the Navy's business processes and systems that prevent the Navy from producing auditable financial statements. Given the numerous weaknesses that have been identified, do you believe that the Navy will be in a position to keep up its end of the bargain in getting DOD to a point where it can be audited in the next 4 years?

Dr. RABERN. I understand that the Department has a Financial Improvement Plan and is making progress toward achieving auditable financial statements. However, I have not had the opportunity to review the plan and at this time could not inform you of my confidence level that the September 30, 2017, goal is achievable.

4. Senator MCCASKILL. Dr. Rabern, what gives you confidence that the Navy can meet the 2017 goal?

Dr. RABERN. Even though I support the 2017 goal, I have not had the opportunity to review the plan and at this time could not inform you of my confidence level that the September 30, 2017, goal is achievable.

5. Senator MCCASKILL. Dr. Rabern, on July 18, the DOD OIG released a report raising concerns about the Navy's use of the Navy Enterprise Resource Planning System (Navy ERP). The DOD OIG found that while the Navy has identified a material weakness in the its ability to account for Navy military equipment, and has identified Navy ERP as the solution, the Navy is in fact not using Navy ERP to account for this equipment. Rather, the Navy continues to use what the DOD OIG called "inefficient manual processes" in its accounting procedures. The Navy spent $870 million to develop and implement Navy ERP, and the Navy needs to be fully utilizing its capabilities. If confirmed, will you take a close look at this issue to en-

sure the Navy is appropriately using the resources at its disposal to be accountable and achieve its audit-ready obligations?

Dr. RABERN. If confirmed, I commit to working closely with my civilian counterparts and military leadership within the Department of the Navy and the Office of the Secretary of Defense (Comptroller) to properly allocate and account for resources, to improve our systems and processes, and to achieve auditable financial statements.

QUESTIONS SUBMITTED BY SENATOR JOE MANCHIN III

CONTRACTOR SALARIES

6. Senator MANCHIN. Dr. Rabern, since I've gotten to the Senate, I've been asking DOD how many contractors there are, and how much money they make. I still don't have an answer. What I do know is that contractors can make up to $763,000—funded by the taxpayers. If we do nothing, that figure will rise to nearly $1 million this year. What is your opinion on paying our contractors nearly $1 million?

Dr. RABERN. In my experience, government contracts generally do not specify a number of personnel required to satisfy the terms; rather, the government contracts for performance of a specific set of tasks, objectives, or services. I do not have in depth knowledge of the salaries paid to Department of Navy contractor personnel. If confirmed, I commit to looking at this issue and providing informed recommendations to senior leadership of the Department of the Navy regarding the efficient and effective allocation of resources consistent with the national security priorities of the President and the Secretary of Defense.

7. Senator MANCHIN. Dr. Rabern, would it have an impact on the readiness of the military if we brought that figure to a more reasonable amount?

Dr. RABERN. I do not have sufficient information to respond to this question at this time. If confirmed, I commit to looking at this issue and providing informed recommendations to senior leadership of the Department of the Navy regarding the efficient and effective allocation of resources consistent with the national security priorities of the President and the Secretary of Defense.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

PRIORITIES

8. Senator INHOFE. Dr. Rabern, do you believe the Navy's purchase last year of 450,000 gallons of biofuels for $12 million using scarce operations and maintenance (O&M) funds at a cost of over $26 a gallon is an efficient, effective use of O&M funds and is an example of proper stewardship?

Dr. RABERN. I am not familiar with the details of this purchase and cannot provide an opinion on the matter at this time. If confirmed, I will ensure that we develop and execute balanced budgets that are the result of thorough and timely analysis and in support of the goals and initiatives that Secretary Mabus has established for the Department.

FINANCIAL MANAGEMENT AND CONTROL

9. Senator INHOFE. Dr. Rabern, based on your extensive experience in financial management do you believe it is prudent for any Federal agency to submit their annual budget submission without including consideration for the effects of the Budget Control Act?

Dr. RABERN. I have not been associated with any budget submissions since passage of the Budget Control Act of 2011, but I believe that agency budgets should be submitted consistent with the requirements and constraints of the law.

DOD FINANCIAL ACCOUNTING AND AUDITS

10. Senator INHOFE. Dr. Rabern, if confirmed, what is your understanding of your role in finally establishing the level of audit readiness that is required by law?

Dr. RABERN. The Assistant Secretary of the Navy (Financial Management and Comptroller) provides the overall leadership within the Department to achieve auditable financial statements. However, the ability to produce auditable statements is influenced by all the business operations and processes within the Department.

If confirmed, I will work with the civilian and military leadership, process owners, and the Office of the Secretary of Defense (Comptroller) to meet the requirement for auditable financial statements.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

NAVY FACILITY BACKLOG

11. Senator AYOTTE. Dr. Rabern, section 2476 of title 10 requires 6 percent of annual capital investment for certain depots. Are you aware of this requirement and will you commit to follow that requirement?

Dr. RABERN. I am familiar with this requirement, and if confirmed, I commit to working with the Chief of Naval Operations, Commandant of the Marine Corps, and the Assistant Secretaries of the Navy for Research, Development, and Acquisition and Energy, Installations and Environment to ensure that whatever funding may be available for shore infrastructure, including shipyards and depots, is allocated appropriately to meet mission critical needs.

DOD AUDIT

12. Senator AYOTTE. Dr. Rabern, with DOD facing significant budget reductions, it is more important than ever that we have reliable financial data so we can differentiate between necessary budget cuts and those that would harm our troops and endanger our national security. Do I have your commitment that the Navy will meet the 2014 statement of budgetary resources deadline, as required by the National Defense Authorization Act for Fiscal Year 2013?

Dr. RABERN. If confirmed, I am committed to maintaining a steady focus on all Department efforts towards clean audit opinions and critical to that success is assertion in 2014. If confirmed, I will review the objectives that have been prepared and determine whether they appear to be reasonable and effective.

13. Senator AYOTTE. Dr. Rabern, is the Navy creating systems and processes that will be repeatable so that we avoid expending great effort to ensure the Navy is audit ready—only to find that the Navy is unable to sustain these efforts over the long-term?

Dr. RABERN. A crucial step in the DON plan to achieve audit success is laying the foundation for a sustainable audit environment well into the future. If confirmed, I will review the objectives that have been prepared and determine whether they appear to be reasonable and effective.

[The nomination reference of Dr. Susan J. Rabern follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 27, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Susan J. Rabern, of Kansas, to be an Assistant Secretary of the Navy, vice Gladys Commons, resigned.

[The biographical sketch of Dr. Susan J. Rabern, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF SUSAN J. RABERN

Education:

University of Kansas

- 1970–1974
- B.A. degree in Biology, 1974

Boston University

- 1979–1980

- M.A. degree in Education, 1980

San Diego State University
- 1983–1986
- M.B.A. (finance) degree, 1986

National Defense University
- 1995–1996
- M.S. (strategic studies) degree, 1996

University of Virginia, Darden School of Business
- 2003–2009
- Ph.D (ethics and entrepreneurship) degree 2998

Employment record:

Virginia Military Institute
- Director, Center for Leadership & Ethics
- 2009–Present

U.S. Agency for International Development
- Deputy Director, Office of Military Affairs
- 2007–2009

Virginia Military Institute
- Special Assistant to the Chief of Staff and Superintendent
- 2003–2007

Federal Bureau of Investigation
- Chief Financial Officer
- 2000–2002

U.S. Customs Service
- Assistant Commissioner and Chief Financial Officer
- 2002

U.S. Agency for International Development
- Chief Financial Officer
- 2002–2003

U.S. Navy (active duty, 1980–2000)
- Retired in 2000 in rank of Captain (0–6)

U.S. Naval Hospital, Naples, Italy,
- Counselor
- 1978–1980

Honors and awards:

Defense Superior Service Medal
Meritorious Service Medal (six awards)
Joint Service Commendation Medal
Navy Commendation Medal
Commandant's Award for Excellence in Research & Writing, Industrial College of the Armed Forces, National Defense University (1996)

Boards:

Community Foundation of Rockbridge, Bath, and Alleghany Counties.
- Board Member and Committee Chair (Grants/Audit)

Academy of Management
- Member

Omicron Delta Kappa, National Leadership Society
- Member

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Dr. Susan J. Rabern in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Susan Jean Rabern (Susan Jean Wynn, Susan Jean Kite, Susan Jean Blunt).

2. **Position to which nominated:**
Assistant Secretary of the Navy (Financial Management and Comptroller).

3. **Date of nomination:**
June 27, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
March 28, 1952; McPherson, KS.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to David William Rabern.

7. **Names and ages of children:**
Stacey Elaine (Blunt) Lobst, age 35.
Allison (NMN) (Blunt) Leigh, age 30.
Megan Lynn Blunt, age 28.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
University of Kansas, 1970–1974, BA (Biology), 1974
Boston University, 1979–1980, MA (Education), 1980
San Diego State University, 1983–1986, MBA (Finance), 1986
National Defense University, Industrial College of the Armed Forces, 1995–1996, MS (Strategic Studies), 1996
University of Virginia, Darden School of Business, 2003–2009, Ph.D. (Ethics & Entrepreneurship), 2009

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
Director, Center for Leadership and Ethics, Marshall Hall, Virginia Military Institute, Lexington, VA, 2009–present
Deputy Director, Office of Military Affairs, U.S. Agency for International Development, Ronald Reagan Building, Washington, DC, 2007–2009
Special Assistant to the Chief of Staff and Superintendent, Virginia Military Institute, Intergovernmental Personnel Assignment from U.S. Agency for International Development, Virginia Military Institute, Lexington, VA, 2003–2007

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
U.S. Navy (Active Duty, 21 years, retired 2000, rank Captain)

Assistant Director and Chief Financial Officer, Federal Bureau of Investigation, 2000–2002
Assistant Commissioner and Chief Financial Officer, U.S. Customs Service, 2002
Chief Financial Officer, U.S. Agency for International Development, 2002–2003
Counselor, U.S. Naval Hospital, Naples, Italy, 1978–1980

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.
Owner, Provenance Mill Clothiers, Fairfield, VA
Owner, Shenandoah Fiber, Fairfield, VA

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Board Member and Committee Chair (Grants/Audit), Community Foundation of Rockbridge, Bath, and Alleghany Counties.
Member, Academy of Management
Member, Omicron Delta Kappa, National Leadership Society

13. **Political affiliations and activities:**
(a) List all offices with a political party which you have held or any public office for which you have been a candidate.
None.
(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.
None.
(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.
None.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals, and any other special recognitions for outstanding service or achievements.
Defense Superior Service Medal
Meritorious Service Medal (six awards)
Joint Service Commendation Medal
Navy Commendation Medal.
Commandant's Award for Excellence in Research and Writing, Industrial College of the Armed Forces, National Defense University (1996)

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.
Doctoral Dissertation:

- 2009, University of Virginia. Leveraging the Feds: An Assessment of the Effectiveness of Corporate Political Strategies

Book Length Government Manuscripts:

- 2000 National Defense University, Industrial College of the Armed Forces, Philanthropy, Statesmanship, Innocence or Greed? U.S. Engagement with the Former Soviet Union 1992–2000
- 1996, National Defense University, Industrial College of the Armed Forces, The Effect of Organized Crime on the Post-Cold War Economy of Russia

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.
None.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?
17. Commitments regarding nomination, confirmation, and service:
(a) Have you adhered to applicable laws and regulations governing conflicts of interest?
Yes.
(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?
No.
(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.
(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?
Yes.
(e) Will those witnesses be protected from reprisal for their testimony or briefings?
Yes.
(f) Do you agree, ifconfirmed, to appear and testify upon request before this committee?
Yes.
(g) Do you agree to provide documents, including copies ofelectronic forms of communication, in a timely manner when requested by a duly constituted committee, orto consult with the committee regarding the basis for any good faith delay or denial in providing such documents?
Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

SUSAN J. RABERN.

This 18th day of July, 2013.

[The nomination of Dr. Susan J. Rabern was reported to the Senate by Chairman Levin on July 30, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 1, 2013.]

[Prepared questions submitted to Mr. Dennis V. McGinn by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. I believe the Goldwater-Nichols defense reforms have been very effective, and I am not aware of the need for any modifications.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. I am not aware of the need for any modifications to Goldwater-Nichols, but if confirmed, I will work with the Secretary of the Navy and Under Secretary of the Navy on any proposed changes that pertain to Navy energy, installations or the environment.

DUTIES

Question. What is your understanding of the duties and functions of the Assistant Secretary of the Navy for Energy, Installations, and Environment?

Answer. The Assistant Secretary of the Navy (Energy, Installations, and Environment) formulates policy and procedures for the effective management of the Navy and Marine Corps energy programs, real property, housing and other facilities; envi-

ronmental protection ashore and afloat; and, safety and occupational health for both military and civilian personnel. This position is also responsible for the timely completion of closures and realignments of installations under base closure laws.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. During my 35-year career with the U.S. Navy I served as a naval aviator, test pilot, aircraft carrier commanding officer, and national security strategist. My capstone assignment with the Navy was as Deputy Chief of Naval Operations for Warfare Requirements and Programs at the Pentagon, where I oversaw the development of future U.S. Navy capabilities. In my previous operational leadership roles, I commanded the U.S. Third Fleet.

In my civilian career I have served as co-chairman of the Center for Naval Analyses (CNA) Military Advisory Board advising policy makers on the nexus of energy and national security, and as an international security senior fellow at the Rocky Mountain Institute. I served on the Steering Committee of the Energy Future Coalition, as a member of the United States Energy Security Council, and as a member of the Bipartisan Policy Center Energy Board. I previously worked with Battelle Memorial Institute, where I was a corporate officer and led the energy, transportation, and environment division. While serving as the CEO and President of the American Council On Renewable Energy (ACORE), I led the advancement of the organization's mission of building a secure and prosperous America with clean, renewable energy.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Assistant Secretary of the Navy for Energy, Installations, and Environment?

Answer. I am confident that there is much that I can do to enhance my abilities to perform the duties of the Assistant Secretary of the Navy (Energy, Installations and Environment). If confirmed, I will seek to learn more about the individual programs and facilities within my purview, as well as the different requirements associated with military construction. Using my significant managerial experience, I would expect to parlay the expertise and views of those within the Department of the Navy, as well as those of the Secretary of Defense and the other military departments, to develop efficient and effective policies for the Department's use of our installations and the environment. If confirmed, I will also seek and listen to the advice and counsel of Congress, and the communities in which we operate, to find ways to be the best steward of the Department of the Navy's properties.

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of the Navy would prescribe for you?

Answer. If confirmed, I would expect the Secretary of the Navy to prescribe the duties and functions stated above. Additionally, I would expect that the Secretary will request that I rely upon my years of operational experience to assist him in developing and implementing programs to meet the energy goals he laid out for the Department.

RELATIONSHIPS

Question. If confirmed, what would be your professional relationship with:

The Secretary of the Navy.

Answer. If confirmed, I will seek to carry out the goals and priorities of the Secretary of the Navy.

Question. The Under Secretary of the Navy.

Answer. If confirmed, I will work directly with the Under Secretary and seek his counsel and guidance as I work to support his efforts to carry out the goals and priorities of the Secretary of the Navy.

Question. The Chief of Naval Operations.

Answer. If confirmed, I will provide the support that the Chief of Naval Operations requires to execute his duties and responsibilities and achieve the mission of the Navy.

Question. The Commandant of the Marine Corps.

Answer. If confirmed, I will provide the support that the Commandant requires to execute his duties and responsibilities and achieve the mission of the Marine Corps.

Question. The Deputy Under Secretary of Defense for Installations and Environment.

Answer. If confirmed, I will work with the Deputy Under Secretary of Defense for Installations and Environment to develop and execute the policies and initiatives of the President, the Secretary of Defense, and the Secretary of the Navy.

Question. The Assistant Secretary of Defense for Operational Energy Plans and Programs.

Answer. If confirmed, I will work with the Assistant Secretary of Defense for Operational Energy Plans and Programs to develop and execute the policies and initiatives of the President, the Secretary of Defense, and the Secretary of the Navy.

Question. The other Assistant Secretaries of the Navy.

Answer. If confirmed, I will work as part of the team to ensure that we present the best collaborative approach to supporting the goals and priorities of the Secretary of the Navy.

Question. The Assistant Secretaries of the Army and Air Force for Installations and Environment.

Answer. If confirmed, I will work closely with the Assistant Secretaries of the Army and Air Force for Installations and Environment to strengthen the cooperation between the Services. I will work to foster a cordial and productive working relationship with these colleagues.

Question. The General Counsel of the Navy.

Answer. If confirmed, I will work closely with the General Counsel of the Navy to ensure that the programs we execute, and the policies we develop are consistent with the law.

Question. The Judge Advocate General of the Navy.

Answer. If confirmed, I will work closely with the Judge Advocate General of the Navy to ensure that the programs we execute and the policies we develop are consistent with the areas of law contained within her purview. I would also expect to work directly with the Judge Advocate General of the Navy on areas of mutual interest.

Question. The Director of Naval Energy Policy.

Answer. If confirmed, I will work with the Director of Naval Energy Policy to identify and implement policies and practices that best support the needs of the Department of the Navy.

Question. Commander, Naval Facilities Engineering Command.

Answer. If confirmed, I will work with the Commander, Naval Facilities Engineering Command to identify and implement policies and practices that best support the needs of the Department of the Navy.

Question. Commander, Navy Installations Command.

Answer. If confirmed, I will work with the Commander, Navy Installations Command to identify and implement policies and practices that best support the needs of the Department of the Navy, our sailors, marines, and their families.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that confront the Assistant Secretary of the Navy for Energy, Installations, and Environment?

Answer. There are many significant challenges confronting the next Assistant Secretary of the Navy (Energy, Installations, and Environment). The most significant of these includes the Guam military construction projects, ensuring that the Department of the Navy has the right infrastructure at the right time for the right cost to support the country's warfighters and their families, and establishing the programs necessary to meet the Department's energy goals.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I plan to work closely with Congress, the Secretary of the Navy, the Chief of Naval Operations, the Commandant of the Marine Corps, the Deputy Under Secretary of Defense (Installations and Environment), as well as other governmental and nongovernmental organizations to devise solutions to address these challenges and maximize successful outcomes for all parties involved.

Question. What do you consider to be the most significant problems in the performance of the functions of the Assistant Secretary of the Navy for Energy, Installations, and Environment?

Answer. I am not aware of any significant problems in the performance of the functions of the Assistant Secretary of the Navy for Energy, Installations and Environment.

Question. If confirmed, what management actions and timelines would you establish to address these problems?

Answer. If confirmed, I will work closely with the Secretary and the Under Secretary of the Navy to develop a strategic plan to address significant problems that arise.

PRIORITIES

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the Assistant Secretary of the Navy for Energy, Installations, and Environment?

Answer. If confirmed, I will establish priorities consistent with those of the President, the Secretary of Defense, and the Secretary of the Navy. In broad terms, I will assist the Secretary of the Navy in meeting the energy goals he laid out for the Department, work closely with Members of Congress and State and local officials and the public to remain fully transparent when considering projects and processes with environmental impacts, and seek to allocate funding to develop the right infrastructure at the right time at the right cost to support our warfighters and their families.

Question. Do you have any specific plans to help improve the quality of life for Navy and Marine Corps families who are under considerable strain as a result of repeated deployments?

Answer. Not at this time, but as a 35 year Navy veteran, I am very aware of the tremendous sacrifices made by Navy and Marine Corps families. If confirmed, I will be committed to identifying and implementing quality of life initiatives.

Question. The Assistant Secretary of the Navy for Energy, Installations, and Environment has responsibility for, among other things, enhancing energy security, construction and maintenance of installations; family housing, and environmental protection.

In the competition for resources inherent in the Defense Department budget process, how do you believe funding for these various responsibilities should be balanced?

Answer. These important programs are not mutually exclusive. Although they would certainly compete for the same limited resources, the development of these programs must be done in conjunction with each other. All of these programs must work hand-in-hand to further the strategic vision and goals of the Secretary of the Navy.

MILITARY CONSTRUCTION

Question. What would be your highest priorities, if confirmed, for allocating military construction (MILCON) funding for the Department of the Navy over the next several years?

Answer. If confirmed, I will seek to allocate funding to develop the right infrastructure at the right time at the right cost to support our warfighters and their families.

Question. Are you concerned that overseas initiatives, including the realignment of marines in the Pacific, will consume an increasing share of the Department of the Navy MILCON budget—thereby crowding out other programs such as housing and quality of life programs for sailors, marines, and their families?

Answer. Although we find ourselves in a challenging fiscal environment, I am cautiously optimistic that we will be able to meet all of these challenges and fund the right investments at the right time.

GUAM

Question. The committee remains concerned about the plans for the relocation of marines from Okinawa to other locations in the Pacific, and specifically, the affordability, sustainability and operational viability of those plans. In April of last year, the United States and Japan announced a new plan for the marines—called the "distributed laydown"—that envisions about 4,500 in Guam, about 2,500 in Australia, on a rotational basis, and some number in Hawaii. The committee's version of the National Defense Authorization Act for Fiscal Year 2014 would continue a prohibition on the use of U.S. or Japanese funds to implement the realignment of Marine Corps forces from Okinawa until several conditions, including the development of a master plan for the laydown of marines in Guam and Hawaii, are met.

What is your understanding of the status of the Department of the Navy's plans for the realignment of Marine Corps forces from Okinawa?

Answer. I have not had an opportunity to develop a thorough understanding of the issues associated with the relocation of marines and their families from Okinawa to Guam. From the information that I have seen at this point, I understand the Supplemental Environmental Impact Statement (SEIS) and associated supporting studies are being prepared and that the DON anticipates that the Draft SEIS will be formally released for public comment in early 2014 with a Record of Decision expected in early 2015.

Question. What is your understanding of the current estimated cost to implement the realignment of Marine Corps forces from Okinawa?

Answer. Although I am not familiar with the official estimates, I understand that the Department of Defense is identifying and incorporating comprehensive cost estimates as they become available upon completion of necessary environmental planning documents and the conclusion of host-nation discussions on cost-sharing.

Question. When will the Department of the Navy provide the Senate Armed Services Committee with the Guam Master Plan so that the costs and timing of construction contracts for the entire project will be totally transparent?

Answer. My understanding is that the Department will be able to provide the Guam Master Plan after the Draft SEIS is released, sometime next year.

FUTENMA AIR STATION

Question. The committee understands that Futenma Marine Corps Air Station on Okinawa will require significant investments to maintain mission capability and readiness. In fact, the marines estimate that current repair and construction demands will cost about $180 million.

What is your understanding of the current plan to fund the nearly $180 million in repairs and construction?

Answer. My understanding is that the Department has been working with the Government of Japan (GOJ) on a replacement facility for MCAS Fuetenma. In the interim, the Department is working with the GOJ to fund the repairs necessary to support operations at the base.

BASE CLOSURE AND REALIGNMENTS

Question. The Department of Defense has requested another Base Realignment and Closure (BRAC) round.

Do you believe another BRAC round is necessary? If so, why?

Answer. I believe it is prudent to objectively assess our shore assets and make informed decisions about potentially excess infrastructure. A new assessment would allow the Department to take into account changes to the shore/platform interfaces as our weapons systems capabilities, testing, and how we employ them have evolved over time.

Question. If Congress were to authorize a another BRAC round, what is your understanding of the responsibilities of the Assistant Secretary of the Navy for Energy, Installations, and Environment in formulating BRAC recommendations and implementing the decisions of the BRAC Commission?

Answer. If confirmed, I will serve as the Department of the Navy's primary senior leader charged with meeting our BRAC responsibilities. Accordingly, I will work closely with Congress, the Secretary of the Navy, the Chief of Naval Operations, the Commandant of the Marine Corps, the Deputy Under Secretary of Defense (Installations and Environment), as well as other governmental and nongovernmental organizations as appropriate in order to execute these statutory requirements.

Question. If confirmed and if Congress were to authorize another BRAC round, how would you go about setting priorities for infrastructure reduction and consolidation within the Department of the Navy?

Answer. If confirmed and Congress were to authorize a BRAC, I would first seek to gain a thorough understanding of the extent of the Department's footprint ashore and how it supports the warfighter. I would then ensure we have the necessary tools and resources to evaluate what exists in terms of military value. I would also work with my counterparts in the other Services for opportunities to consolidate or colocate functions, where it makes sense.

Question. If confirmed and if Congress were to authorize another BRAC round, what is you understanding of the responsibilities of the Assistant Secretary of the Navy for Energy, Installations, and Environment in working with local communities with respect to property disposal?

Answer. I believe that the Department of the Navy is responsible for working with local communities to ensure an orderly and transparent transition from public ownership to private ownership.

Question. It has been noted repeatedly that the 2005 BRAC round resulted in major and unanticipated implementation costs and saved far less money than originally estimated.

What is your understanding of why such cost growth and lower realized savings have occurred?

Answer. I am not familiar with the events leading cost growth in implementing BRAC 2005.

Question. How do you believe such issues could be addressed in a future BRAC round?

Answer. If confirmed, I would ensure that the program is implemented with management controls in place to help curtail excessive cost growth.

OVERSEAS FACILITIES

Question. Do you believe the Department of the Navy currently maintains excess infrastructure overseas? If so, how would you seek to address this issue?

Answer. I have not had an opportunity to study Navy overseas force structure, however, if confirmed I will work with the Secretary of the Navy, the Chief of Naval Operations, and the Commandant to make sure Navy infrastructure is aligned with force structure to support naval operations.

IN-KIND MILITARY CONSTRUCTION

Question. The committee released a report on April 15, 2013, titled "Inquiry into U.S. Costs and Allied Contributions to Support the U.S. Military Presence Overseas." Among other things, the committee's inquiry found that in-kind payments from Germany, South Korea, and Japan have been used to fund questionable military construction projects. The committee's version of the National Defense Authorization Act for Fiscal Year 2014 includes a provision (section 2801) that would require that future military construction projects funded using in-kind payments pursuant to bilateral agreements with partner nations be submitted for congressional authorization in the Military Construction Authorization Act.

If confirmed, how would you ensure that in-kind payments are utilized only for identified U.S. priorities to offset costs that the Department of the Navy would otherwise pay with appropriated funds?

Answer. I do not have a complete understanding of this method of funding within the Navy but I have reviewed sections of the report mentioned in this question and I understand the issue and concerns. If confirmed, I will make certain I will work with the Assistant Secretary of the Navy (Financial Management and Comptroller) and others within the Department to respond to this question more completely.

INVESTMENT IN INFRASTRUCTURE

Question. Witnesses appearing before the committee in the past have testified that the military services under-invest in both the maintenance and recapitalization of facilities and infrastructure compared to private industry standards. Decades of under-investment in DOD installations has led to substantial backlogs of facility maintenance activities, created substandard living and working conditions, and made it harder to take advantage of new technologies that could increase productivity.

If confirmed, what recommendations would you have for restoring and preserving the quality of our infrastructure?

Answer. If confirmed, I will closely examine the way the Navy manages inventory and will work with the Secretary of the Navy, the Chief of Naval Operations, and the Commandant to make sure our infrastructure supports the warfighter.

Question. This underinvestment in infrastructure is particularly acute in naval shipyard facilities. According to the Navy's shipyard modernization plan, it will take 17 years and $3.4 billion to clear the maintenance and infrastructure repair backlog.

If confirmed, how do you plan on addressing this shortfall?

Answer. Materiel readiness is a key enabler to maintaining freedom of the seas. I'm also aware of the fiscal challenges facing the Department. If confirmed, I will advocate for and work with the Chief of Naval Operations and the Assistant Secretary of the Navy (Research, Development, and Acquisition) to ensure that whatever funding may be available for shore infrastructure, including shipyards and depots, is allocated appropriately to meet mission critical needs.

Question. How do you believe the difficult budget environment will affect the Navy's shipyard modernization efforts going forward in light of other competing priorities?

Answer. I believe the current fiscal environment will present significant challenges across the entire Department. When faced with reduced resources, any organization, whether a business or a household, must assess its short- and long-term objectives and make prudent expenditures and investments accordingly. I believe the same holds true for the Department of the Navy. If confirmed, I will look forward to meeting the challenge of balancing the Department's infrastructure investments across a broad array of requirements.

ENHANCED USE LEASES

Question. Congress has provided the authority for each of the Service Secretaries to lease underutilized non-excess property and to use revenues generated by those leases to enhance infrastructure and operating costs on those installations. This so-called "enhanced use lease" (EUL) authority is being used in different ways and for different purposes by each of the military departments.

What is your understanding of the EUL authority?

Answer. My understanding is that the enhanced use lease authority is a valuable tool in the Department's infrastructure management toolbox. My understanding is that the Navy can use this authority to partner with industry and the outside community to maximize the use of Department property

Question. What do you see as the future of the Department of the Navy's EUL program?

Answer. I understand that there are several promising EUL opportunities that the Department of the Navy is currently examining.

Question. What Navy and Marine Corps EUL projects do you see as most viable in the near term?

Answer. Because I am not aware of all the current projects or those projects being considered, I could not identify the most viable in the near term. If confirmed, I will examine all of our projects more fully before making such an assessment.

Question. If confirmed, what would be your priorities for the Department of the Navy's EUL program?

Answer. I do not have a sufficient level of understanding to identify priorities at this time. If confirmed, I will examine all of our projects more fully and discuss with Navy stakeholders before making such an assessment.

Question. If confirmed, would you consider the authority to provide support to energy initiatives?

Answer. If confirmed, I will utilize the EUL program to ensure our warfighters and their families have the highest quality environment in which to live and work and that the Department's real estate is put to the highest valued uses.

Question. The Congressional Budget Office has expressed concern that EUL authority could be used to acquire expensive facilities through long-term leases that commit the Department of Defense to make payments (rather than receiving payments) over an extended period of time.

Do you believe that it would be appropriate to use EUL authority to commit future-years Department of Defense funds for long-term projects to acquire facilities that have not received approval through the normal budgeting process?

Answer. I have not yet had an opportunity to study this issue, but if confirmed, I certainly will do so.

Question. If confirmed, how would you address proposals to use EUL authority in this manner?

Answer. Since I have not had an opportunity to study this issue, I do not know how I would address such proposals if confirmed.

BASE OPERATING SUPPORT

Question. What is your understanding of the base operating support requirements of the Department of the Navy and Marine Corps?

Answer. My understanding is that Base Operating Support (BOS) requirements of the Department of the navy are critical to the overall mission readiness of our Navy and Marine Corps. BOS funding finances shore activities that support ship, aviation, combat operations, critical training, facilities infrastructure maintenance, public safety, and family programs for both Active and Reserve components.

Question. In your view, is the Department of the Navy receiving adequate funding for base operating support?

Answer. I have not had an opportunity to review BOS funding in detail, but if confirmed, I will closely examine funding levels to ensure the highest quality living and working conditions for our sailors, marines, and their families.

Question. How might the Department of the Navy distribute base operating funds to best ensure sound investment of constrained resources?

Answer. If confirmed, I am committed to learning the methods and processes in place across the Department to guide investment decisions and distribution of resources.

FAMILY HOUSING AND PRIVATIZATION

Question. In recent years, the Department of Defense and Congress have taken significant steps to improve family housing. The housing privatization program was

created as an alternative approach to speed the improvement of military family housing and relieve base commanders of the burden of managing family housing. If confirmed for the position of Assistant Secretary of the Navy for Energy, Installations, and Environment you will have a key role in decisions regarding military family housing.

What are your impressions of the overall quality and sufficiency of Navy and Marine Corps family housing both in the United States and abroad?

Answer. My understanding is that major improvements have been made to the overall of the quality and sufficiency of family housing inventory, both domestically and overseas.

Question. What are your views regarding the privatization of family housing?

Answer. I believe the use of the housing privatization authorities was an important and necessary tool to revitalize a large inventory of homes in a relatively short period of time.

Question. What is your view of the structure and general goals of the Department of the Navy's current housing privatization program?

Answer. I believe the structure and general goals of the Department's housing privatization program are sound.

Question. Do you believe the housing program should be modified in any way? If so, how?

Answer. I have not had an opportunity to review the housing program in detail to determine if it should be modified in any way, but if confirmed, I will closely examine it to ensure the highest quality living and working conditions for our sailors, marines, and their families.

ENVIRONMENTAL RESTORATION

Question. The Department of the Navy's environmental restoration budget remains a significant part of the Navy's overall environmental program budget.

What do you see as the main priorities for clean-up within the Department of the Navy program?

Answer. The Department of the Navy's priorities for clean-up are established by the Deputy Under Secretary of Defense (Installations and Environment), and, if confirmed, I will work closely with the Deputy Under Secretary to ensure that those priorities are implemented

Question. What will you do to ensure that adequate funding is requested and received so that clean-ups under the Installation Restoration Program and under the Military Munitions Remediation Program continue apace?

Answer. If confirmed, I will ensure that I fully understand the clean-up priorities, as established by the Secretary of the Navy, and will work with the Secretary, as well as Members of Congress, to ensure that adequate funding for clean-up is both requested and received.

PAST WATER CONTAMINATION AT CAMP LEJEUNE

Question. For more than 12 years, the Department of the Navy has been trying to understand and resolve issues associated with past water contamination suspected at Camp Lejeune in North Carolina. However, aspects of this matter remain unresolved, including the nature and extent of various scientific studies into the potential human exposure.

If confirmed, what will you do to help ensure that all reasonable actions are taken to resolve this matter as expeditiously as possible?

Answer. The Department of the Navy is committed to ensuring the health and safety of all its personnel—both past and present. I know that the Department has commissioned numerous scientific studies to inquire into a possible connection between past water contamination at Camp Lejeune and health issues of personnel who served there. I have not, however, been made privy to their results. If confirmed, I will ensure that the Department, using the information from these studies, acts promptly and in accordance with all applicable laws to resolve this important matter.

ENCROACHMENT ON MILITARY INSTALLATIONS

Question. Encroachment by commercial and residential development on military installations can negatively impact Navy and Marine Corps operations at military airfields, training ranges, and the development of new facilities.

What do you see as the main constraints on the Department of the Navy's ability to use its facilities, including training ranges?

Answer. I am not aware of any specific constraints on the Department of the Navy's ability to use its facilities. I believe that the Department has completed or

is completing environmental impact statements for its training ranges, and that these ranges are operated in accordance with the results.

Question. If confirmed, what policies or steps would you take to balance the trade-off between energy development and the impact on operations and training?

Answer. I believe that military operations and energy development are not mutually exclusive. If confirmed, I would work closely with Federal, State, and local governments as well as the energy developers to meet the needs of the Department while enabling access to new sources of energy.

Question. How can the Department of the Navy address the issues of encroachment around its bases in the United States, particularly with respect to encroachment caused by residential development?

Answer. I believe the Department of the Navy must take a two-pronged approach to addressing issues of encroachment around its bases. First, it is important to communicate concerns with local communities. Second, where appropriate, the Department should seek additional land surrounding its bases.

Question. One significant issue for the Navy has been the potential interference to aircraft radars of wind farms installed around military installations and ranges.

Given your qualifications, including as a former naval aviator, what would you propose as objectives and goals to address this issue?

Answer. As a naval aviator, I know that while wind turbines can physically interfere with aircraft operations and military training routes, that problem is a merely matter of proper siting. The much more difficult issue is the electromagnetic interference caused wind turbines which can impact radars many miles away. I'm aware the Department of Defense has created a body to assess the impact of these projects and if confirmed I will work to ensure we can reap the benefits from alternative energy development without impacting training and operations.

Question. What is your understanding of the Navy's ability to receive information and plans from potential developers in a timely and effective manner?

Answer. I believe the Department of Defense has established procedures to assess the impact of these proposed projects and that while the process is still fairly new and developing, it does afford an opportunity for the Navy to review these plans. If confirmed, I would work to ensure this system continues to improve.

PENDING LAND WITHDRAWAL REQUESTS

Question. As part of the President's budget request for fiscal year 2014, the Department of Defense has requested legislation for a number of land withdrawals, including the reauthorization of the land withdrawals at the Chocolate Mountains and at China Lake, as well a land withdrawal to support an expansion at the Marine Corps base at Twentynine Palms.

What is your understanding of these requests and why are each of these withdrawals important to the Department of Navy missions and capabilities?

Answer. My general understanding is that the Department of Defense seeks to control only the minimum amount of property necessary to meet the military requirement. From my experience, I know the Chocolate Mountain range, the test center at China Lake and the Marine Corps base at Twentynine Palms are key DON installations.

ENERGY POLICY

Question. If confirmed, what would your responsibilities be for setting and implementing energy policy within the Department?

Answer. If confirmed, my responsibilities would be to support the Secretary's Navy Energy Office and work towards meeting the Secretary's shore and operational energy goals.

Question. Do you support the Department of Defense policy on alternative fuels released in July 2012 that the Department of Defense will not make bulk purchases of alternative drop-in replacement fuels unless they are cost competitive with petroleum products?

Answer. Yes, I support the DOD policy to only make bulk purchases of alternative drop-in fuels that are cost competitive with conventional fuel.

Question. In your view, how does the bulk use of alternative drop-in replacement fuels improve the military capabilities of the fleet?

Answer. In addition to reducing reliance on foreign sources of energy, "drop-in" fuels would not require any infrastructure or operational changes to bring on line.

Question. Given recent forecasts about oil production in the United States over the next 30 years, what do you see as the national security implications, if any, of a dependence on fossil fuels?

Answer. Fossil fuels, whether imported or domestically produced, are subject to price volatility and uncertainty of supply. Deriving fuels from other than petroleum sources adds to the supply and helps mitigate fluctuating prices.

Question. In your opinion, are the statutory and regulatory goals for the Department of the Navy regarding the use of renewable energy and alternative fuels realistic and achievable?

Answer. I have not yet had an opportunity to study this issue, but if confirmed, I will review the Department's progress towards meeting the statutory and regulatory goals regarding the use of renewable energy and alternative fuels. If confirmed, it is my intention to meet these goals unless otherwise directed.

Question. What is your view of the adequacy of Department of the Navy funding to meet statutory and regulatory energy conservation goals?

Answer. At this point, I do not have in-depth knowledge of the Department's budget, but I am aware of the significant fiscal challenges it faces. If confirmed, I will advocate for and work with the Secretary of the Navy, the CNO, the Commandant, the General Counsel, and the Judge Advocate General, to ensure statutory and regulatory conservation goals are met.

Question. Do you believe that significant additional funding will be needed in future years to meet such goals?

Answer. At this point, I do not have in-depth knowledge of the Department's budget, but I am aware of the significant fiscal challenges it faces. Further, energy security directly enhances national security. If confirmed, I will advocate for and work with the Secretary of the Navy, the CNO and the Commandant to ensure the continued support of the Department's energy goals while meeting the needs of the warfighter.

Question. If confirmed, what energy goals and policies will you promote for the Department of the Navy for investments and initiatives that provide direct and tangible benefit to the warfighter or less cost for the Department?

Answer. If confirmed, I will establish priorities consistent with those of the President, the Secretary of Defense, and the Secretary of the Navy. In broad terms, I will assist the Secretary of the Navy in meeting the energy goals laid out for the Department in 2009. I will promote energy policies that provide energy security for fleet and shore units, enable additional combat capability for operational forces, and leverage opportunities to reduce the energy cost of operating shore infrastructure.

IMPLICATIONS OF CLIMATE CHANGE

Question. What do you see as the national security implications of climate change, if any, for the United States?

Answer. Climate change will affect food production and living conditions to varying degrees worldwide. Rising sea levels will impact coastal communities as well as critical Navy infrastructure located in these communities.

Question. What do you believe will be the impact of climate change, if any, on the Navy and Marine Corps mission?

Answer. I believe the Navy and Marine Corps mission will remain the same however, we will need to enhance Navy capabilities to operate in Arctic waters, including weather and sea-condition forecasting. There is also likely to be a growing number of requests for help responding to natural disasters, food shortages, and government instability caused by climate change.

DEPARTMENT OF THE NAVY LABORATORY AND TEST CENTER RECAPITALIZATION

Question. There has been concern over the adequacy of recapitalization rates of the Department's laboratory facilities and test centers. Historically, Navy technical centers, laboratories and test centers do not appear to have fared well in the internal Navy competition for limited military construction and facility sustainment funds.

What metrics would you use to assess the amount of investment in the recapitalization of Navy technical centers, laboratories and test centers to determine its adequacy?

Answer. I have not had an opportunity to assess the amount of investment required, but if confirmed, I will closely examine the issue and work with the Assistant Secretary of the Navy (Research, Development, and Acquisition) (ASN(RD&A)) to determine the appropriate metrics to use.

Question. If confirmed, how would you work with ASN(RD&A) and other stakeholders to properly recapitalize the Navy's technical centers, laboratories and test centers?

Answer. If confirmed, I will work directly with the ASN(RD&A) to gain a better understanding of the requirement and with the Assistant Secretary of the Navy (Fi-

nancial Management and Comptroller) to ascertain what are the available financing mechanisms and constraints.

SECTION 2808 AUTHORITY

Question. Section 2808 of title 10, U.S.C., allows the Secretary of Defense, in the event of a declaration of war or national emergency, to undertake military construction projects supporting the use of Armed Forces with otherwise unobligated military construction funds.

What is your assessment of this authority?

Answer. I believe this authority is vital to provide construction projects necessary under a national emergency or declaration of war.

Question. From a policy standpoint, what restrictions do you believe are appropriate for the use of this authority?

Answer. I am not fully versed in the policy regarding this statute. If confirmed, I will ensure the Department is executing any projects under this statute in accordance with applicable guidance.

Question. Do you believe it is appropriate to use this authority outside theaters of armed conflict? If so, in what instances?

Answer. I believe the statute is necessary to allow the department flexibility in executing urgent construction projects in the event of a declaration of war or national emergency. I have not had an opportunity to study it in detail and cannot today provide an example of a hypothetical situation.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Assistant Secretary of the Navy for Energy, Installations, and Environment?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis of any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOE MANCHIN III

SUGAR GROVE

1. Senator MANCHIN. Mr. McGinn, I wanted to talk about Sugar Grove—a Navy base in West Virginia. This is a world-class facility that has contributed immensely to our national security, especially in the last decade during the war on terror. But, the mission is changing there. Sugar Grove is not going away, it's just going to have a different mission. We have been working with the Navy, and the community, and other governmental agencies, to find a new tenant and a new mission. Could you give me an update on how that process is going? Is there anything we can do to help move the process along?

Mr. MCGINN. I understand that the Navy is the installation host to another Government agency which has plans to leave the installation in a few years and that the Navy is currently looking for an alternative use for the installation after the NSA departs in a few years. I don't know what point in the process the Navy has reached, but if confirmed, I will ensure the Navy proceeds without undue delay and that I will keep you updated of any progress.

NAVY BIOFUELS

2. Senator MANCHIN. Mr. McGinn, the Navy has been pushing for greater usage of biofuels to cut its dependence on foreign oil. But, a RAND report published in 2011 raised serious questions regarding the ability to produce biofuels at a large enough scale to make a positive impact to military operations. However, that report did identify the production of fuel from a combination of biomass and coal as a near-term pathway to low-greenhouse gas, affordable fuels that can be produced at a large scale. Have you read that RAND report?

Mr. MCGINN. Yes, I have read the report and am familiar with the assertions stated therein.

3. Senator MANCHIN. Mr. McGinn, please comment on whether you will pursue near-term pathways such as coal and biomass-to-liquids technologies with real, near-term benefits.

Mr. MCGINN. It is my understanding that the Military Departments are testing and certifying pathways that will serve as a drop-in replacement for liquid fuels on our operational platforms. I am not aware of each pathway that has been tested and certified for use but would support all pathways that meet technical and legal standards.

QUESTION SUBMITTED BY SENATOR TIM KAINE

NAVY LABORATORY AND TEST CENTER RECAPITALIZATION

4. Senator KAINE. Mr. McGinn, historically, Navy technical centers, laboratories, and test centers do not appear to have fared well in the internal Navy competition for limited military construction and facility sustainment funds. These centers and laboratories are crucial to developing the next generation of capabilities for the warfighter and the quality of research facilities influences the ability of the Navy to attract the best scientists and engineers. DOD is increasingly in competition with the private sector for the best and brightest. If confirmed, what will you do to adequately resource the Navy's laboratories and technical and test centers?

Mr. MCGINN. I agree that the Navy's laboratories and technical test centers are a crucial component of developing our future capability and readiness. The current fiscal environment will present significant investment challenges across the entire Department. If confirmed, I look forward to meeting the challenge of balancing the Department's infrastructure investments across a broad array of requirements, including laboratories and test centers.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

PRIORITIES

5. Senator INHOFE. Mr. McGinn, in October 2009, before the Environmental and Public Works Subcommittee, you testified: "[Climate change] will magnify existing tensions in critical regions, overwhelm fragile political, economic and social structures, causing them to fracture and fail. The predictable result: much greater frequency and intensity of regional conflict and direct threats to our United States' interests and national security. . . . The science community has clear consensus in concluding that human activities are the most significant cause of climate change." Do you still believe this?

Mr. MCGINN. Yes, I do.

6. Senator INHOFE. Mr. McGinn, you also testified: "But unlike what many believe—it is not just foreign oil that jeopardizes our energy security. It is all oil. We simply do not have enough sustainable oil resources in this country to free us from the stranglehold of those who do . . . we will never have enough domestic supply to meet our need for this fuel so we must deliberately and effectively wean ourselves from it." Do you still believe this?

Mr. MCGINN. Yes, I continue to be concerned about our energy security and the global oil market, even with the welcome and positive projections of greatly increased domestic production to occur over the next 10 to 15 years. As a part of the global oil market, I believe it is in our national interest to minimize our vulnerability to supply interruptions and price spikes due to geo-political events, terrorism and natural disasters, in part by diversifying our sources of transportation energy.

7. Senator INHOFE. Mr. McGinn, do you plan to formulate polices for the Navy to address these beliefs?

Mr. MCGINN. If confirmed, my formulation of energy policies for the Department of Navy will be guided by the policies of the President, the Secretary of Defense, and the Secretary of the Navy. I will apply my very best judgment to determine how best to balance the investment of available resources to achieve the best outcomes for both near-term mission readiness and future readiness and capabilities.

8. Senator INHOFE. Mr. McGinn, what changes would you propose to Department of the Navy programs?

Mr. MCGINN. If confirmed, I will take a deliberate and collaborative cost, benefit and risk analysis approach to determine whether changes to Navy programs are necessary.

RESPONSIBILITY FOR NATIONAL ENERGY POLICY

9. Senator INHOFE. Mr. McGinn, which Federal agency, the Department of Energy (DOE) or DOD, is responsible for developing and promoting a national energy policy?

Mr. MCGINN. It is my understanding that the President establishes national energy policies which are then executed by multiple parts of the administration. I believe that a sound energy policy incorporates energy security and that both DOD and DOE have key roles to play as defined in several inter-agency agreements.

10. Senator INHOFE. Mr. McGinn, in your opinion, given the devastating impact of sequestration occurring now to the readiness and capabilities of the Armed Forces, why should DOD be the primary source of funds and leadership for the construction of a commercial biofuels refinery?

Mr. MCGINN. A declining defense budget coupled with the elevated petroleum prices is the primary reason that DOD, the single largest consumer of fossil fuel in the Federal Government, is interested in accelerating the establishment of a domestic biofuels industry. It is my understanding that the agreement signed by the U.S. Department of Agriculture, the Department of Energy, and the Department of the Navy in 2011 to stand up a commercial scale, domestic biofuels industry that will produce drop-in alternative fuels at a price competitive with petroleum calls for equal contributions from each department. This investment figure will then be matched by private industry investment.

VIEWS ON NATIONAL SECURITY

11. Senator INHOFE. Mr. McGinn, given the range of national security threats facing this Nation, how would you rank the threat of climate change?

Mr. MCGINN. I consider climate change to be a threat to our national security. It is one of many threats that our Navy and Marine Corps will confront and, in many ways, has the potential to act as a threat multiplier for instability, serving in some cases to augment and accelerate the underlying causes of conflict.

12. Senator INHOFE. Mr. McGinn, how would you rank the threat of our Nation's dependence on fossil fuels?

Mr. MCGINN. I consider the Department of the Navy's reliance on petroleum products to fuel our ships and aircraft as a supply vulnerability. Despite the very good news about increasing U.S production of natural gas and petroleum, I am concerned by the increase in global demand, rising prices and potential supply disruptions. I support the Secretary of the Navy's efforts to lessen this vulnerability by increasing the energy efficiency of training and operations and the supply of domestically produced alternative fuels.

13. Senator INHOFE. Mr. McGinn, are you familiar with the President's Defense Strategic Guidance released in January 2012? (Sustaining U.S. Global Leadership: Priorities for 21st Century Defense)

Mr. MCGINN. Yes, I am familiar with this guidance.

14. Senator INHOFE. Mr. McGinn, how many additional hours will have to be dedicated to bring all these units and its aircrews back up to mission ready status?

Mr. MCGINN. While I understand that sequestration and Continuing Resolutions have had a significant negative impact on the Department's mission readiness, I have not had the opportunity to develop a thorough understanding of those effects

and, if confirmed, will study this critical readiness issue and work to help alleviate it.

15. Senator INHOFE. Mr. McGinn, how much will that cost?
Mr. MCGINN. I am not familiar with the official costs and, if confirmed, will work diligently with the operators in the Navy and Marine Corps to determine priority investments for the Department.

16. Senator INHOFE. Mr. McGinn, do you know what is says about the national security implications of climate change, energy independence, and a domestic reliance on fossil fuels?
Mr. MCGINN. While the Defense Strategic Guidance does not directly address the security implications of climate change, energy independence and domestic reliance on fossil fuels, it does address the need to maintain an adequate industrial base and our investment in science and technology as these do contribute to our overall security posture.

17. Senator INHOFE. Mr. McGinn, if confirmed, would you be committed to promoting the core defense priorities for the Department of the Navy in support of the Defense Strategic Guidance?
Mr. MCGINN. If confirmed, I will support the priorities of the President, the Secretary of Defense, and the Secretary of the Navy as expressed in multiple defense policy and guidance documents.

SUPPOSED MILITARY CAPABILITIES OF THE GREEN FLEET

18. Senator INHOFE. Mr. McGinn, the committee specifically asked you in advance for your view, given your impressive Navy career and military expertise, how the bulk use of alternative drop-in replacement fuels improves the military capabilities of the fleet. You responded: "In addition to reducing reliance on foreign sources of energy, 'drop-in' fuels would not require any infrastructure or operational changes to bring on line."
How exactly does your answer translate into an enhanced or improved military capability for Navy ships, planes and submarines?
Mr. MCGINN. Liquid alternative fuels are not being considered as a drop-in replacement for our nuclear-powered submarine fleet. However, for our ships, vehicles and aircraft, a drop-in alternative fuel will provide strategic and operational benefits by providing commanders with additional refueling resources to help dampen the volatility of fossil fuel prices that now strain our operational readiness budgets.

19. Senator INHOFE. Mr. McGinn, in your view, should Navy investments in alternative fuels be justified with the same rationale that led the Navy to invest billions in the development of nuclear powered ships?
Mr. MCGINN. While I fully support the Department's efforts to invest in alternative liquid fuel supplies, especially from multiple feedstocks, I do not believe the costs of that investment will be on the same scale, nor for the same strategic rationale, as past investments in nuclear energy.

THE FALLACY OF FUEL PRICE VOLATILITY

20. Senator INHOFE. Mr. McGinn, you responded to an advance policy question about the national security implications of a dependence on fossil fuels by noting that, "Fossil fuels, whether imported or domestically produced, are subject to price volatility and uncertainty of supply. Deriving fuels from other than petroleum sources adds to the supply and helps mitigate fluctuating prices." Given the fact that the use of ethanol over the last 15 years has not affected the volatility of petroleum prices, what analysis do you have that supports your assertion?
Mr. MCGINN. The use of ethanol for transportation fuel in the United States has played an important role in accounting for about 10 percent of our domestic gasoline supply mix. Incorporating ethanol in our gasoline supply acts as a useful blending component and expands supply diversity. Diversity of supply helps to cushion our exposure to the price fluctuations and volatility driven by the dynamics of a global market.

21. Senator INHOFE. Mr. McGinn, to what degree of confidence do you have that DOD investments in the development of alternative fuels will directly result in a reduction in the volatility of petroleum prices?

Mr. MCGINN. I am confident that our investments in alternative fuels will increase the overall supply and diversity of liquid fuel products suitable for use in our ships, vehicles and aircraft, and thereby helping to cushion our exposure to the price fluctuations and volatility driven by the dynamics of a global market.

22. Senator INHOFE. Mr. McGinn, do you assume that a demand for alternative fuels will not result in the same type of price volatility?

Mr. MCGINN. I believe that the price of every commodity can rise and fall in response to supply and demand. As a major consumer of liquid fuel vital to our national security, DOD would greatly benefit from a competitive, domestic renewable fuel industry capable of broadening the fuel supply base by using multiple feedstocks.

PENDING LAND WITHDRAWAL REQUESTS

23. Senator INHOFE. Mr. McGinn, one of the top priorities for the Department of the Navy this year is to renew or initiate a series of land withdrawals for ranges supporting the Navy and Marine Corps, including the expansion of the combat center range Marine Corps Base, Twentynine Palms, CA. Can you provide for the record your personal assessment of the need for these withdrawals?

Mr. MCGINN. As a Naval Aviator with 35 years of active service and command experience at the squadron, carrier, and fleet level, I understand the critical need to conduct realistic, coordinated live fire training and to train like we fight. I cannot overstate the importance of renewing the land withdrawals at the Chocolate Mountain range and the test center at China Lake, as well as expanding the combat center range at Marine Corps Base, Twentynine Palms. These three training and testing installations are vital to maintaining our current readiness and to ensuring we are ready to fight and win our Nation's wars.

GUAM

24. Senator INHOFE. Mr. McGinn, on the issue of billions of dollars planned for investment on Guam, do you support this committee's position that U.S. or Japanese funds should not be spent until we have a clear and detailed assessment of the plans and costs for the laydown of marines in Guam and Hawaii?

Mr. MCGINN. The realignment of marines to Guam is the right strategic move to support the United States posture in the Pacific. A construction effort of this size will take over 10 years to complete. While it is prudent to understand the entire plan and costs, I believe it makes sense to start now on projects for which all required environmental planning is complete, in order to prepare for a larger construction surge when the final planning and environmental studies are complete. Starting some of these projects will reinforce our commitment to allies in the region and will help facilitate our negotiations with the Government of Japan on continued funding for the realignment.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

INSTALLATION MAINTENANCE

25. Senator AYOTTE. Mr. McGinn, there has been a significant impact on facility sustainment because of sequestration and an additional cut of $53 billion in fiscal year 2014 will further degrade important facilities. Deferred facility repairs are not savings, but an assumption of greater risk that contributes to lower military readiness. How will you recover deferred repairs at critical facilities accumulated in 2013?

Mr. MCGINN. I understand that facility sustainment accounts were hit hard due to sequestration in fiscal year 2013. I agree that deferred facility maintenance comes with risk of higher repair bills in the future. To recover from deferred repairs, the Navy will have to be prudent when deciding how to expend diminishing resources to strike the right balance between operational requirements and risk to our shore infrastructure.

26. Senator AYOTTE. Mr. McGinn, can you describe specific impacts to installations, environment, and energy programs if sequestration continues into 2014?

Mr. MCGINN. If sequestration continues into 2014, I expect there will be similar reductions in funding for facility sustainment and base operations and support accounts. These continued reductions would have a compounding impact on the state

of our facilities. At this time, I cannot describe any specific cuts or impacts. If confirmed, one of my highest priorities will be to understand the impacts of sequestration on the entire energy, installations, and environment portfolio and to ensure we are evaluating every investment to balance current and future readiness with risk to our shore infrastructure.

NAVY FACILITY BACKLOG

27. Senator AYOTTE. Mr. McGinn, in April, the Navy submitted an investment plan for the modernization of Naval Shipyards required by the National Defense Authorization Act for Fiscal Year 2012. The report indicated that the overall condition of the infrastructure is below the Navy average, and there is a $3.5 billion maintenance backlog associated with infrastructure, which includes $1.2 billion in deficiencies at mission essential facilities. The report also stated that the Navy will need about 17 years, at current funding rates, just to clear the current maintenance backlog. The Navy is examining ways to accelerate facility investment to fix the backlog under a 10-year plan. Do you know what additional annual funding you will need to achieve this goal?

Mr. MCGINN. Materiel readiness is a key enabler to maintaining freedom of the seas. I am aware of the investment plan and the Navy's commitment to address the backlog. I don't know what specific level or type of additional funding would be required to accelerate the plan. If confirmed, I will advocate for and work with the Chief of Naval Operations and the Assistant Secretary of the Navy (Research, Development, and Acquisition) to ensure that whatever funding may be available for shore infrastructure, including shipyards and depots, is allocated appropriately to meet mission critical needs.

28. Senator AYOTTE. Mr. McGinn, how will sequestration in 2013 and 2014 affect this plan?

Mr. MCGINN. I can't address any specific impacts to the plan from sequestration in 2013. If sequestration continues into 2014, it will challenge investments across the entire Energy, Installations and Environment portfolio. When faced with reduced resources, any organization, whether a business or a household, must assess its short- and long-term objectives and make prudent expenditures and investments accordingly. I believe the same holds true for the Department of the Navy. If confirmed, one of my highest priorities will be to understand the impacts of sequestration on the entire Energy, Installations, and Environment portfolio and to ensure we are evaluating every investment to balance current and future readiness with risk to our infrastructure investments across a broad array of requirements.

FAMILY HOUSING

29. Senator AYOTTE. Mr. McGinn, I am troubled about recent reports regarding concerns expressed by residents at Admiralty Village—a public-private family housing facility that supports personnel working at Portsmouth Naval Shipyard. Some residents have expressed concerns regarding black mold that may be causing health problems in residents, water dripping from ceiling light fixtures, and old appliances that are leaking gas. I want to make sure Captain William Greene, Commander at Portsmouth Naval Shipyard, is receiving all of the support and resources he needs from the Navy in order to address this problem. Are you aware of these reports and if confirmed, will you ensure that Captain Greene, and commanders like him around the Navy, receive the support and resources they need to ensure our military families have military housing that is worthy of their service?

Mr. MCGINN. I am aware of the reports in the press regarding Admiralty Village and I share your concern for the safety and well-being of our servicemembers. If confirmed, I will ensure our commanders have the support and resources they need to provide the highest quality living and working conditions for our sailors, marines, and their families.

[The nomination reference of Mr. Dennis V. McGinn follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
July 9, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Dennis V. McGinn, of Maryland, to be an Assistant Secretary of the Navy, vice Jackalyne Pfannenstiel, resigned.

[The biographical sketch of Mr. Dennis V. McGinn, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF VADM DENNIS V. MCGINN (USN, RET.)

Education:

U.S. Naval Academy
- 1963–1967
- B.S. degree in naval engineering 1967

Kennedy School of Government, Harvard University
- National security program
- 1998

U.S. Naval War College
- Chief of Naval Operations Strategic Studies Fellow
- 1990–1991

Employment record:

American Council On Renewable Energy (ACORE)
- President and CEO
- May 2011–Present

Remote Reality
- CEO and Chairman
- Jan. 2008–Present

Battelle Memorial Institute
- Corporate Officer, Energy, Transportation and Environment Division
- 2002–2007

U.S. Navy: 1967–2002
- Naval aviator, test pilot, aircraft carrier commanding officer, national security strategist
- Deputy Chief of Naval Operations for Warfare Requirements and Programs at the Pentagon
- Commander of U.S. Third Fleet

Honors and awards:

Air Medal (three awards)
Navy-Marine Corps Commendation Medal (eight awards, all with Combat V)
Distinguished Flying Cross (two awards)
Meritorious Service Medals (one award)
Legion of Merit (four awards)
Defense Superior Service medal (one award)
Distinguished Service Medal (one award}

Boards:

CNA Military Advisory Board
- Vice Chairman
- 2007–Present

Rocky Mountain Institute
- International Security Senior Fellow
- 2002–Present

Energy Future Coalition
- Steering Committee Member
- 2011–Present

National Conference on Citizenship
- Director, Chairman of Strategy Committee
- 2005–Present

U.S. Energy Security Council
- Member
- 2011–Present

Bipartisan Policy Center
- Energy Board Member
- Jan. 2012–Mar. 2013

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Mr. Dennis V. McGinn in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Dennis Vincent McGinn.

2. **Position to which nominated:**
Assistant Secretary of the Navy for Energy, Installations, and Environment.

3. **Date of nomination:**
July 9, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
August 26, 1945; Attleboro, MA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Susan Kelly (Harris) McGinn.

7. **Names and ages of children:**
John McGinn, 45.
David McGinn, 43.
Daniel McGinn, 37
Susan Yekstat, 36.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
U.S. Naval Academy, 1963–1967, B.S., June 7, 1967.

U.S. Naval Test Pilot School, 1973–1974
U.S. Naval War College, 1990–1991, CNO Fellow

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

President/CEO, American Council on Renewable Energy, 1600 K St., NW, Washington, DC, 2011–Present
CEO and Chairman, RemoteReality, Inc, 1700 West Park Drive, Westborough, MA, 2008–Present
Senior Vice President, Energy, Transportation, Environment, Battelle Memorial Institute, 505 King Ave, Columbus, OH, 2003–2007
Schott North American, 2451 Crystal Drive, Arlington, VA, 22202, 2011–2012

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Member of the Department of Energy Electricity Advisory Board, 2012–present
National Commission on Disabled Veterans Benefits, Member, 2004–2007

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

American Council on Renewable Energy, President/CEO, 2011–present
Remote Reality Corporation, Chairman and CEO, 2008–present
Member of the CNA Military Advisory Board, 2007–present

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

National Conference on Citizenship, Director and Chair of Strategy Committee, 2005–Present
Naval Institute, Member, 1970–Present. Chairman of the Board, 2001–2002
American Renewable Energy Institute, Director, 2012–Present

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

None.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Personal military awards during service with U.S. Navy, 1967–2002:

Air Medal (three awards)
Navy-Marine Corps Commendation Medal (eight awards, All with Combat V)
Distinguished Flying Cross (one award)
Meritorious Service Medals (one award)
Legion of Merit (four awards)
Defense Superior Service medal (one award)
Distinguished Service Medal (two awards)

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Reports (Co-Authored):

- America's Energy Resurgence: Sustaining Success, Confronting Challenges, Bipartisan Policy Center, February 27, 2013
- Ensuring America's Freedom of Movement: A National Security Imperative to Reduce U.S. Oil Dependence, CNA Military Advisory Board, October 2011
- Powering America's Economy: Energy Innovation at the Crossroads of National Security Challenges, CNA Military Advisory Board, July 2010
- Powering America's Defense: Energy and the Risks to National Security, CNA Military Advisory Board, May 2009

Op-Eds/Blog Submissions:

- American Renewable Energy Is Powering the American Energy Transformation (The Hill, July 4, 2013 reprinted by Huffington Post, July 9, 2013)
- Level the Playing Field for Renewables (Politico, June 24, 2013)
- ACORE Salutes Tesla for Repaying Loan Guarantee Nine Years Early, Showing Success of LGP Program (States News Service, May 23, 2013)
- Congress Can Jolt Renewable Energy (National Journal Energy Experts Blog, April 29, 2013)
- More Renewables for States (Politico, April 4, 2013)
- Bullish on Biofuels (National Journal Energy Experts Blog, March 29, 2013)
- Opinion: Dennis McGinn of ACORE (Recharge, March 4, 2013)
- The Year For Bipartisan Energy Policy (National Journal Energy Experts Blog, January 9, 2013)
- Long Term Thinking For PTC (National Journal Energy Experts Blog, December 17, 2012)
- Jobs and Manufacturing At Stake (National Journal Energy Experts Blog, December 12, 2012)
- Together We Move Forward (National Journal Energy Experts Blog, November 14, 2012)
- Get Past Politics and Back to Business (National Journal Energy Experts Blog, November 5, 2012)
- A Real "All ofthe Above" Strategy (National Journal Energy Experts Blog, October 17, 2012)
- The Supply and Demand of Renewable Energy (Huffington Post, September 26, 2011)

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

I have delivered several speeches and interviews over the past 5 years related to energy, economic and environmental security in the context of national security. I do not retain hard copies but speak from notes.

I also have a record of written and oral testimony all of which included in the Congressional Record.

Specifically, I testified before the House Select Committee on Energy Independence and Global Warming on 1 December 2010 and 18 April 2007. I testified before the Senate Environment and Public Works Committee on 28 October 2009 and 30 July 2009. I testified before the Senate Foreign Relations Committee on 21 July 2009. The topic of my testimony in each instance was relevant to the position for which I have been nominated.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to Congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

DENNIS VINCENT MCGINN.

This 23rd day of July, 2013.

[The nomination of Mr. Dennis V. McGinn was reported to the Senate by Chairman Levin on July 30, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 1, 2013.]

NOMINATIONS OF ADM CECIL E.D. HANEY, USN, FOR REAPPOINTMENT TO THE GRADE OF ADMIRAL AND TO BE COMMANDER, U.S. STRATEGIC COMMAND; AND LTG CURTIS M. SCAPARROTTI, USA, TO BE GENERAL AND COMMANDER, UNITED NATIONS COMMAND/ COMBINED FORCES COMMAND/U.S. FORCES KOREA

TUESDAY, JULY 30, 2013

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:37 a.m. in room SD–G50, Dirksen Senate Office Building, Senator Carl Levin (chairman), presiding.

Committee members present: Senators Levin, Reed, Udall, Blumenthal, Donnelly, Kaine, King, Inhofe, McCain, Chambliss, Ayotte, and Fischer.

Committee staff members present: Peter K. Levine, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Jonathan S. Epstein, counsel; Ozge Guzelsu, counsel; Richard W. Fieldhouse, professional staff member; Gerald J. Leeling, general counsel; Mariah K. McNamara, special assistant to the staff director; Russell L. Shaffer, counsel; and William K. Sutey, professional staff member.

Minority staff members present: John A. Bonsell, minority staff director; Steven M. Barney, minority counsel; William S. Castle, minority general counsel; Thomas W. Goffus, professional staff member; Anthony J. Lazarski, professional staff member; Daniel A. Lerner, professional staff member; and Robert M. Soofer, professional staff member.

Staff assistants present: Lauren M. Gillis and Daniel J. Harder.

Committee members' assistants present: Jeff Fatora, assistant to Senator Nelson; Casey Howard, assistant to Senator Udall; David LaPorte, assistant to Senator Manchin; Marta McLellan Ross, assistant to Senator Donnelly; Karen Courington, assistant to Senator Kaine; Steve Smith, assistant to Senator King; Paul C. Hutton IV, assistant to Senator McCain; Lenwood Landrum, assistant to Senator Sessions; Todd Harmer, assistant to Senator Chambliss; Brad Bowman, assistant to Senator Ayotte; and Peter Schirtzinger, assistant to Senator Fischer.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody.

The committee meets this morning to consider military nominations for two critically important command assignments. We welcome Admiral Cecil Haney who is nominated to be Commander, U.S. Strategic Command (STRATCOM) and Lieutenant General Curtis Scaparrotti who is nominated to be Commander, United Nations (U.N.) Command, Combined Forces Command, and U.S. Forces Korea (USFK). Thank you both for your decades of service to our Nation and for your willingness to continue to serve in these positions of great responsibility.

We would also like to welcome and to thank your family members, some of whom are here this morning. Our military families are essential to the overall success and the well-being of our Armed Forces, and we appreciate greatly their many sacrifices, particularly during the course of long military careers. In this regard, as is the tradition of this committee, we invite each of you, during your opening remarks, to introduce the family members or others who are here with you this morning.

It is most appropriate that these nominees appear together because the responsibilities of the positions to which they have been nominated intersect, particularly as they relate to the security situation on the Korean Peninsula and the potential threats from North Korea.

Unfortunately, as has been evident from the words and actions from North Korea in the last several months, the leadership change in North Korea, occasioned by the death of longtime dictator Kim Jong-il, has not yet resulted in any meaningful, positive change in North Korea's policies. North Korea continues its reckless pursuit of ballistic missiles, nuclear weapons, and continues to threaten its neighbors and the overall peace and stability in the region. The regime remains determined to defy the international community to the detriment of its own prosperity and growth and with little concern for the well-being of its own people.

STRATCOM is responsible for our deployed nuclear deterrence, integrating global missile defense, managing military space systems, and countering weapons of mass destruction. STRATCOM also oversees Cyber Command, a sub-unified command tasked with managing military operations in cyberspace, and is charged with coordinating the Department of Defense's (DOD) electromagnetic spectrum. If confirmed, Admiral Haney will be a key player in the overall strategic posture and policy of the United States.

Admiral, we will be interested in your views on the U.S. nuclear employment strategy, your priorities for missile defense, and the status of Cyber Command. With regard to North Korea in particular, we would be interested in your thoughts on the various steps announced earlier this year by Secretary Hagel to improve Homeland missile defense capability, including the planned deployment of 14 additional ground-based interceptors (GBI) in Alaska by 2017.

Lieutenant General Scaparrotti is currently the Director of the Joint Staff where he assists the Chairman and Vice Chairman of the Joint Chiefs of Staff with many of the most challenging issues facing our military and our country today. If confirmed, he will

bring his breadth of experience to bear on maintaining a military force on the Korean Peninsula that is ready, willing, and able to respond to any aggression from North Korea. General, we would be interested in your assessment of the security situation on the peninsula, the posture of U.S. Forces there, and the plan for the transfer of wartime operational control from the United States to the South Koreans in December 2015.

Admiral and General, we again welcome you today. We look forward to your testimony.

I now call on Senator Inhofe.

STATEMENT OF SENATOR JAMES M. INHOFE

Senator INHOFE. Thank you, Mr. Chairman.

I join you in welcoming General Scaparrotti and Admiral Haney. I thank both of you for the time that you have spent coming over in personal visits.

General Scaparrotti, you have been nominated to replace General Thurman as Commander of the U.S. Forces in Korea, and General Thurman and the men and women under his command have done a tremendous job in standing with our South Korean partners to ensure stability in the Korean Peninsula.

However, this stability is at risk. Tensions over the last year have risen dramatically, and as a result, Kim Jong-un's belligerent behavior, including the testing of nuclear weapons and launching of ballistic missiles, his provocative actions threaten to overturn the peace, stability, and prosperity of the entire region.

Our military capabilities in the region must be designed to deter North Korean aggression, but should deterrence fail, it has to be ready to punish aggression, to protect vital U.S. interests, partners, and allies. However, I am greatly concerned that further defense cuts under the sequestration will put these capabilities at risk, undermine our influence in the region, and will encourage Kim Jong-un's reckless behavior.

Admiral Haney, you have been nominated to serve as the next Commander of STRATCOM. If confirmed, your principal responsibility will be to ensure the effectiveness of our Nation's nuclear deterrent force. This requires a credible nuclear strategy backed by capable nuclear forces. There is cause for concern in both respects. Not only are our nuclear modernization programs facing funding cuts and increasing schedule delays, but the President's insistence on reducing the role and number of nuclear weapons could also undermine deterrence and make our allies nervous.

The current Commander of STRATCOM told Congress earlier this year that as the sequester impacts continue to grow, he said, "Reduced readiness and curtailed modernization damage the perceived credibility of our capabilities, increasing the risks to achieve our primary deterrence and assurance objectives." These cuts are likely to have real negative consequences on our ability to deal with the crisis around the world which, in turn, may increase rather than reduce the role of nuclear weapons in our national security strategy.

We also face a growing and increasingly complex threat with cyberspace, and despite the reality, this administration has failed to implement an effective cyber deterrence strategy that dissuades

those seeking to hold our economic and national security interests at risk in cyberspace. While the White House has been quick to blame Congress on the need for cyber legislation, it has been slow in developing and implementing the far more important strategy for exposing, countering, and deterring our adversaries.

Finally, the Department is currently debating the elevation of the Cyber Command from its current position under STRATCOM to become its own unified command. We will want to talk about that, and I look forward to your comments.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Inhofe.

Admiral Haney?

STATEMENT OF ADM CECIL E.D. HANEY, USN, FOR REAPPOINTMENT TO THE GRADE OF ADMIRAL AND TO BE COMMANDER, U.S. STRATEGIC COMMAND

Admiral HANEY. Mr. Chairman, Senator Inhofe, and distinguished members of the committee, thank you for the opportunity to come before you today. It is my sincere honor to appear as the nominee to lead STRATCOM.

I am honored to be here also with some of my family members. First, my wife Bonnie, who sits behind me here, has been with me throughout my military career, and has raised three wonderful children who could not be here today. She is also representative of all the spouses that support our military servicemembers.

Second, my sister, Dr. Yvonne Coates is here, who has worked tirelessly in my hometown, Washington, DC, here as a public school educator for many years.

Our All-Volunteer Force is sustained by our families that support us and allow us to serve.

I am also honored to be here with Lieutenant General Scaparrotti.

I would like to thank the President and the Secretary of Defense for nominating me. I also thank the Chairman of the Joint Chiefs of Staff for expressing his confidence in my ability to serve as a combatant commander. If so confirmed, I look forward to working with this committee to address the strategic challenges that face our Nation. They are complex and compelling, and STRATCOM plays a key role in each. I know that this committee knows and respects the strategic challenges we face today and the ones over the horizon that must be addressed. Complex threats provide opportunities for terrorism and raise significant security concerns. We must address nuclear issues today to include both state and nonstate actors, proliferation, and weapons of mass destruction.

Space, though a vast operational area, is a complex environment that is competitive, congested, and contested. Addressing the cyber threat is critical to our national security. Intensive and extensive cooperation across the whole of government and the governments of our allies, partners, and friends is required to prepare for and respond to these developments. Our ability as a Nation to shape events to our interests will continue to depend on the skill and dedication of the great men and women who serve our Nation.

Leading STRATCOM is a significant responsibility and a unique opportunity. If confirmed, I pledge to you that I will devote all of my energy, commitment, and focus to address these challenges.

I am very fortunate to have had assignments to include operational experiences and command opportunities that align with STRATCOM's mission set. I believe they have prepared me for this challenge. If confirmed, I will also be fortunate and deeply humbled to follow the paths blazed by some of our truly great national leaders that have mentored me such as Admiral Hank Chiles and Rich Mies and General Kevin Chilton, prior commanders of STRATCOM who have helped in shaping my intellect, experiences, and understanding. I also want to thank the current Commander, General Bob Kehler, whose leadership has been deeply important in these past critical years to shaping our national posture, and I am grateful to have served with him as his deputy.

Of course, as always, if confirmed, I look forward to working with and caring for the world's best soldiers, sailors, airmen, marines, and civilians and their families.

Mr. Chairman, Senator Inhofe, distinguished committee members, it is a privilege to be before you here today, and I look forward to your questions.

Chairman LEVIN. Admiral, thank you very much.

General?

STATEMENT OF LTG CURTIS M. SCAPARROTTI, USA, TO BE GENERAL AND COMMANDER, UNITED NATIONS COMMAND/ COMBINED FORCES COMMAND/U.S. FORCES KOREA

General SCAPARROTTI. Chairman Levin, Senator Inhofe, and other distinguished members of the Senate Armed Services Committee, I thank you for the opportunity to appear here today, and I also want to thank you for the support that you have provided to our servicemembers, our Department of Defense civilians, and their families who selflessly serve in the defense of our great Nation and defense of our way of life.

I would also like to thank the Secretary of Defense and the President for their trust and confidence and for nominating me to be the next Commander for United Nations Command, Combined Forces Command, and U.S. Forces Korea.

If confirmed, I look forward to working closely with this committee, with our civilian and military leadership, and with Republic of Korea military and civilian leadership to advance our national interests and to address the opportunities and challenges in the Korean theater.

If confirmed, I commit to the servicemembers serving in Korea that I will do all that I can to ensure their readiness for the mission and to provide the support that they and their families deserve. I look forward to working with this committee to realize this commitment.

Finally, I would like to introduce and thank my wife Cindy, who is here with me today. She has been by my side for nearly 34 years and has been an essential part of my service. Cindy has supported me during multiple deployments, cared actively for our servicemembers and their families, and raised our children.

Also with me today, Stephanie, our youngest child, is here with her husband, Captain Luke High, presently a company commander in the 82nd Airborne Division. They have given us two grandchildren, Ava and Jacob. My son Michael, who could not be here today, lives and works in Ann Arbor, MI.

I am blessed with this family who has given so much, like other military families, so that I may serve.

I thank the committee again for the opportunity to appear today, and I look forward to your questions.

Chairman LEVIN. Thank you very much, General.

We now ask our witnesses standard questions, and you can respond together to these questions.

Have you adhered to applicable laws and regulations governing conflicts of interest?

Admiral HANEY. I have.

General SCAPARROTTI. I have.

Chairman LEVIN. Do you agree, when asked, to give your personal views even if those views differ from the administration in power?

Admiral HANEY. I do.

General SCAPARROTTI. I do.

Chairman LEVIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

Admiral HANEY. No, sir.

General SCAPARROTTI. No.

Chairman LEVIN. Will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Admiral HANEY. I will.

General SCAPARROTTI. I will.

Chairman LEVIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

Admiral HANEY. I will.

General SCAPARROTTI. I will.

Chairman LEVIN. Will those witnesses be protected from reprisal for their testimony or briefings?

Admiral HANEY. They will.

General SCAPARROTTI. Yes.

Chairman LEVIN. Do you agree, if confirmed, to appear and testify upon request before this committee?

Admiral HANEY. I do.

General SCAPARROTTI. I do.

Chairman LEVIN. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Admiral HANEY. I do.

General SCAPARROTTI. I do.

Chairman LEVIN. Thank you.

Let us have a 7-minute round this morning to start with for our first round of questions.

Admiral, let me ask you about the New Strategic Arms Reduction Treaty (START) which is now being implemented. It was ratified in the Senate in December 2010. Do you support the New START treaty?

Admiral HANEY. Senator, yes, I do.

Chairman LEVIN. On the question of missile defense, in your answers to the prehearing policy questions, Admiral, about the idea of possibly deploying a future east coast missile defense site, you made several important points as follows.

First, you said you support proceeding with the environmental impact statement process that we required in last year's law in order to inform future decisions about such a site.

Second, you said you agree with General Dempsey and Admiral Winnefeld that additional analysis is needed, including analysis of the missile threat from Iran, before making a decision on whether to deploy such a site in the future.

Third, you said you agree with the assessment of Vice Admiral Syring and Lieutenant General Formica on the importance of enhancing our future missile defense sensor and discrimination capability, which they see as a more cost effective and less expensive near-term alternative to deploying an east coast site.

Can you explain this issue of sensor and discrimination capabilities and how they would benefit our Homeland defense?

Admiral HANEY. Senator, thank you for that question.

As we work missile defense and look to the future, it is very important that we are able to discriminate what is coming at us, whether it is a decoy, whether it is a warhead, and be able to address that threat at the right opportunity with our missile defense capability. As we look at prioritizing our efforts, it is so important that we invest properly in the sensing part of this because that way we can balance the equation of our concept of operations and how we address the threat missile per missile.

Chairman LEVIN. Admiral, in the missile defense area, Secretary Hagel and other senior leaders have said that before we deploy any more GBIs, we will first have to conduct successful intercept flight testing to demonstrate that they will work as intended.

Do you agree that we need to make sure that the ground-based midcourse defense system, including both the CE1 and the CE2 kill vehicles, and demonstrate the success of the system in intercept flight test before we deploy any more GBIs?

Admiral HANEY. Senator, I think it is important that we continue to deploy our CE1s, which have been proven through tests. I also think it is important that we fly before we buy as we look at the CE2 variant so that we can assure we have the reliability that is required in order to address the threats now and into the future.

Chairman LEVIN. General, relative to Korea, I believe it is important that we see to it that the primary responsibility for defending South Korea during a time of war lies with South Korea and that the responsibility for wartime operational control be turned over to the South Koreans as soon as practicable. It is a sovereign nation and sovereign nations should be responsible for their own national defense in time of war, particularly after the length of time that they have been gaining in capability.

Right now, the plan for the transfer of wartime operational control to the Republic of Korea is set for no later than 2015. Do you agree with that timetable?

General SCAPARROTTI. Senator, thank you.

Yes, I do agree with the timetable. It is a bilateral agreement, Strategic Alliance 2015, to turn over operational control by December 2015. I think it is a good plan and it includes milestones that ensure the capability and our integration of forces together to provide the readiness that is needed on the peninsula at the time of that transition. I think we should move forward with it.

Chairman LEVIN. Will you do everything you can, if confirmed, to ensure that the transfer is not delayed any further? It has been delayed two or three times before.

General SCAPARROTTI. Yes, sir. If confirmed, I will do everything possible to ensure that we stay on track with Strategic Alliance 2015.

Chairman LEVIN. Now relative, General, to Camp Humphreys, the Army has proposed a public/private venture to build family housing called the Humphreys Housing Opportunity Project (HHOP). Essentially private developers would build the housing complex and DOD would pay rent in the form of an overseas housing allowance (OHA) for servicemembers that live in the units.

The problem is that the Army has proposed a rental rate of $3,900 per unit per month, which represents a huge increase in the housing allowance rate for servicemembers assigned to the Camp Humphreys area, a rate which currently averages around $1,500 per month. If HHOP were built as planned, a soldier assigned to Camp Humphreys and living off base would receive on average about $1,500 per month while a soldier living in HHOP housing would receive on the average $3,900.

The committee's analysis suggests that the rent paid to the private developer for HHOP units would cost $630 million more than the standard overseas housing rate over 20 years. Moreover, the approval of that higher rate would set a very troubling precedent by using personnel pay accounts to finance a military construction project where the project costs are considered too high to be funded through military construction accounts.

Now, in the current budget environment, it is hard for me and a number of other members of this committee to see a persuasive rationale for a plan that would commit the United States to pay out of DOD personnel accounts an OHA rate two and a half times greater than what has been determined to be reasonable in the Camp Humphreys area and that would then cause this inflated cost to be included in the personnel accounts over the next 20-plus years.

I do not know whether you have had a chance to review this project or not, General, but first, if you have a comment, would you share it with us? In any event, will you get back to us with a more detailed assessment?

General SCAPARROTTI. Sir, I have reviewed the Senate Armed Services Committee's review of this issue, and I have taken a look at U.S. Forces Korea's review of the issue. If confirmed, I will take a close look at this issue and consider other options to ensure that we can care for our command-sponsored families, as well as main-

tain the readiness that we need in the Peninsula. I will come back to the committee, if confirmed.

Chairman LEVIN. Thank you very much.

Senator Inhofe?

Senator INHOFE. Thank you, Mr. Chairman.

Admiral Haney—well, both of you. One of the problems we have in confirmation hearings is it is hard to get answers when they have not assumed that position yet, but you both have a background in the positions that you are going to be moving to. I think you are both excellent choices for those positions.

Admiral Haney, you had stated in response to the chairman here, his question about whether you supported the New START treaty, and you said that you did. I have to say that I did not.

I look at the New START treaty—and there were a lot of commitments that were made at that time in order to get the votes necessary to pass it. It was a close call in the U.S. Senate. Recently, General Kehler said, "I remain concerned that maintaining a safe, secure, and effective deterrent requires a substantial modernization effort that comes in the midst of a very difficult financial period." Modernization is what we were talking about. That was a commitment that was made that has not yet reached its fruition in terms of modernizing. I am concerned about this.

The other concern I had about the START 10 treaty was in the area of the tactical nuclear weapons. Now, would you have supported it more had that been included in terms of the ratio or the numbers of tactical nuclear weapons that Russia has as opposed to what we have? The ratio is about 10 to 1. What is your feeling about the tactical nuclear weapons?

Admiral HANEY. Senator Inhofe, as you have addressed, modernization is important to us, and I would hope that we can continue to do the modernization of weapon warheads, platforms, as well as the industrial base that supports it.

With regards to the tactical nuclear weapons, as we went into New START and with any treaty, it is important that we are able to not just reduce but be able to also verify that the obligations per that agreement are, in fact, able to be carried out. We were able to do that from the basis of warheads, strategic warheads, as well as launchers in the New START treaty.

Personally, I would love to see the world with less tactical nukes, nuclear weapons. The same type of rigor has to be in place in order to have an agreement by which we can reduce tactical nuclear weapons such that they are verifiable, negotiated where they make sense. I would not sit here and even attempt to debate the importance of the reduction of tactical nuclear weapons——

Senator INHOFE. Yes, well, the question then was would you have supported it more vigorously if they had included the tactical nuclear weapons in the New START treaty?

Admiral HANEY. Senator, only if we had verifiable means by which we could verify both the other side, Russia, was carrying out an appropriate obligation.

Senator INHOFE. Okay. The warheads are going to be reduced, I think 1,550. As we move down and we are reducing, it would seem to me that the modernization program is more important, as we are going through a reduction. Would you agree with that?

Admiral HANEY. Yes, Senator, I would agree.

Senator INHOFE. Now, there has been some discussion about doing a unilateral reduction. I cannot remember the exact words, but it was whether they do or not. What is your feeling about a unilateral reduction that would be done outside of the treaty that would be addressed by this committee?

Admiral HANEY. Senator, I think it is very important that any further reductions are negotiated. Period.

Senator INHOFE. That is good, and I agree with that.

The chairman covered the CE1 and the CE2. I would only say that for us to be in a position where our GBIs are going to be where we want them to be, it is going to require more testing. Would you not agree with this?

Admiral HANEY. Senator, I absolutely support more testing.

Senator INHOFE. All right.

General Scaparrotti, we just returned not long ago from Korea. That is a tough one. You are dealing with a guy that is not a rational person. He does all these things that I mentioned in my opening statement. To start out with, would you think dealing with such a person as that, that our current strategy of diplomatic isolation and economic sanctions would stop someone like Kim Jong-un from acquiring a nuclear weapons capability?

General SCAPARROTTI. Senator, I think that our present strategy is correct. I think that we have to be persistent and consistent with that strategy. I also believe that in terms of, if confirmed for the position that I will take there, I will have to do everything that I can in military-to-military relations in order to bring other countries in the region to bear as well. I think the more influence we have both in the region and internationally—and I will have an opportunity to help with that, if confirmed, as the Commander of the United Nations Command—will be helpful in our strategy as well. I share with you the concern about his uncertainty.

Senator INHOFE. That is a kinder way of putting it than I would.

I think when we are looking at sequestration, we are looking at budget cuts, and this does not happen in isolation. There will likely be a reduced carrier presence and U.S. warship presence in the Pacific. Do you think that makes someone like Kim Jong-un more likely to miscalculate or to be more militarily aggressive? What kind of reaction do you think he would have to our reduction of our fleet?

General SCAPARROTTI. Senator, I think that the potential impacts of sequestration, in terms of the reduction of our naval forces, which you mentioned, would likely undercut our deterrence in his eyes and may lead at least to a greater possibility of miscalculation.

Senator INHOFE. Yes. That is a scary thought.

My time has expired, and I appreciate your response.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

Senator Reed?

Senator REED. Thank you very much, Mr. Chairman.

Welcome, Admiral Haney and your family, and thank you for your service.

General Scaparrotti, welcome and to your family. I have had the privilege of working with General Scaparrotti for about 10 years now very closely from his days as commandant of cadets at West Point through the Commander of the 82nd Airborne Division. Thank you for your service, sir, and your family's.

Admiral Haney, one of the issues that we face is modernization of our nuclear deterrence. My understanding is the bulk of our deterrent missiles are at sea now. Is that a fair estimate?

Admiral HANEY. Senator, that is a fair estimate in terms of warheads.

Senator REED. The modernization of our submarines, which deliver and launch those, potentially, missiles, is a key priority for the national defense in terms of the *Ohio*-class?

Admiral HANEY. Senator, the replacement of the *Ohio* SSBN is critical to our nuclear deterrent strategy and capability.

Senator REED. We are committed, I believe, to maintain the triad of air-launched missiles as well as ground-launched missiles, but since we have the bulk of our assets at sea in terms of warheads, that would seem to me to be sort of the first priority in terms of modernization of the delivery system at least. Is that consistent with your views and the strategy?

Admiral HANEY. Senator, first, the flexibility of having a triad is also very important to our deterrence strategy. Since the *Ohio*-class platform is nearing its end of life, it is very important that we replace it in addition to the calculus you just mentioned.

Senator REED. One of the things that is going to be required is support from the Department of Defense to do that because the issues you deal with cut across Service lines. There has to be, I think, a national commitment to modernization of the whole triad. But, again, since most of our—with no pun intended—eggs are in these submarines, we have to do that first and we have to do it with defense-wide resources. Is that your view too?

Admiral HANEY. Senator, it is not in my purview as far as how they are paid for in terms of defense-wide, but very important that we in fact move forward with that critical platform.

Senator REED. Thank you very much, Admiral.

Just a final question. We are in the midst of a doctrinal shift similar to the late 1970s and early 1980s when we developed the air-land doctrine. Now it is the air-sea battle. You gentlemen will be in the midst of that. General Scaparrotti will be in Asia in South Korea, and the bulk of our pivot diplomatically and strategically is towards the Asia-Pacific area. The air-sea battle is comparable in terms of that doctrine.

One of the key factors that we did not have to worry about quite as much back in the 1970s–1980s with the air-land battle was cyber. As part of your responsibility, are you fully worked in—you and your staff—with developing this new doctrine particularly when it comes to cyber?

Admiral HANEY. Senator, if I have your question right, you are asking relative to air-sea battle and cyber. I would say that the air-sea battle is a concept. It is a concept I work in my current capacity as the Commander of the Pacific Fleet across the Joint Services and with the Pacific Command Commander, Admiral Locklear, and

his team. It includes all of our capabilities and effort to include cyber.

Senator REED. Let me go ahead and I will, for the record, ask additional questions on this point. But a concern I have is that, air power, sea power—we have been doing that for about 200 years. This is a brand new, relatively speaking, dimension. It seems also, given what we have read in the press, that some of our potential competitors have very sophisticated asymmetric powers with respect to cyber. When we develop this air-sea battle—and it will pertain to General Scaparrotti too—we have to make sure that we can communicate, that we can command, we can control, et cetera. That might be the most key aspect of this new doctrine. I would hope that you and your command would be very much engaged in it.

Let me turn to General Scaparrotti now. General, we have a series of joint exercises with the South Korean forces in Foal Eagle, Key Resolve, and others. Can you give me just a preliminary estimate of, one, their value and, two, your intentions going forward with these joint exercises?

General SCAPARROTTI. Sir, these exercises, they are large, they are joint, they are combined. We do those regularly throughout the year. I think they are essential to the readiness that we need to maintain on the peninsula. I also think they are essential in terms of the integration that we are trying to attain and the improvement in both our forces and of Republic of Korea (ROK) forces. The very milestones that are laid out in Strategic Alliance 2015, for instance, can be best tested and developed through the use of those exercises because those are the times when we can bring together all of the Services as well as combined forces of both us and the ROK military.

Senator REED. Again, as has been mentioned before in previous questions, one of the key actors that influence the Korean Peninsula is China. Recently, they have made some statements or the statements have been attributed to them as suggesting to the world and to the North Koreans that their ultimate goal is denuclearization, which would be a positive step forward. Just in general, your view on their role and your view of how you can help facilitate the diplomacy between not just South Korea and the United States but South Korea, China, Japan, and the United States.

General SCAPARROTTI. Yes, sir. I agree. I think China is key to the influence here on North Korea. As a part of my present duties as Director of the Joint Staff, I took part in the talks that were just held with China on economics and security, and they did make the commitment to a denuclearized peninsula.

I think, if confirmed in my next duty, I have a relationship now that I have begun to establish with the deputy chief of staff of Chinese forces. They know me. Second, in terms of my position, if confirmed, I also have that military-to-military relationship that I will develop with South Korea and with the other countries in the region. I think those military-to-military relationships are very important to progressing to our objective of denuclearization of the peninsula.

Senator REED. Thank you very much, sir. Thank you, gentlemen.

Chairman LEVIN. Thank you, Senator Reed.

Senator Ayotte?

Senator AYOTTE. Thank you, Mr. Chairman.

I want to thank you, Admiral Haney and General Scaparrotti, for your service and for the sacrifice of your families too. We appreciate it.

I wanted to follow up, Admiral Haney, on the question that Senator Inhofe asked you about reduction of our nuclear deterrent and particularly our deployed strategic nuclear weapons.

The President recently did announce that he was going to seek a one-third reduction of our deployed strategic nuclear weapons. It was not clear in his speech at all whether that was something that he would only accept through negotiated reductions with countries like Russia or whether this would be something he would consider doing unilaterally.

If you were to seek to do that unilaterally, what would your advice be to him on a unilateral reduction of our nuclear deterrent?

Admiral HANEY. Senator, thank you for that question.

My advice would be that we negotiate a bilateral agreement that also has verifiable components to it so that we can ensure that the said reduction would work.

Senator AYOTTE. Just to be clear, you would oppose a unilateral reduction?

Admiral HANEY. Senator, that is correct.

Senator AYOTTE. Thank you.

How important do you believe it is before we seek any further reductions that we fulfill the modernization requirements of the New START treaty in section 1043? I know that you were well aware, of course, as the deputy commander of those requirements that you have already been asked about. How important do you believe that we fulfill that modernization requirement before we seek further reductions?

Admiral HANEY. Senator, I think it is very important that we modernize our industrial base in order to maintain and sustain the weapons that we have. Each will be even more critical as you reduce the number. It is so important that we have a secure and a safe and effective nuclear deterrent, and that industrial base supports that.

Senator AYOTTE. If we are continuing to diminish the resources toward our modernization efforts, which is essentially what is happening right now under the New START treaty, do you think it is advisable that we further reduce our nuclear deterrent without meeting those responsibilities?

Admiral HANEY. Senator, I think the reductions relative to the New START treaty, as agreed upon, is satisfactory. I believe from the knowledge I have—I do not currently work in that business, but from what I understand, for the fiscal year 2014 budget, the President's budget supports the modernization of that industrial base. With sequestration, it is a question in my mind to how well we will be able to do that with further cuts across the board in all our accounts to include this modernization you mentioned.

Senator AYOTTE. My point is this, when the President announces that he is going to seek a third reduction, it seems to me that unless we further fulfill our commitments to modernize our current

deterrent pursuant to the existing treaty obligations, then that would, in my view, not be advisable particularly if we do not know that we have modernized what we have now, which we know is important to do to make sure it works.

In that regard, I wanted to ask you about the recent Missile Defense Agency test that the chairman asked you about of the CE1 kill vehicle. One of the issues that I see with that is that this issue of our missile defense program needs to be prioritized. In fact, is it not true that the last time the CE1 kill vehicle had been tested was 2008?

Admiral HANEY. Senator, it is my understanding that the CE1 has gone through a number of tests, and as a result of the combined tests, it is an effective and operational capability today.

Senator AYOTTE. The first flight test we have had, General, was since 2008. Here we are, 2013, and the last time we had a flight test of it was 2008. It seems to me that if we are going to have a commitment to our missile defense and making sure that the capabilities are there, that we need to put resources in it that are going to further testing. In fact, what troubles me is the administration, even prior to sequestration, was cutting funding for this program.

As we go forward, what do you believe the priorities should be in terms of making sure that our missile defense programs are supported?

Admiral HANEY. Senator, my priorities would be the day we invest in sensors, we invest in reliability of the missiles that we are using, both CE1 and CE2, and we do adequate testing to ensure that reliability exists.

Senator AYOTTE. With regard to an east coast missile defense site, you said to the chairman that you felt that there were further analysis of the missile threat to Iran. Do you dispute what has been the report from the National Air and Space Intelligence Center from earlier this month that concluded Iran could develop and test an intercontinental ballistic missile (ICBM) capable of reaching the United States by 2015?

Admiral HANEY. Senator, I am not here to dispute what you just said.

Senator AYOTTE. What further analysis do we need to conduct? We missed it when it came to the North Korean nuclear threat, and I would hate to see us in that position with regard to Iran. Would you agree with me that if we had an east coast site, particularly with the cancelation of the SM–3 Block 2B program, that it would provide additional battle space in response to an ICBM missile from Iran to the east coast of the United States?

Admiral HANEY. Senator, I believe we have to continue to study how we are going to address that. As I mentioned earlier and truly believe, that we have to also get the sensing right so that as we fire our individual missiles to address this problem, that we have the right targeting with that. I also support, as far as the east coast launch site, that we move forward with the environmental impact statement (EIS) in order to allow us an option in the future.

Senator AYOTTE. General, my time is up, but I will follow up because in the written answers and also to the chairman you have talked about additional analysis about the Iran threat. With the re-

ports that 2015 is when they may have ICBM capability, I am not sure what we are waiting for around here for additional analysis because we know, even with the EIS going forward, it will take several years for us to stand that type of site up, and by then, they have the missile and the east coast does not have the battle space opportunity that it should have to fully protect the east coast of the Nation. I appreciate it, and I will follow up with you on that.

I want to thank you both. I will have a follow-up for the record with you, General Scaparrotti. I appreciate it.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Udall?

Senator UDALL. Thank you, Mr. Chairman.

Good morning, gentlemen. I want to also add my voice to the members of the committee to thank you, and I think more importantly, you all agree, your families for your service and the way in which you have been supported by them.

Admiral Haney, I chair the Strategic Forces Subcommittee. I look forward to working with you in that capacity, when you are confirmed, on these important issues that have not only military but historical significance.

General Scaparrotti, it is good to see you again. I know we are going to work together too given the proclivities of the North Korean leadership and the challenges that you will face as the head of USFK.

Admiral Haney, if I could turn to you initially, and I want to pursue the same line of questioning you have been hearing this morning from all of us. Are you confident that the President's proposal to reduce the number of deployed strategic nuclear weapons will allow us to maintain an effective nuclear deterrent and to be able to fully respond to a nuclear attack?

Admiral HANEY. Senator, I fully support, as stated in my earlier questioning, that the New START treaty numbers make sense to me and that we ought to continue to march toward that goal.

I also fundamentally believe that we should always, as good stewards, look for the right balance in all of our capability. I have not studied this piece, and if so confirmed, I would be willing to come back to this committee in a classified setting to further address this balance of our capability that we will need for the future.

Senator UDALL. Let me follow that with a question, and I think you can respond up to a point, given this is an open hearing.

If reductions were made, we would be able to maintain those weapons that were reduced in a status that would allow them to be redeployed if a situation demanded. Is that correct?

Admiral HANEY. Senator, it would really depend on any future agreement that we would have in terms of what were the basis and parts and components of said agreement relative to what we would retain and what we would not.

Senator UDALL. Some of the present agreements, if I am correct, do allow that, though, as an option. Is that fair to say? Some of the treaties that are in place today.

Admiral HANEY. Yes, sir, that is my understanding.

Senator UDALL. The weapons are kept in a warm status if they are kept in a stockpile?

Admiral HANEY. That is correct. The New START treaty addresses both deployed and nondeployed warheads and also addresses launchers.

Senator UDALL. Talk about the benefits, as you see them, that are associated with the proposed changes to our nuclear employment strategy. Do you believe the benefits, in other words, outweigh the risks?

Admiral HANEY. Senator, I believe the benefits relative to the New START treaty provide us the adequate numbers of nuclear weapons and launchers to address the threats now and into the future.

Senator UDALL. Let me move to modern conventional weapons. There are some who I respect and I think many respect who say that modern conventional weapons have provided us with the capabilities that once would have been required by nuclear weapons. Am I correct in saying because of those advanced conventional weapons, we simply do not need as many nukes as we once did to accomplish the same objective?

Admiral HANEY. Senator, I would say that as you look at the number of nukes, our combined capability is also important as a country. When you look at how many nukes we had—nuclear weapons—during the Cold War and just the significant quantities we have had, if you were to look at that graph from about the 1950s on, it is pretty interesting in how we have made significant reductions while still retaining quite a few weapons.

I fundamentally believe that we have to be careful and look at all of our capability, similar to what was stated in the Nuclear Posture Review in 2010, that that is also part of our country's capability and what we can bring to bear if so threatened. But as long as other countries have nuclear weapons, we are required to have a safe, secure, and effective means to address that.

Senator UDALL. I think we all agree on that point. You are saying that the conventional arsenal that we have today is advanced and it complements our nuclear weapons capability as well. Is that what you are saying?

Admiral HANEY. It complements. What I am also saying is I do not have a magic equation that says this number of precision guided munitions equal this capability because we are talking about a significant difference in destructive capability when we look at a nuclear weapon.

Senator UDALL. Admiral, let us turn to the modernization of the B–61 bomb. Do you support that current modernization plan? What would be the consequences if the United States did not modernize the B–61?

Admiral HANEY. Senator, I think the B–61–12 modernization program is very important to our Nation, and I fully support it. I also believe that we will be at risk if we do not support it because through its modernization, it also reduces the number of other nuclear weapons that we have today and brings it down to one type model series for nuclear surety and in order to have a safe, secure platform for our use, but particularly in terms of the tactical nukes associated with our dual-capable aircraft program.

Senator UDALL. You paid me the honor of a visit and we talked about this particular plan. We also talked about your willingness

to work with Senator Sessions, who is my ranking member on the subcommittee, and myself to bring down the costs of the B–61–12 program. I heard you imply but I want to make sure for the record that you have a chance to clarify further. You will work with us to bring down that price tag and do everything possible to create some efficiencies. Is that correct?

Admiral HANEY. Senator, if so confirmed, I will work hard to look at costs in every program STRATCOM is associated with.

Senator UDALL. Thank you for that answer.

Chairman LEVIN. Let me interrupt you, Senator Udall. We only have a minute left in this vote. There was a miscommunication here. At any rate, we are right at the end of the vote. We only have about 5 minutes to get there. We are going to have to recess for 10 minutes or so because none of us have voted yet. We will call the cloak rooms and let them know that we are on our way. We are going to have to recess. Sorry to interrupt you. If you get back, then we owe you a minute or 2.

Senator UDALL. Thank you, Mr. Chairman.

Chairman LEVIN. Okay. We are going to hold off on that. Senator Donnelly is here and he can continue.

Do you want to finish?

Senator UDALL. Could I just finish the question for the record, Mr. Chairman?

Chairman LEVIN. Sure.

Senator UDALL. Then I would be happy to defer to my wise colleague from the Hoosier State, Senator Donnelly.

I will ask this for the record, Admiral. On the issue of electromagnetic (EM) spectrum management, I think you are well aware of the discussion that is underway. I think if we had public access to that bandwidth, it would be a great economic benefit. I know we also cannot negatively affect DOD mission.

Do you believe that the lower 25 megahertz of that spectrum could be vacated within the currently proposed timeline without unduly affecting our military and our military missions?

Admiral HANEY. Senator, I think as we go forward here in the electronic spectrum, as much as it is also becoming extremely utilized, that we have to be very careful that costs associated with taking the EM spectrum away in areas where the military is using right now because there will be a cost associated with migrating those equipments to a different EM band.

Senator UDALL. I hear caution in your answer but I want to continue to work with you on this important what I think is opportunity but we also have to do it right.

Thanks again, gentlemen, to both of you. I look forward to working with you after you are confirmed. Thank you.

Senator Donnelly?

Senator DONNELLY [presiding]. Thank you, Mr. Chairman.

It is great to be with both of you. I want to thank you for your service to the country and to your families for everything you have done on behalf of this Nation. We are very grateful to all of you.

Last Saturday, July 27, marked the 60th anniversary of the Korean War armistice. I would like to recognize our servicemembers who currently serve and have served in the Republic of Korea and thank them for their service.

One such Korean War veteran was Army Lieutenant Colonel Don Faith, a Hoosier who was posthumously awarded the Medal of Honor and was buried in Arlington Cemetery just recently. His body was recovered from North Korea in 2004 as part of a joint U.S.-Democratic People's Republic of Korea recovery team.

Currently 5,500 U.S. servicemembers are still missing in action in North Korea. General Scaparrotti, what conditions are necessary for resuming recovery operations in North Korea so our missing-in-action soldiers can be brought home to their families?

General SCAPARROTTI. Sir, first let me say that I fully support efforts for repatriation of our servicemembers, their remains. It is an obligation that we have, I believe, as a Nation. If confirmed as the U.N. Commander, as a part of those duties, I will have particular duties regarding the arrangements for the repatriation of remains.

I think in terms of what we should do, I think to go forward, we should ensure that it is within the priority of our other national interests and, second, that we can assure the security of those individuals that we would put into North Korea to retrieve the remains and do the operation there.

Senator DONNELLY. Thank you.

Admiral Haney, recently the National Air and Space Intelligence Center put out a report regarding ballistic missile systems and said China has the most active and diverse ballistic missile development program in the world. It is developing and testing offensive missiles, forming additional missile units, qualitatively upgrading missile systems, and developing methods to counter ballistic missile defenses.

When we look at that and we know that with our missile defense systems, the last three tests have failed, how do we rectify that situation?

Admiral HANEY. Senator, as we look to the future here, it is very important that we are able to continue to work our missile defense solutions across the board but, in particular, to get our GBI solution set operating with the confidence we expect. We have had numerous tests over the years of the CE1 variant and it is operational, and it is operational to the extent that it is currently protecting our country. As we look at the future, it is important that we get the CE2 portion of this also correct and that we look at the full range of options as we look at addressing the missile defense threat.

Senator DONNELLY. One of the other concerns that I have is, as we look at the east coast missile defense system more, the suggestion of whether or not we need one, folks have said there is no point in going further with that because we do not have the other system even working right. I think we are able to do two things at one time. Do you see a need for an east coast missile defense system?

Admiral HANEY. Senator, I see a need for us to look at other options, options in general, of how we address this problem. I am fully supportive of moving forward with the environmental impact statement, which is fully supported, as we go forward while at the same time making sure we get our sensing right so that we can further refine our capability in terms of being able to attack these missiles with our current programs.

Senator DONNELLY. You were kind enough when we met to talk a little bit about this issue with me, but I just wanted to mention it again and that is in regards to counterfeit parts. It is an extraordinarily dangerous situation when these parts are used in equipment that protects our soldiers, that our servicemembers depend on.

Is there a way to use facilities like Crane Naval Warfare Center in Indiana to minimize DOD's risk of receiving counterfeit parts in the military supply chain?

Admiral HANEY. Senator, I think it is very important that we continue to work hard as a country and as a military to look and avoid counterfeit parts. This is a very important area as we look at our current posture but also as we look at the future with the number of systems with chips of various capabilities in so much of our military apparatus.

With regards to how we do that, if so confirmed, this is an area I will look at and from that standpoint, if so confirmed, come back to you relative to Crane. I have not been to Crane. This is one of the areas in the early months, if so confirmed, that I will want to get around to see our various capabilities in the country and be able to address that more formally.

Senator DONNELLY. We would be honored to have you come.

General, in regards to North Korea's ballistic missile systems, what do you think their intent is?

General SCAPARROTTI. Sir, I think North Korea has an aggressive ballistic missile program. They have hundreds of short- and medium-range missiles. They are developing intermediate-range and ICBMs. They see that as prestige for their regime. They see it as a means of extending the regime's security. They see it as a manner of deterrence against the United States and our influence in the region, as well as the other regional partners. I think the regime itself sees their ballistic missile systems as very important.

In recent years, their conventional forces have been declining in capability, and it is the money that they are putting into asymmetric systems like the ballistic missile system, their special forces, cyber, et cetera that I think they have changed their strategy toward us.

Senator DONNELLY. Thank you very much, General, Admiral. Thank you both for your service.

Mrs. Fischer?

Senator FISCHER. Thank you, Senator.

Thank you, Admiral, and thank you, General, for being here today, and I thank you for your service. I thank your families for their sacrifice through the years. I can see you should be very proud of the families that you have raised while serving your country. Thank you very much.

Admiral, I want to thank you again for taking the time to come and visit me in my office. I thought we had a great discussion, and I would like to just follow up, if I could, a little bit on the issues that we touched upon in my office.

I had asked you about our relationship with Russia and your views on that relationship, but we did not have the opportunity to discuss their views on missile defense. I would ask you, how do you think the United States should deal with the Russians' repeated

demands for legal limits on our missile defenses? How do you define the term "legal limits"?

Admiral HANEY. Senator, I do believe, as we have articulated from the Nuclear Posture Review and the Ballistic Missile Defense Review and continued on a journey, we have continued to articulate how our missile defense system is designed to be a limited missile defense system that should not be conceived as a threat to Russia's deterrence capability.

I think as we continue to work with the Russians, we will have to continue the dialogues that have been started to continue to make sure their questions are in fact answered, but at the same time, we have to be mindful that it is important that we defend and have adequate capability to defend our assets, both deployed and our Homeland. As I see Russia, that is also a country that is doing some investment in their capability. The combination of continuing to have discussions and negotiations I think is important for our future.

In terms of defining the legal limit piece, that is an area, if so confirmed, I would like to look at more closely and come back to you.

Senator FISCHER. Do you believe that it should be our decision as a country, as a Nation, on where we deploy our defense systems and the numbers that we use in those deployments?

Admiral HANEY. Senator, I think it is important, as we deploy any of our capability, that we work through our associated analysis as well as work with our allies and partners and countries like Russia in terms of how we come with an integral solution. But as we do that, we clearly have to prioritize what we are trying to achieve is part of that calculus.

Senator FISCHER. Do you believe that we should support or do you support sharing classified data on our missile defenses with the Russians? If so, would you draw a line and where would you draw the line on how much to share?

Admiral HANEY. Senator, that is a very good question. The business, in terms of information sharing, is one that has to be looked at closely, both looked at from a standpoint of how we look at the world today and how we look at the world in the future. I think as we look at information sharing, which we do with a variety of countries on different subjects, for missile defense, that is one that, again, has limits and bounds. As I sit before you, I could not in an unclassified forum talk about that but would look forward, if so confirmed, in the future to have an opportunity to continue that discussion.

Senator FISCHER. Thank you. I appreciate your offering to do that. I think it is an important point and it is one that we need to have a conversation about. I thank you for that.

You mentioned that you support more testing for missile defense. Do you believe that our current budget can adequately do that? Do you think we need more resources, especially given some recent test failures? What would you advise if you are confirmed?

Admiral HANEY. Senator, if so confirmed, this will be an area that I would want to look at closely. Number one, whenever we talk about adding more resources, it is very important first we look at what our resources we currently have are doing for us, and I am

a big believer that we have to be careful before we just come out and ask for more without doing some rigorous reviews of what we are spending money on.

I do believe, though, when we look at testing, testing covers a full gamut, partially testing that you can do without launching in space as you narrow down and do the analysis associated with componentry. I know this last test is under review and, until so confirmed, I am unable to see the results of that work, it is hard for me to give you an answer that would be substantial. I look forward to that, if so confirmed, in the future.

Senator FISCHER. I would assume from some of your previous statements, though, that you do believe that we need to have equipment that is going to work and make sure that it can do the job. Is that correct?

Admiral HANEY. Senator, that is very important for us to be able to achieve for the future of the defense of our country and for our deployed forces as well as our allies.

Senator FISCHER. Thank you.

We talked a little bit about the new facility that is being constructed at STRATCOM in my State and that hopefully it is on schedule and it will continue to move forward at the speed that it needs to move forward at so that we can update the resources that we have there at STRATCOM. Do you have anything you want to add on that about the value that that facility will have for STRATCOM? I know you were assigned to STRATCOM. I believe it was in 2010. You are familiar with the area, and I know you are familiar with the planning of that facility. What would you add to that and the value that it has for the mission?

Admiral HANEY. Senator, thank you for that question.

The command and control complex that is being built right now is very important to our Nation in terms of all the missions of STRATCOM and, in particular, strategic deterrence. It is important, as we have talked about here, the warheads, the weapons, the platforms, and the sensors, but without the command and control that connects the relevant information to our leadership, the decisions could not be made in a prompt time. That is such an important part of our infrastructure and capability going forward.

I thank Congress for its support for that command and control complex.

Senator FISCHER. Thank you, Admiral. I look forward to working with you to make sure that it continues to move forward. Thank you very much.

Thank you, Senator.

Chairman LEVIN [presiding]. Thank you, Senator Fischer.

Now I believe that Senator King is next.

Senator KING. Thank you, Mr. Chairman.

Gentlemen, thank you very much for your service to the country and your joining us this morning.

Admiral Haney, I have heard a number of witnesses over the course of the past 6 or 7 months characterize cyber as the most serious, immediate threat that we face. The term I have heard, which stuck with me, was the next Pearl Harbor will probably be cyber.

Given that, do you think that the Cyber Command, which is under your proposed command, should be set apart and elevated to its own unified combatant command?

Admiral HANEY. Senator, I am a fan of a command and control structure that allows us to win would be my first overarching statement.

As we look at how we are aligned today with Cyber Command as a sub-unified command under STRATCOM, I believe the work is ongoing and in fact is working in a very synchronized fashion with delegated responsibilities to U.S. Cyber Command.

My first principle would be the first part that we have to keep intact is the National Security Agency and Cyber Command under the same hat, as we have it today, and that that synergy is so important to our country going into the future. That piece we have to continue and we have to get it right. As we look at a future and particularly as we grow our cyber capability, I believe there may come a time where Cyber Command as a separate combatant command will be appropriate. But I think as we are applying our next dollars in terms of the manpower we need to address this threat and in terms of the tool sets we need to address this threat, that that is important because as we do step into moving Cyber Command as its own combatant command, there is also a price to be paid there as well in overhead. Right now, I think we are fine in our current alignment but I am not opposed for some time in the future for Cyber Command to become its own combatant command.

Senator KING. Since the 1950s, our strategy with regard to nuclear weapons has been deterrence, mutually assured destruction, and that presumes a level of rationality in one's enemy. What is our strategy for deterrence of madmen with nuclear weapons, people that are not necessarily rational, whether they are state or particularly non-state actors? What is our sort of overall strategic thinking about, as I say, particularly non-state actors who at some point in the reasonably near future may be able to obtain nuclear weapons?

Admiral HANEY. Senator, I think that is an area particularly where the Nuclear Posture Review of 2010 articulated a strategy which we continue, point one being that it is important that our efforts in terms of combating weapons of mass destruction continue. We have had the initial operating capability of the standing joint force headquarters for elimination, for example, in the business of having that capability, the business of being able to have our country's capability of knowing where the nuclear weapons, as well as the other weapons of mass destruction, are and to work hard to avoid having this kind of capability fall in the wrong hands.

Senator KING. It is an intelligence function. Is that what you are saying? Principally our defense against non-state nuclear weapons is essentially knowing who has them and how to prevent them?

Admiral HANEY. I think, Senator, this is also in the spirit of reducing the number of weapons that exist in the world. It has been part of that Nuclear Posture Review and the strategy that our country has been striving to achieve. It is not just an intelligence function. It is a whole-of-government function. It is a function that

STRATCOM is also heavily involved in to detect, deter, and prevent utilization of that type of weapons.

Senator KING. But you understand what I am saying. The strategy of deterrence may work with Russia but an Iranian terrorist cell who thinks that if they die in a holy war, they are going to go straight to heaven—deterrence is not necessarily a viable strategy. What is the strategy?

Admiral HANEY. The strategy is to continue to work across our whole-of-government apparatus in terms of ensuring that countries that harbor folks that want to do harm to us in whatever means—there is some work that occurs diplomatically. There is work that occurs militarily. This business of knowing where things are is also a very important part of that strategy to address the threat in addition to the elimination of that threat.

Senator KING. Thank you.

General, in the full preparation of our committee, I want you to know that we are preparing you today for Korean winters—the air conditioning in this room. We want you to be ready for cold weather. [Laughter.]

General SCAPARROTTI. Thank you, sir.

Senator KING. This past Saturday I had the honor to visit with a number of Korean War veterans at the 60th anniversary of the signing of the treaty at Panmunjom. I have a little statement. Of course, you know Korea is often characterized as "the forgotten war". But in looking at the situation where we have a very vigorous country of 50 million people in the south and a miserable despotism in the north, I cannot think of too many wars that made as much difference as that war did if you look at the stark difference on the two sides of that narrow line. It certainly should not be a forgotten war.

A question that I am sure you are going to have to deal with in the next several months is, to what extent is the sequester going to affect readiness in Korea?

General SCAPARROTTI. Senator, I think it will affect readiness in Korea at some point. Presently USFK enjoys a very high priority in terms of funding and resources. Just after the forces deployed in harm's way, Korea is on that level because we have to be ready to fight in Korea tonight. It is that uncertain. We have enjoyed that kind of funding.

If confirmed, I intend to keep a very close watch on our readiness levels, the resources that we have. I think my concern would be as we reduce our funding, particularly if we go into full sequestration, we know that we have seen a reduction in the forces now already or their readiness, and that would be extended into the next year and, of course, become worse over time. The forces in Korea depend on potentially a rotation of forces, but certainly the forces that would come forward if there is conflict on the peninsula. I think that is the impact as we look to the future.

Senator KING. I hope perhaps for the record you could provide some analysis—because it is now looking more and more like full sequester in 2014 is a likelihood if not a certainty—of what the impact would be and how it would be allocated because it is very important for us to know, as we are debating and discussing sequester and what the alternatives are, that we have a realistic picture

of the impact. My understanding, from talking to other people in the Pentagon, is that the sequester in 2014 is going to be a much more serious, widespread impact than it was in 2013 because of the lack of low-hanging fruit, if you will, of unexpended funds and those kinds of things. It is going to be a higher level of impact. Perhaps for the record you can give us some serious analysis of the impact on Korea. We need to have that information.

General SCAPARROTTI. Senator, presently we already see the impact on readiness just in this fiscal year, as you mentioned, in fiscal year 2013. You know that the Army has the majority of its brigades now at a lower training level focusing on company-level training, for instance. For those brigades who are either not deployed or those who are about to deploy, those two categories maintain the training levels they need to be ready for that deployment. But all other brigades have come to a lower proficiency level and resourcing.

The Air Force, you are aware, has already grounded 12 air squadrons, as I understand it. The Navy has cut back on ships going to sea and the maintenance that they are providing. That is the short term.

But as we take those cuts today, you will see a much deeper cut in readiness as we go into 2014 and beyond because that begins to compound itself. Pilots who have not flown take much longer to get back up to combat proficiency. Brigades who have not trained in the fundamentals, particularly the integration of combined arms at a higher level, take much longer to train and it is more expensive. I think as time goes on, we see our readiness coming down and that is of concern.

How does that impact USFK? First of all, it is the forces that we may rotate there. They would take longer to be ready for the mission that they are going to do. If it were forces that had to be deployed in response to, say, a provocation, we would probably take some time here in the States to train that unit to the readiness level that we believe they need to be at to do the job before they deploy. Arriving forces might be delayed as a result.

Senator KING. Thank you. I appreciate that, and any additional information you could provide us for the record would be helpful. Thank you.

General SCAPARROTTI. I will, sir. Thank you.

[The information referred to follows:]

I will continue to review and evaluate the readiness of U.S. Forces in Korea and what impact, if any, full sequester could have on those forces.

Chairman LEVIN. Thank you, Senator King.

Senator McCain?

Senator MCCAIN. Thank you, Mr. Chairman.

Admiral Haney, you will be leaving the command of the Pacific fleet. How is the littoral combat ship working out?

Admiral HANEY. Senator, we had the USS *Freedom* deployed today in the western Pacific.

Senator MCCAIN. Based out of Singapore?

Admiral HANEY. Operating out of Singapore, sir. In fact, it has been involved in a variety of exercises and operations since it has been out there.

We also have two other littoral combat ships, the *Independence* and the *Fort Worth*, that are operating out of San Diego and working, in the *Independence*'s case, the mine warfare module. I am happy to report we have three out in the Pacific today, sir.

Senator MCCAIN. My question was how is it working out?

Admiral HANEY. Senator, it is working out very well in terms of our ability to take this first platform, a research and development model, and get it out in the Pacific to do real work. Clearly with it, we have learned a lot, but we are right now about to swap the second crew to that platform about halfway through its 8 months deployment in the case of the *Freedom*. The other two are continuing to work through the various——

Senator MCCAIN. I would like for the third time to ask you how is it working out. Are you satisfied with its performance? Are the modules being replaced on time? Are the cost estimates what they should be? Please answer the question, Admiral.

Admiral HANEY. Senator, I would——

Senator MCCAIN. I can get a status report whenever I want one. I want to know your view as to how the littoral combat ship is working out as far as its ability to defend our interests in the Pacific.

Admiral HANEY. Senator, currently it is working out very well from an ability to deploy it and get it to do its work. The platform itself, both varieties, have moved forward, and my personal view is that that part is also working out well. We have learned some things that have been incorporated from *Freedom*, LCS–1 to LCS–3, and those improvements I believe are right on target.

If there is one area that requires more work and that we have been working as a Navy to get there is the mission modules of the different varieties. The current module deployed with the littoral combat ship number one is working fine, and it is a little early for me to give you the prognosis on the *Independence* mine warfare mission module, sir.

Senator MCCAIN. General, there have been plans to move our troops in South Korea to a base further away from Seoul. How is that progressing?

General SCAPARROTTI. Sir, presently those plans are underway. They are being worked with our ROK counterparts as well. Primarily right now, we are making plans for the ability to make those moves to——

Senator MCCAIN. Have we gotten cost estimates yet as to how and who would bear those costs?

General SCAPARROTTI. Yes, sir, there are cost estimates at this point. It is shared costs with our ROK counterparts as well as our own payment. I am aware of the issues with the cost today. As I said, we are——

Senator MCCAIN. Roughly what costs are we talking about to complete the contemplated move?

General SCAPARROTTI. Sir, in terms of the Land Partnership Plan, which is the one that we pay probably the most part of, it is about $880 million for our portion of that Land Partnership Plan move, and that has to do with the forces north of Seoul.

The Yongsan Relocation Plan is a plan paid primarily by the Republic of Korea for the move of the services and the forces right around Yongsan in the headquarters area.

Senator MCCAIN. Now in, "paying for the move," does that mean paying for all of the installation that is necessary there?

General SCAPARROTTI. My term, sir. In those plans, it is the payment for the construction of facilities to support the troops, and there is also housing included in this as well for families, et cetera.

Senator MCCAIN. Do you think it is a wise move at this time for the South Koreans to reopen that facility, manufacturing area, north of the Demilitarized Zone?

General SCAPARROTTI. Sir, I think that if the two countries can come to terms on their agreements and, as South Korea said, so that it would not be used as leverage again, that is a platform that can be used then to perhaps develop communication and reduce the tension between North Korea and South Korea.

Senator MCCAIN. I thank the witnesses.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator Blumenthal?

Senator BLUMENTHAL. Thank you, Mr. Chairman.

Thank you both for your service, your extraordinary careers of service, to our Nation. Thank you to your families as well for their contribution and service.

Let me begin, Admiral Haney, by asking you about the *Ohio*-class ballistic missile submarines. I know that you have today, in fact, called then critical to our national defense, and yet as you also know, the program has been delayed by at least 2 years. Is that a wise move?

Admiral HANEY. Senator, the delay with the program has incurred some risk, and that is a risk that we are working through. I would say we can ill-afford to have another delay with this program.

Senator BLUMENTHAL. Another delay would be unacceptable?

Admiral HANEY. That is correct, Senator. Particularly as you look at the aging of the current platform that is beginning to reach its end of life, 42 years is a long time to be operating a submarine.

Senator BLUMENTHAL. My understanding is that the official explanation has been that the delay will enable more refined development of the weapons platform, of the technology, and ultimately some prospect of cost savings. Is that the reasons that you understand the delay has been implemented?

Admiral HANEY. Senator, I think the delay was implemented for some of that, but it was also a matter of prioritization of resources.

Senator BLUMENTHAL. Cost savings, in other words, the unavailability of funds.

Admiral HANEY. Yes, Senator.

Senator BLUMENTHAL. In a more perfect world—not a perfect world necessarily, but a more ideal world, that program would be implemented without the delay.

Admiral HANEY. Senator, that is correct. I will say I know that there is some work that continues to go on in research and development and design development for that platform. I think in the interim time, good work continues.

Senator BLUMENTHAL. If possible, though, we would recalculate and eliminate that delay, if possible.

Admiral HANEY. Senator, I think we have already started the delay, and you cannot make up for what is already lost. We are already in that phase.

Senator BLUMENTHAL. But there is no question that we need that *Ohio*-class ballistic missile submarine and that we need to provide sufficient resources without additional delay.

Admiral HANEY. Senator, that is correct.

Senator BLUMENTHAL. General, if I could ask a few more questions about the relocation. Given the stringency—and you have heard a number of my colleagues talk about the possible continuing of the sequester even though many like myself believe that it would be unwise and really unjustified to apply it as it would be to the defense budget—can you tell me whether canceling the relocation is an option that perhaps we should consider?

General SCAPARROTTI. Sir, I cannot say for sure whether that would be an option we would consider. It seems to me that we have made, as a part of the Strategic Alliance 2015, agreements with our ROK allies, and those moves are tied to that. From the position I am in now, I cannot really comment on whether that is really an option.

But I would say too that those moves help us posture our forces better. To the extent that we can continue on that line, my judgment is it would be good for the readiness of the force as well.

Senator BLUMENTHAL. You have said it would be good. It is essential for the readiness of the force?

General SCAPARROTTI. Sir, if confirmed, I will certainly review that and be willing to come back to you. I do not believe that from this position I have the capability to answer that question fully, but I will be able to once I am on the ground and I can see the impact of both the moves and also the importance with respect to our bilateral agreements.

Senator BLUMENTHAL. Do you have an estimate as to what the cost of canceling or delaying the relocation would be?

General SCAPARROTTI. No, sir, I do not.

Senator BLUMENTHAL. Would you be able to provide one to the committee?

General SCAPARROTTI. Sir, if confirmed, I am willing to provide one to the committee.

Senator BLUMENTHAL. Thank you. I would appreciate that.

[The information referred to follows:]

Currently, I understand a reliable cost estimate for cancelling the transformation initiatives does not exist. With that said, I understand that there would be potential political sensitivities with our Republic of Korea allies if this effort is cancelled, as they are paying for over 90 percent of the costs of the Yongsan Relocation Plan and Land Partnership Plan. Additionally, over $500 million of U.S. Military Construction has been invested in building infrastructure to support the relocation efforts.

Senator BLUMENTHAL. I must say I do not have too much doubt you will be confirmed. I expect you have heard much the same from others on this committee. I certainly will be supporting you in that vote.

What is the overall cost of the project? I have heard the number $10 billion.

General SCAPARROTTI. Of that project?

Senator BLUMENTHAL. Yes. I am sorry. Of the relocation project.

General SCAPARROTTI. Sir, again, I would like to come back on the record. I have heard a lower number than that, but I do not know if that is the entire cost of the project.

[The information referred to follows:]

The total U.S. and ROK costs of the Yongsan Relocation Plan and Land Partnership Plan initiatives are $10.7 billion.

Senator BLUMENTHAL. Finally, we hear a lot about readiness and about the impact of sequester on readiness. Could you maybe, to give us a little bit more concrete or factual basis for what the impact is, talk about what the effect is on the troops on the ground in Korea who will be under your command, the captains and lieutenants, the sergeants and staff sergeants, how their everyday training, life, and so forth is affected?

General SCAPARROTTI. Sir, if I could, I would like to take that as a general question, not specific to USFK.

Senator BLUMENTHAL. Sure.

General SCAPARROTTI. I have done some checking but I have not checked with those serving today in Korea. Second, they enjoy a very high resource category right now.

But across the force, the reduction thus far in resources and the impact of sequester has resulted in the reduction of training that is being done. The troops are training every day but they are training at a much lower level.

Senator BLUMENTHAL. I know I have heard this numerous times, which is why I wanted to specify it to Korea. Does that mean that they are out in the field less, that they are sitting in classrooms rather than firing live rounds somewhere?

General SCAPARROTTI. They may be in the field less. They are likely going to the range less. They are likely qualifying with weapons systems and the vehicle systems that they have less. The pilots are likely flying less.

Now, you asked about morale. That also impacts morale because our young men and women are very proficient. They are very experienced. They know what it takes to be ready for combat across all the Services. They have been in a fight for 10 years. So when we start to delay their ability to reach or maintain that kind of proficiency, it affects their morale as well. Also, they are concerned about their future in our force.

Senator BLUMENTHAL. Thank you.

My time has expired but I think this topic obviously is supremely important. I want to thank both of you for your very helpful and insightful answers. Thank you very much.

Chairman LEVIN. Thank you, Senator Blumenthal.

I just have one additional question for you, General Scaparrotti. It has to do with the various approaches to the intense determination of all of us to reduce the number of sexual assaults and inappropriate sexual conduct.

Given your experience at West Point and as a commander, should we take the chain of command out of that decision to prosecute courts martial?

General SCAPARROTTI. Senator, thank you.

I strongly believe that we should not take the commander out of the process in terms of dealing with disciplinary issues, in particular in this case, sexual assault. In the military, the commander is central to all that we do. The commander, in fact, is held responsible for his unit, all that it does or fails to do, and he or she is the most important person establishing the climate within that command of whatever size it is. It is the climate in my opinion that is fundamental to preventing sexual harassment and sexual assault. They are key to that.

I believe strongly that our commanders take this seriously and that we can through training, through oversight, some of the initiatives that have been presented by members of this committee, perhaps some legislation, that can also help us strengthen our ability to deal with this with our commanders in the chain of command.

In the end, I would just say I think it is a matter of integrity. We entrust them with great responsibility, special trust as it says in their obligation that they take, and we entrust them with the lives of our young men and women. To not trust them with a portion of this to me does not follow through with what we say and then what we do. I say that we hold them accountable, train them properly and give them the tools to do that oversight, and then maintain integrity of the system.

Chairman LEVIN. Any other questions?

Senator INHOFE. One.

Chairman LEVIN. Senator Inhofe?

Senator INHOFE. Yes, just one follow-up.

I appreciate your answer very much to that question, General. Did you happen to see the compromise that the chairman and I and this committee put together that would maintain the integrity of the commander but also give some relief in the event that some abuse takes place? Did you see that?

General SCAPARROTTI. I did, Senator.

Senator INHOFE. What do you think about that?

General SCAPARROTTI. I agree with that. As I said, I think there are some initiatives here that have been proposed that retain the commander in the process, but there are things that we can do in Article 60, for instance, which I think yours also contains, that provides less authority but proper oversight. In other words, in this case they would not retain the capability of changing a charge after a court martial is found, which they have today as a convening authority. But that would be left to judicial authorities on appeal. I think there are things like that that have been proposed in your bill that is acceptable, in the long run will be helpful to this problem.

Senator INHOFE. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you.

Senator Blumenthal?

Senator BLUMENTHAL. Thank you, Mr. Chairman.

If I may follow up again just very briefly. In your career, General, have you acted as a convening authority and decided to prosecute cases of sexual assault?

General SCAPARROTTI. In my time, I believe I have acted as a convening authority in terms of sexual assault. I know that I dealt with this issue as the commander or the commandant at West

Point. That is the age group that we have the greatest challenge in in the military, and it happens to be the age group that we have at West Point as cadets. I became very involved in every aspect of this issue.

Senator BLUMENTHAL. Did you take a course in the Uniform Code of Military Justice?

General SCAPARROTTI. Yes, sir, I have both in the courses that we go through as part of our career, but I personally made it a point to go to our legal school both before the time I became a battalion level commander and again before I became a brigade level commander and obtained special court martial convening authority. I purposely did that to ensure that my understanding and training was honed.

Senator BLUMENTHAL. Using that training, did you decide to prosecute individuals under your command for sexual assault?

General SCAPARROTTI. Yes, I have, sir.

Senator BLUMENTHAL. On how many occasions would you say?

General SCAPARROTTI. I could not give you the number, sir. I know that I dealt with cases at West Point in particular. I would have to go back and review. In I Corps, I probably did, just given the number of cases and the size of the element.

Senator BLUMENTHAL. Did you ever decide to prosecute despite a recommendation to the contrary from the judge advocate?

General SCAPARROTTI. No, I never have. I cannot remember an occasion that I have disagreed with my judge advocate.

Senator BLUMENTHAL. So that when you received a recommendation to go forward and prosecute, you did so.

General SCAPARROTTI. That is correct.

Senator BLUMENTHAL. On every occasion?

General SCAPARROTTI. I would like to say one of the initiatives that we have talked about within the Services is the use of judge advocates and those who are specialized in particular crimes. In the case of sexual assault, for instance, I can tell you clearly that I have dealt with it as a convening authority in cases that had to do with murder, and in those cases, I sought not only my judge advocate's opinions, but I also asked that he go to the Army. We had their specialist in that area provide me advice as well. I think that is something that we can do in this area with those specially trained.

Senator BLUMENTHAL. You would like to see prosecutors who are specially trained and experienced with expertise in this area of sexual assault because it is a very challenging and sometimes difficult one not just to decide but also to actually proceed and prosecute and try and convict. Am I correct?

General SCAPARROTTI. That is correct.

Senator BLUMENTHAL. Would you also like to see those types of trained and experienced prosecutors involved in the decision to prosecute?

General SCAPARROTTI. I would. As I have said, I sought that kind of help when I was a convening authority.

Senator BLUMENTHAL. I very much appreciate your answers to my questions. As you may know, there is another point of view on the convening authority issue, and I personally deeply respect the solution that the chairman and ranking member have helped to

lead. It has been great leadership on this issue in seeking a change. But I also think that we need to treat this crime as, in fact, a predatory heinous crime and that someone with the prosecutorial expertise and experience that you have described may be in a better position to make these decisions. I say that with all due respect. I really appreciate your answers to my questions.

General SCAPARROTTI. Thank you, sir.

Chairman LEVIN. Just to be very, very clear here, now the alternative proposal is to transfer the decisionmaking as to whether to proceed to a trained and experienced judge advocate or prosecutor. That is not what you support, I gather.

General SCAPARROTTI. That is correct, sir. The Senator said "assist," and I believe the commander should still be in the chain.

Chairman LEVIN. When you say that you would like to consult with such a trained and experienced Judge Advocate General officer and for that person to be involved in that sense to be consulted, that does, I take it from your testimony, in no way diminish your belief that the decisionmaking needs to remain in the chain of command.

General SCAPARROTTI. Mr. Chairman, you are correct.

Chairman LEVIN. Anything else?

Senator BLUMENTHAL. I thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much.

We are all done. Thank you both. Thanks to your families. We will stand adjourned.

[Whereupon, at 11:22 a.m., the committee adjourned.]

[Prepared questions submitted to ADM Cecil E.D. Haney, USN, by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and the chain of command by clearly delineating the combatant commanders' responsibilities and authorities and the role of the Chairman of the Joint Chiefs of Staff. These reforms have also improved cooperation between the Services and the combatant commanders, among other things, in joint training and education and in the execution of military operations.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. No. I believe that Goldwater-Nichols as it stands is effective.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. N/A

DUTIES

Question. What is your understanding of the duties and functions of the Commander, U.S. Strategic Command (STRATCOM)?

Answer. The Commander, STRATCOM, is responsible for the plans and operations for U.S. Forces conducting strategic deterrence and the Department of Defense (DOD) space and cyberspace operations. These responsibilities include the following missions: deter attacks on U.S. vital interests, ensure U.S. freedom of action in space and cyberspace, deliver integrated kinetic and non-kinetic effects in support of U.S. Joint Force Commander operations, synchronizing planning and coordinating operations support for global missile defense, synchronize regional combating weapons of mass destruction plans, provide integrated surveillance and reconnaissance

allocation recommendations to the Secretary of Defense and advocate for assigned capabilities.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. My 35 year career includes assignments and responsibilities involving operational and staff assignments in the U.S. Navy, the Joint Staff, and STRATCOM. I have completed various operational, leadership, and strategic deterrence assignments within the submarine force, to include assistant squadron deputy at Submarine Squadron Eight before taking command of USS *Honolulu* (SSN 718) and commanded Submarine Squadron One, and Submarine Group Two. I have served as the Deputy Chief of Staff of Plans, Policies and Requirements, U.S. Pacific Fleet (N5N8); and Director, Submarine Warfare Division (N87); Director, Naval Warfare Integration Group (N00X) and Deputy Commander, U.S. Strategic Command.

As the Deputy Commander, STRATCOM, I gained experience in delivering effects with the broad range of strategic capabilities for combatant commanders engaged across the spectrum of conflict around the world. As Commander, Pacific Fleet for the past 3 years, I organized, trained and equipped pacific theater operational naval assets in space, cyberspace, intelligence, missile defense, and strategic effects in support of the missions of U.S. Pacific Command (PACOM), STRATCOM, North American Aerospace Defense Command and other combatant commands. I have also served as Commander, Joint Task Force 519 for Commander, PACOM. If confirmed, I will leverage my experience to lead STRATCOM in fulfilling its responsibilities.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Commander, U.S. Strategic Command?

Answer. I will seek to continue to enhance my expertise in STRATCOM's broad range of missions. If confirmed, I look forward to working with all the combatant commanders and the many organizations STRATCOM depends on for continued success, many of whom I worked with during my tour as the Deputy Commander, STRATCOM. I intend to establish clear lines of communication, define relationships and become more familiar with these organizations (e.g. Department of Homeland Security, Department of Energy-National Nuclear Security Administration, Missile Defense Agency, Defense Threat Reduction Agency, and the Nuclear Weapons Council) and their contributions to mission success.

RELATIONSHIPS

Question. Section 162(b) of title 10, U.S.C., provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the commanders of the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander, U.S. Strategic Command, to the following officials:

The Secretary of Defense.

Answer. Pursuant to title 10, U.S.C., section 164, subject to the direction of the President, the Commander, STRATCOM, performs duties under the authority, direction and control of the Secretary of Defense and is directly responsible to the Secretary for the preparedness of the command to carry out assigned missions.

Question. The Deputy Secretary of Defense.

Answer. In accordance with title 10, U.S.C., section 132, the Deputy Secretary of Defense will perform such duties and exercise powers prescribed by the Secretary of Defense. The Deputy Secretary of Defense will act for and exercise the powers of the Secretary of Defense when the Secretary is disabled or the office is vacant. If confirmed, I will work closely with the Deputy Secretary on appropriate matters.

Question. The Under Secretary of Defense for Policy.

Answer. The Under Secretary for Policy is the principal staff assistant (PSA) and advisor to the Secretary and Deputy Secretary of Defense for all matters on the formulation of national security and defense policy and the integration and oversight of DOD policy and plans to achieve national security objectives.

Question. The Under Secretary of Defense for Intelligence.

Answer. The Under Secretary for Intelligence is the PSA and advisor to the Secretary and Deputy Secretary of Defense for all matters regarding intelligence, counterintelligence, security, sensitive activities and other intelligence-related matters.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics.

Answer. The Under Secretary for Acquisition, Technology, and Logistics is the PSA and advisor to the Secretary and Deputy Secretary of Defense for all matters

relating to the DOD Acquisition System; research and development; modeling and simulation; systems integration; logistics; installation management; military construction; procurement; environment; services; and nuclear, chemical and biological programs.

Question. The Assistant Secretary of Defense for Global Strategic Affairs.

Answer. The Office of the Assistant Secretary of Defense for Global Strategic Affairs (ASD/GSA) is a newly configured directorate in the Office of the Secretary of Defense that develops policy for the Secretary on countering weapons of mass destruction, nuclear forces and missile defense, cyber security and space issues. GSA is currently tasked with three major congressionally-mandated reviews: the Nuclear Posture Review, the Ballistic Missile Defense Review, and the Space Posture Review. In addition, GSA is the Defense Department's lead in developing a cyber-security strategy for the Department and for crafting the policy for the standup of the new Cyber Command. If confirmed, I look forward to working with the Assistant Secretary of Defense for ASD/GSA in coordination with the Under Secretary of Defense for Policy on matters in the area of U.S. Strategic Command.

Question. The Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs.

Answer. The Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs under the authority, direction and control of the Under Secretary of Defense for Policy, serves as the principal civilian advisor to the Secretary of Defense and the Under Secretary of Defense for Policy on Homeland defense activities, Defense Support of Civil Authorities, Western Hemisphere security matters and provides overall supervision of homeland defense activities of DOD. If confirmed, I look forward to working with the Assistant Secretary of Defense for Homeland Security and Americas' Security in coordination with the Under Secretary of Defense for Policy on matters in the area of U.S. Strategic Command.

Question. The Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs.

Answer. The Assistant to the Secretary of Defense for Nuclear, Chemical, and Biological Programs advises the Secretary of Defense on nuclear energy, nuclear weapons and chemical and biological defense; serves as the Staff Director of the Nuclear Weapons Council; and performs such additional duties as the Secretary may prescribe. If confirmed, I will work closely with this office and the Nuclear Weapons Council in support of the nuclear deterrence mission.

Question. The Chairman of the Joint Chiefs of Staff,

Answer. Title 10, U.S.C., section 163, clearly establishes the Chairman as the principal military advisor to the President, the National Security Council, the Homeland Security Council and the Secretary of Defense. In this role, he is the most senior ranking member of the armed forces but does not exercise command over any military forces or serve in the Chain of Command between the President and Secretary of Defense and combatant commanders, although the President may transmit communications through him. By law and as directed by the Secretary of Defense, the Chairman consults with the combatant commanders, evaluates and assists in achieving their requirements and plans. The Chairman provides a vital link between the combatant commanders and other elements of DOD. If confirmed, I will keep the Chairman and the Secretary of Defense promptly informed on matters for which I am personally accountable as Commander, STRATCOM.

Question. The Secretaries of the Military Departments.

Answer. Under title 10, U.S.C., section 165, subject to the authority, direction and control of the Secretary of Defense, and subject to the authority of the combatant commanders, the Secretaries of the Military Departments are responsible for administration and support of forces that are assigned to unified and specified commands. The authority exercised by a combatant commander over Service components is quite clear but requires close coordination with each Secretary to ensure there is no infringement upon those lawful responsibilities which a Secretary alone may discharge. If confirmed, I look forward to building a strong and productive relationship with each of the Secretaries of the Military Departments.

Question. The Chiefs of Staff of the Services.

Answer. As a result of the Goldwater-Nichols Act, the Service Chiefs no longer serve in the operational chain of command. They now serve to provide organized, trained and equipped forces to be employed by combatant commanders in accomplishing their assigned missions. Additionally, these officers serve as members of the Joint Chiefs of Staff and have a lawful obligation to provide military advice. Individually and collectively, the Service Chiefs are a tremendous source of experience and judgment. If confirmed, I will work closely and confer regularly with the Service Chiefs.

Question. The Director of the National Reconnaissance Office.

Answer. The National Reconnaissance Office (NRO) is a DOD organization engaged in the research and development, acquisition, launch and operation of overhead reconnaissance systems necessary to meet the needs of the Intelligence Community and of the DOD. According to the Unified Command Plan, STRATCOM is the responsible combatant command for both space operations and for planning, integrating and coordinating intelligence, surveillance and reconnaissance in support of strategic and global operations, as directed. In these capacities, the Commander, STRATCOM must maintain a close relationship with the Director of the NRO to coordinate and represent requirements in these mission areas. If confirmed, I will work closely with the Director of the NRO on matters of shared interest and importance.

Question. The combatant commanders, particularly Commander, U.S. Northern Command, and Air Force Global Strike Command and U.S. Cyber Command.

Answer. The Commander, STRATCOM has both supported and supporting relationships with other combatant commanders, largely identified within the Unified Command Plan (UCP), the Forces for Unified Commands Memorandum, the Joint Strategic Capabilities Plan, specific command arrangement agreements, Operations Plans and Concept Plans. Air Force Global Strike Command is an Air Force major command that provides combat ready forces to STRATCOM to conduct nuclear deterrence and global strike operations as directed. U.S. Cyber Command is a subordinate unified command to STRATCOM. U.S. Cyber Command plans, coordinates, integrates, synchronizes and conducts activities to direct the operations and defense of specified DOD information networks. STRATCOM supports U.S. Northern Command's mission to conduct homeland defense to secure and defend the United States and its interests. In many cases, STRATCOM is a supporting combatant commander for other UCP assigned missions. If confirmed, I look forward to working with other combatant commanders to broaden and enhance the level and range of these relationships.

Question. The Administrator of the National Nuclear Security Administration.

Answer. According to title 50, U.S.C., section 2402, the Department of Energy's Under Secretary for Nuclear Security serves as Administrator of the National Nuclear Security Administration. The Administrator is responsible for all Department of Energy programs and activities related to nuclear weapons, including the stockpile stewardship program. Although the Administrator serves outside the DOD's operational control, he does serve on the Nuclear Weapons Council and executes duties which closely concern and support STRATCOM. If confirmed, I will work closely and confer regularly with the Administrator.

Question. The Director of the Missile Defense Agency.

Answer. The Missile Defense Agency (MDA) serves as the missile defense systems engineering and development organization for DOD. It provides the research, development, testing and evaluation of the missile defense and associated systems that would be employed by combatant commanders. The current Unified Command Plan charges STRATCOM with synchronizing planning for global missile defense including coordinating global missile defense operations support, and developing and advocating for missile defense and warning capabilities. Given these closely aligned responsibilities, both the Commander, STRATCOM, and its Joint Functional Component Command for Integrated Missile Defense must continue their close working relationship with MDA. If confirmed, I will work closely with the Director of MDA to ensure that combatant commanders' required ballistic missile defense and warning capabilities are appropriately and effectively represented to MDA.

Question. The Director of Operational Test and Evaluation.

Answer. Title 10, U.S.C, section 139, provides for a Director of Operational Test and Evaluation, who serves as the principal advisor to the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology, and Logistics on operational test and evaluation in DOD and the principal operational test and evaluation official within the senior management of DOD. The Director, as allowed by law and departmental regulations, formulates policy, provides guidance, coordinates, reviews, monitors and makes recommendations regarding test and evaluation matters under his purview. If confirmed, I will work closely with and seek the advice of the Director of Operational Test and Evaluation in assessing the progress of command programs of interest.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the next Commander, U.S. Strategic Command?

Answer. The missions of STRATCOM are at the heart of U.S. national security and that of our allies and friends abroad. Today's national security environment is

far more complex and diverse than ever before. Wider access to advanced technology, newly assertive states with rising aspirations regionally and globally, and still emerging vulnerabilities created by transnational linkages all fuel threats requiring synchronized efforts of many departments and agencies and other countries as well. Ensuring mission readiness and the proper policies, decision authorities and organizational relationships are in place to rapidly respond to complex and diverse threats will be a major challenge.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I will work with other Federal departments, agencies and allied partners to advance the policies and relationships needed to enhance a cooperative and collaborative approach. I will assess the STRATCOM organizational structure and work to streamline processes and enhance flexibility, effectiveness and efficiency.

Question. What are your priorities for the U.S. Strategic Command?

Answer. The first priority is to provide a safe, secure and effective strategic nuclear force providing strategic deterrence for the United States and its allies. STRATCOM has a unique responsibility regarding the country's deterrent force in setting requirements and translating national guidance into operational readiness. Second, ongoing combat operations require many of the capabilities provided by STRATCOM and, if confirmed, I will consult with the Commander, U.S. Central Command and the other combatant commanders to provide capabilities for today's conflict. Third, in line with the new National Space Policy, STRATCOM must preserve U.S. access to space and freedom of action in space by improving awareness and providing resilient capabilities for the joint fight. Fourth, relationships across Federal agencies with cyberspace responsibilities need to be defined to enhance the Nation's cyber security and support to joint operations.

STRATEGIC THREATS

Question. In your view, what are the most serious strategic threats facing the United States today?

Answer. As repeatedly stated by administration leaders, the pursuit of nuclear weapons by violent extremist groups and the proliferation of nuclear weapons technology to additional states are the greatest strategic threats to the United States. Beyond this is the immense challenge of defining strategic relationships to ensure stability involving new and emerging powers. Also, the pace of technology—especially in the realms of space and cyberspace—is so rapid it could outpace our ability to maintain our strategic edge. Finally, we are faced with ever changing traditional and nontraditional threats that pose serious consequences to U.S. global interests. Some of these threats—such as anti-access/area denial weapons and strategies—are understood and the United States is addressing them, others are not as well understood or acknowledged and will take time to address.

Question. What future strategic threats should the United States prepare for?

Answer. Our potential adversaries have studied the U.S. way of warfare and are actively developing asymmetric responses. We will need flexible and adaptive capabilities to respond to these unknown abilities.

U.S. STRATEGIC COMMAND MISSIONS

Question. In an overarching sense, how do you define the U.S. Strategic Command mission?

Answer. STRATCOM promotes global security for the United States and its interests through strategic deterrence, ensuring U.S. freedom of action in space and cyberspace and through dedicated planning, advocacy and operational execution efforts to advance our warfighting priorities.

Question. U.S. Strategic Command has absorbed multiple new missions since its creation, with the most recent addition being the establishment of the Cyber Command, as a sub-unified command of the Strategic Command.

How successful has U.S. Strategic Command been at integrating these new missions and acquiring the expertise needed to perform them?

Answer. My sense is that STRATCOM is on track with integrating mature missions, like space, while emerging missions, like cyberspace and missile defense, continue to advance. There is still more to be done among all the Services, and recruiting, training and retaining the personnel with the right expertise is very important. If confirmed, I will move quickly to assess the scope of all mission areas, integration and expertise, and take appropriate action as needed.

Question. What organizational challenges remain at U.S. Strategic Command related to these new missions? Specifically, what additional work, if any, remains to be done and what expertise, if any, needs to be acquired for these new missions?

Answer. Cyberspace capabilities and capacity are still maturing across DOD and the national security enterprise. If confirmed, I will assess the status of capabilities and determine the proper course of action to align personnel and resources to address the issues.

Question. If confirmed, would you recommend or support any changes in the missions currently assigned to U.S. Strategic Command? If so, what changes would you recommend?

Answer. Not at this time. As my understanding of the missions evolved and integration matured, I would assess command mission effectiveness and recommend changes as appropriate.

Question. Are you aware of any additional new missions that are being contemplated for the Strategic Command?

Answer. No. I am not aware of any new missions being considered for Strategic Command.

ORGANIZATION

Question. In addition to the Cyber-Command, the Command is organized into a series of joint functional component commands that correspond to the mission areas of the Strategic Command.

If confirmed, would you anticipate maintaining or modifying this structure?

Answer. I would not anticipate any immediate changes; however, as relationships across Federal agencies are defined and cyberspace capabilities are matured, there may be a need to make organizational changes. It is important to keep a flexible organizational structure that is capable of responding to a constantly changing threat environment and technology advances.

BALLISTIC MISSILE DEFENSE

Question. How do you view the roles and responsibilities of the Commander, U.S. Strategic Command, related to ballistic missile defense?

Answer. The UCP charges STRATCOM with responsibilities for synchronizing planning for global missile defense, including coordinating global missile defense operations support and developing and advocating for missile defense characteristics and capabilities desired by combatant commanders. If confirmed, I will ensure STRATCOM and its Joint Functional Component Command for Integrated Missile Defense (JFCC–IMD) continue their close working relationship with MDA, the geographic combatant commanders, and Services to integrate capabilities across combatant command boundaries and to serve as the Joint Functional Manager for global force management of BMD forces.

Question. What do you believe is the appropriate function of the Joint Functional Component Command for Integrated Missile Defense?

Answer. JFCC–IMD's mission is to synchronize missile defense planning, conduct BMD operations support, and advocate for missile defense capabilities, in support of STRATCOM, other combatant commands, the Services, and appropriate U.S. Government agencies, to deter and defend the United States, deployed forces, and its allies against ballistic missile attacks. In addition, JFCC–IMD serves as the MDA counterpart to represent warfighter equities in the BMD development and integrates BMD test, training, and exercise activities. If confirmed, I look forward to reviewing the current activities of JFCC–IMD to ensure that this is the most appropriate function for today's national security environment.

Question. If confirmed, would you recommend or support any changes in the authorities of Commander, U.S. Strategic Command, as they relate to ballistic missile defense?

Answer. As of today, I would not make any changes. If confirmed, I will continue the close working relationships with the combatant commanders and the Missile Defense Agency and make recommendations to the Secretary of Defense regarding the appropriate authorities to support the defense of the United States and its allies.

Question. If confirmed, what role would you anticipate playing in the assessment of the military utility of U.S. ballistic missile defenses against short-, medium-, intermediate-, and long-range ballistic missiles?

Answer. In response to UCP 05 and DODD 5134.09 guidance, STRATCOM conducted and reported a Military Utility Assessment of the Ballistic Missile Defense System (BMDS) from 2006 to 2010. The intent of the MUA is to conduct assess the utility of the delivered capability—which is being replaced by the Operational Readiness & Acceptance (OR&A) process to formalize the acceptance of the delivered ca-

pability based on their operational utility. We are now working on the Global IAMD Assessment as a companion document to the OR&A to define operational risks associated with BMD operations.

Question. If confirmed, what role would you anticipate playing in representing and advocating for the views and needs of the combatant commanders for missile defense capabilities, and how do you believe that warfighter perspective should inform our missile defense program?

Answer. The Ballistic Missile Defense (BMD) Program exists to meet the limited defense of the United States and the theater defense needs of combatant commanders. STRATCOM sponsors the missile defense Warfighter Involvement Process to capture and articulate warfighter capability needs to inform the BMD program development. STRATCOM also manages the development of the Global Integrated Air and Missile Defense Assessment to articulate combatant commanders' operational risks that must be remedied in the BMD development. If confirmed, I will consult fellow combatant commanders and advocate for their mission needs, always mindful of the joint warfighter.

Question. Please describe your view of the appropriate roles for the Joint Staff and the Missile Defense Executive Board in guiding decisions on the development, acquisition, and deployment of effective missile defense capabilities.

Answer. The Joint Staff is responsible for defining required systems interoperability and operational architectures while validating joint theater missile defense capabilities through both simulation and technology demonstrations. The role of the Missile Defense Executive Board is to provide oversight and guidance in a collaborative mode involving all missile defense stakeholders in DOD and other agencies and departments. Important considerations for both entities include the necessary transition of tested systems from MDA to a military Service to be organized, trained, and equipped for eventual combatant command employment.

Question. Do you agree that any ballisic missile defense systems that are deployed must be operationally effective and cost-effective?

Answer. Yes. The joint warfighter requires fielded systems with military utility. I agree with the Secretary of Defense Ballistic Missile Defense Report which established metrics to measure ballistic missile defense systems cost effectiveness through comparison with available options, affordability, and comparison of incurred vice avoided costs.

Question. Do you agree that ballistic missile defense flight tests need to be operationally realistic, and that operational testing is necessary, in order to demonstrate the capabilities of our systems and provide confidence that they will work effectively?

Answer. I agree with the Missile Defense Agency testing approach outlined in the Integrated Master Test Plan that the tests will be conducted as operationally realistically as possible, exercising Warfighter Tactics, Techniques, and Procedures against operationally realistic threats. If confirmed, I will support this approach and assess the capabilities of ballistic missile defense systems.

Question. What are your views on the relationship between ballistic missile defenses and nuclear deterrence?

Answer. Ballistic missile defenses protect the United States against the threat of a limited intercontinental ballistic missile (ICBM) attack by a regional actor such as North Korea or Iran. Through deployment of limited defenses, the United States seeks to dissuade such states from developing an ICBM, deter them from using an ICBM if they develop or acquire such a capability, and defeat an ICBM attack by such states should deterrence fail denying them the benefits of possessing or using such systems. Ballistic missile defenses will also defend U.S. deployed forces from regional missile threats while also protecting our allies and partners and enabling them to defend themselves. Present plans for missile defense do not contemplate protection of the United States against large scale nuclear strikes. The U.S. strategic nuclear deterrent force of ICBMs, bombers and ballistic missile submarines will remain the primary deterrent of nuclear attacks against the United States, our allies, and partners.

Question. Do you support the policies and priorities stated in the Ballistic Missile Defense Review report of February 2010?

Answer. I support the current Ballistic Missile Defense policies and priorities.

Question. Do you support the homeland ballistic missile defense initiatives announced by Secretary Hagel on March 15, 2013, including the planned deployment of 14 additional Ground-Based Interceptors (GBIs) in Alaska?

Answer. Yes. I support all initiatives. Of note, the additional 14 GBIs in Alaska will add capacity to U.S. Homeland defense against new and evolving adversary ICBM capabilities. Another important initiative is the deployment of an additional

AN/TPY–2 radar into the PACOM area of operations which will also improve our capabilities to defend the United States while also enhancing regional BMD.

Question. Do you support proceeding with the Environmental Impact Statement (EIS) process required by section 227 of the National Defense Authorization Act for Fiscal Year 2013 to inform future decisions about deployment of a possible additional homeland ballistic missile defense site in the United States, in case the President determines to proceed with such an additional deployment?

Answer. Yes. With the restructuring of the SM–3 Block IIB program, continuing to explore the possibility of another CONUS interceptor site is a prudent measure. The completion of the EIS will reduce the timeline to implement this option should such a decision be made.

Question. Do you agree with the Chairman and Vice Chairman of the Joint Chiefs of Staff that additional analysis is needed, including analysis of the missile threat from Iran, before making a decision on whether to deploy such an additional missile defense site in the future?

Answer. Yes. We will need to carefully consider the threat to clearly understand the potential operational benefits that can be realized for the associated costs of enacting such an option. While an additional missile defense site provides operational utility, the cost should also be carefully considered, as well as the warfighter's priority to improve the sensor capability.

Question. Do you believe that it may be possible to assess the advisability and feasibility of deploying an additional homeland ballistic missile defense site before the EIS is completed?

Answer. I believe that the Department of Defense can conduct preliminary assessments in advance of an EIS. STRATCOM and U.S. Northern Command are assisting the Missile Defense Agency with such preliminary assessments in compliance with National Defense Authorization Act direction. We would be more confident in the assessments with an EIS completed.

Question. Do you agree with the Director of the Missile Defense Agency and the Commander of the Joint Functional Component Command for Integrated Missile Defense on the importance of enhancing our missile defense sensor capabilities to improve discrimination and kill assessment for homeland ballistic missile defense?

Answer. Yes. I agree.

Question. Do you agree there is no significant funding in the fiscal year 2014 Presidential Budget request for the foregoing activities?

Answer. There is substantial funding in Missile Defense Agency's fiscal year 2014 budget request to continue to research, develop and improve sensor and discrimination capabilities, however I agree there is no significant funding contained in the budget to acquire any additional sensors. Additionally, a study has been initiated to determine how best to support future sensor requirements and Missile Defense Agency is exploring technologies to improve the capabilities of ground, air, and space sensors.

Question. Do you support the Phased Adaptive Approach to missile defense in Europe (EPAA), and do you believe this approach will provide a timely and effective capability to address existing and emerging Iranian ballistic missile threats to Europe?

Answer. Yes. The work is ongoing and, if confirmed, I will continue to assess our progress and make recommendations to the Secretary of Defense.

Question. What capability was lost with the decision to cancel Phase IV of the EPAA, and how does it compare to the capability of deploying 14 additional GBIs in Alaska by 2017?

Answer. The cancellation of EPAA Phase IV resulted in the potential loss of early engagement opportunities (i.e. Defense in Depth) for Iranian ICBM threats to the United States. Deploying an additional 14 GBIs to Alaska will add capacity to U.S. Homeland defense.

Question. What role do you believe Strategic Command should play in the development and implementation of the Phased Adaptive Approach to missile defense in Europe and other regions?

Answer. STRATCOM's role is to synchronize global missile defense plans, coordinate global missile defense operations support, and through the JFCC IMD, act as the Joint Functional Manager for global force management of missile defense capabilities.

Question. Do you believe it is in our interest to cooperate with Russia on ballistic missile defense, including the possibility of sharing radar early warning data?

Answer. Yes. To quote the BMDR, "The United States will also continue in its efforts to establish a cooperative BMD relationship with Russia. . . . The administration is committed to substantive and sustained dialogue with the leadership of Russia on U.S. missile defenses and their roles in different regions. . . . Our goals are

to enlist Russia in an new structure of deterrence that addresses the emerging challenges to international peace and security posed by a small number of states seeking illicit capabilities."

What do you believe are the most promising opportunities to work collaboratively with Russia to address emerging ballistic missile threats?

Answer. As agreed by President Obama and President Medvedev at the July 2009 Moscow Summit, the most promising opportunity to work with Russia is in the joint assessment of the ballistic missile threat. If the Russians are willing, open and transparent bilateral or multilateral wargames or exercises, and sharing of early warning information are also options that may lead to a better relationship with Russia.

CYBER SECURITY

Question. What are your priorities for the U.S. Cyber Command?

Answer. Our reliance on cyber capabilities, the many and varied threats, and the rapid rate of technological change all demand we place an initial and enduring focus on defense of our information networks. Priorities beyond defense include assuring the warfighting mission, strengthening and expanding partnerships in the domain, building capacity and capability to conduct full-spectrum cyberspace operations and developing processes to integrate cyberspace capabilities into combatant command plans operations and across DOD.

Question. In your view, what are the most important unmet priorities for the development and deployment of cyber security tools and capabilities?

Answer. U.S. Strategic Command, as a global combatant command, is in a unique position to favorably influence two essential priorities in this area. The first is to advance the development of a multi-Service cadre of cyber professionals, with emphasis on technical and tactical competence. This includes continuous training and education and focused career path development. The second is to accelerate the fielding of shared cyber situational awareness tools, taking advantage of emerging technologies to know friendly and threat activity within the network while understanding intent; and display and disseminate that information in an operationally relevant manner.

Question. If confirmed, what role will you play in establishing policy for U.S. Cyber Command?

Answer. If confirmed, I will exercise combatant command over U.S. Cyber Command, engage and advise senior leaders within the Department of Defense, Federal agencies, and with Members of Congress to advocate for the appropriate policies regarding cyberspace operations.

Question. What are your views on the issue of elevating U.S. Cyber Command to a full unified command, including the timetable for elevating the Command?

Answer. I believe the current command relationship is working. However, if a decision is made to make U.S. Cyber Command a unified command, we should not break the current dual-hatted relationship between the National Security Agency and U.S. Cyber Command. This relationship is central to mission success.

SPACE

Question. What is your view on the responsiveness of current space systems to meet warfighter needs and what are the opportunities for the Operationally Response Space program to meet military and other space requirements?

Answer. National Security Space systems are responsive to warfighters' needs. As the speed of warfare increases and military decision cycles decrease, space systems need to continue to evolve in their ability to deliver capability sooner. The increasingly congested, contested, and competitive nature of space will require continual improvements in the responsiveness and resilience of our space infrastructure. The Operationally Responsive Space initiative is one tool at our disposal to meet urgent combatant command needs or leverage developed technology to meet anticipated warfighter needs.

Question. What is your view of the ability of DOD to develop and deploy space systems in a cost-effective and timely manner?

Answer. DOD has worked extensively to reverse troubling acquisition trends. Significant strides are being made with a concentration on program stability, increasing the quantity and quality of the acquisition workforce and strengthening the requirements process to allow for incremental system development and increased technology maturation. Architectural work to conceptualize the space enterprise of the future is increasingly considering factors such as resilience, affordability, and responsiveness in addition to the historical emphasis on performance and reliability.

This groundwork should significantly improve our ability to field future space capabilities that are both cost-effective and timely.

Question. What steps, if any, do you believe might be necessary to improve the responsiveness of current space systems?

Answer. Responsiveness, as measured by the speed, capacity and fusion of data to the warfighter, are important in the evolution of warfare to counter adaptive adversaries. Providing the warfighter with dynamic situational awareness, such as for tailored Intelligence, Surveillance and Reconnaissance, while optimizing stressed communications and networks, will increase the value of current space systems. Lowering the cost of space systems and launch systems is a key element for improving responsiveness. Low cost space solutions permit us to move rapidly, practice risk-management vs risk-avoidance, and consequently have the ability to respond to immediate needs.

Question. In your view, what are the most important unmet requirements for space systems?

Answer. Guaranteeing mission assurance, which includes resilience and space protection, is critical. Central to this is developing adequate Space Situational Awareness in a domain that is increasingly competitive, congested and contested. Geographic combatant commanders require a sustained emphasis on meeting Intelligence, Surveillance and Reconnaissance needs and satisfying increased military satellite communication requirements in support of global military operations.

Question. Do you believe any urgent needs or capability gaps exist? If so, please specify in detail.

Answer. Urgent needs and capability gaps will continue to exist in a constantly changing battlespace and a fiscally constrained environment. Persistent ISR and increasing satellite communications bandwidth are continuing needs identified by the regional combatant commands. If confirmed, I will work through the Joint Staff and Service components to mitigate capability gaps and respond to combatant commanders' urgent needs.

Question. What do you believe should be done to meet those requirements, and what space programs should be accorded highest priority?

Answer. If confirmed, I will articulate national and joint warfighter imperatives, including a judicious blend of alliances, partnerships and commercial relationships. I will also press for improved space situational awareness and ensure the highest priority is accorded to meeting continuing needs for assured communications, uninterrupted missile warning, persistent positioning, navigation, and timing and overhead Intelligence, Surveillance and Reconnaissance (ISR). Additionally, I will advocate through the Services for greater investments in scientific and technical advancement to maintain our space systems advantages well into the future.

Question. How important, in your view, is persistent surveillance, and what programs do you believe are best able to provide this capability?

Answer. Combatant commanders identify persistent surveillance as an enduring priority needed to detect, collect, disseminate, and characterize activity in the battlespace. Space, airborne, maritime, and terrestrial programs contribute to ISR, but where persistent surveillance can be achieved is through integration of sensors on multiple platforms, with space-based ISR providing unique contributions over deep and denied areas.

Question. What is your view on the effectiveness of efforts to cooperate with the commercial space sector to improve space situational awareness and how could this effort be expanded and made more successful?

Answer. The Space Situational Awareness (SSA) Sharing Program at U.S. Strategic Command has been the lynchpin of international engagements with spacefaring nations and industry. In 2012, STRATCOM provided 10,000 satellite conjunction warnings. This high fidelity information was instrumental in ensuring spaceflight safety for over one thousand active satellites orbiting the Earth. Today, STRATCOM supplies SSA information through SSA Sharing Agreements with 38 commercial firms. This year, STRATCOM negotiated and concluded the first international SSA Sharing Agreements with Japan and Australia. These agreements are the first in what will be a series of international SSA Sharing Agreements with our partners and allies

These ongoing endeavors result in improved data-exchange between U.S. Strategic Command, the commercial sector and space faring nations and, as such, reduces the risk of collisions in space leading to a safer space environment.

Question. What are your views on disaggregation of space sensors systems and has your experience with SBIRS HEO–1 and HEO–2 affected that?

Answer. Disaggregation of space systems should consider cost, schedule, performance and resiliency across a range of threat environments. We need to do a better job of leveraging the inherent resiliency embedded within our current systems. The

Department is beginning early analysis to understand the strengths, weaknesses, opportunities, and threats of disaggregated architectures which will provide a basis for investment decisions.

Question. In the National Defense Authorization Act for Fiscal Year 2004, Congress approved a national policy to support two space launch vehicles, or families of launch vehicles, capable of launching national security payloads into space. The two launch vehicles have been combined into one company to provide launch services to the U.S. Government with the expectation that this would improve both the efficiency of space launch and reduce the cost.

What are your expectations with respect to future space launch efficiencies and cost savings?

Answer. Low cost launch is an important enabler for an entire emerging class of space capabilities. In the experimental/demonstration realm (programs typically executed by the Defense Advanced Research Projects Agency, Air Force Research Laboratory, Naval Research Laboratory, or Space and Missile Defense Command) low cost launch provides access to space for S&T missions requiring very tight budgets. These missions demonstrate key technologies or concepts of operations that lead to more effective operational capabilities in the future. In the operational realm, low-cost launch enables one-off responsive space systems (e.g. ORS–1 satellite providing ISR for U.S. Central Command), emerging operational cubesats/nanosats, and perhaps even some alternate space architectures currently under consideration.

Question. In the next several years the rate of space launches is expected to increase, what new approaches to space launch, in your view, should be implemented to handle this increased rate of launch?

Answer. Recent Service-led improvements in the range manifest and scheduling process, such as the concept of matching boosters with satellites when there is a higher confidence of being ready for launch, will maximize the probability of meeting launch demands consistent with national priorities.

Question. What, in your view, should the United States do in the future, and what steps would you take if confirmed, to ensure continued reliable access to space?

Answer. I will continue to advocate for cooperative development of launch and range transformation initiatives by and between the Services, NRO, and the National Aeronautics and Space Administration (NASA).

Question. Do you believe that the Nation should sustain redundant space launch capabilities?

Answer. Robust access to space is a national imperative requiring flexible capability to ensure continuity of access. Additional service and commercial capabilities are emerging. If confirmed, I will continue to review the viability of these approaches and advocate appropriately assuring the Nation's access to space.

Question. What do you see as the greatest problem implementing a new entrant strategy?

Answer. I am confident the Air Force, NRO, and NASA will support their Launch System Certification agreement with new launch entrants. The certification process will ensure all launch providers and all proposed launch vehicle configurations meet rigorous standards of demonstrated flight reliability, process controls, design margins, and mission assurance in order to receive non-recurring certification.

Question. Recent decisions, and probably future decisions, about launch capabilities made by the National Aeronautics and Space Administration will impact national security space launch cost and capacity.

What, in your view, should the Strategic Command do to coordinate civil and national security space launch?

Answer. Assured access to space is a national imperative that, in a fiscally constrained environment, could benefit from a whole-of-government approach. Strategic Command should continue its participation in the development of a national space transportation policy.

Question. In your view, what are the most significant challenges that the United States faces in military and national security space programs and policy?

Answer. Our challenges are rooted in the increasingly congested, contested and competitive nature of the space domain. If confirmed, I'll continue to address the following top challenges: (1) threats to U.S space capabilities; (2) threats from adversary space capabilities to U.S. military forces; and (3) maintaining our national security space programs in a difficult budget environment.

Question. Training of U.S. military personnel to understand and to incorporate space assets into all aspects of operations is critically important to future military success.

While much has been done to incorporate space assets into all aspects of military operations, in your view are there additional steps that should be taken to address this challenge?

Answer. The availability of space capabilities to Joint Force Commanders is essential towards the United States' ability to win our Nation's conflicts. We are now faced with an era of fiscal uncertainty that causes us to reevaluate how we incorporate space assets into the fight. As we look to partner with our allies and leverage their capabilities through combined space operations, we must reassess our disclosure policies to ensure each side has the ability to capitalize on the partnership.

Question. What role does the National Security Space Institute play in the training process, and how could their training programs be improved?

Answer. Since its establishment in 2004, the National Security Space Institute (NSSI) has been an important part of the Space Professional Development Program and the advancement of space expertise across the Department of Defense. In 2012, STRATCOM conducted a Joint Space Individual Training and Education Needs Assessment to analyze joint space training and education requirements of personnel performing joint space missions. This assessment identified some areas where there are shortfalls in the current space training and education programs. Recommended solutions incorporate both joint and service authorities, personnel systems, and education and training refinements. I anticipate the NSSI will be one of the key organizations responsible for implementing the training and education recommendations to meet space professional needs across the Department of Defense.

Question. What, in your view, are the priorities for improving space situational awareness?

Answer. To improve space situational awareness, we should accomplish the following. First, the United States must have the ability to quickly characterize events (natural and manmade) that threaten our space assets. Second, we must ensure we have improved capabilities to detect, track, and identify space objects. Finally, we must invest in capabilities and partnerships that increase our resilience while also maintaining our leadership.

Question. What programs and policies, in your view, should be changed or added to ensure adequate space situational awareness?

Answer. The legacy space surveillance network is nearing its maximum capacity to detect, track, and identify space objects. We must invest in new capabilities that meet the needs of today's contested and congested space environment. Furthermore, recognizing the utility in incorporating other non-U.S. systems, we must establish partnerships which allow access to space surveillance data. Finally, the systems responsible for processing this data are in dire need of modernization. Capabilities such as the Space Fence and the Joint Space Operations Center Mission System will help the United States meet tomorrow's challenges.

Question. What are your views on how military and national security space should and could be better integrated?

Answer. Significant synergy exists in those common, underlying "enablers" such as the space industrial base, research and development, science and technology and the space workforce. My understanding is that we have made significant progress in integrating these enablers to include the Intelligence Community with the standup of the Space Security and Defense Program. If confirmed, I will continue advocating along these lines to best meet the needs of the Nation.

Question. In your view, what role should the National Security Space Office play in integrating military and national security space?

Answer. I understand that over the past 2 years, there has been a reorganization of the management and coordination of the national security space enterprise, including the establishment of the Defense Space Council, and the re-validation of the Secretary of the Air Force as the Executive Agent for Space. This reorganization has had a positive impact on government-wide coordination of space activities.

If confirmed, I will continue to foster close working relationships amongst fellow members of the Defense Space Council to facilitate unity of effort across the space enterprise.

Question. In your view, should the role of the National Security Space Office be modified or expanded in any way?

Answer. I understand that over the past 2 years, there has been a reorganization of the management and coordination of the national security space enterprise, including the establishment of the Defense Space Council, and the revalidation of the Secretary of the Air Force as the Executive Agent for Space. This reorganization has had a positive impact on government-wide coordination of space activities.

If confirmed, I will continue to foster close working relationships amongst fellow members of the Defense Space Council to facilitate unity of effort across the space enterprise.

Question. What do you see as the greatest challenges in the area of counter space?

Answer. The greatest challenge is maintaining comprehensive real-time/near-real-time space situational awareness (SSA) to assure the earliest possible detection of

a threat and enable accurate attribution of actions against our space assets. Successfully meeting this challenge will enable us to take timely and effective actions to protect our assets and clearly identify the source of the threat to allow an appropriate whole-of-government response to those responsible.

CRUISE MISSILE DEFENSE

Question. In your view, how serious is the vulnerability of our Nation and deployed military forces to the cruise missile threat?

Answer. Cruise missiles represent a credible threat to our Nation and forces abroad.

Question. What role do you believe U.S. Strategic Command should play in the cruise missile defense of our Nation and our deployed military forces?

Answer. STRATCOM is responsible for synchronizing planning for global missile defense to include coordinating global missile defense operations support and advocating for missile defense capabilities. Additionally, as the Air and Missile Defense Integrating Authority, STRATCOM should continue advocating for cruise missile defense capabilities desired by the warfighters.

PROMPT GLOBAL STRIKE

Question. In your view, how adequate are current efforts to establish requirements and develop a prompt global strike capability?

Answer. Current efforts are sufficient. The Joint Requirements Oversight Council (JROC) recently revalidated the prompt strike initial capabilities document and requirements. The Department continues to make progress through investments in the development and testing of prompt strike capabilities.

Question. Do you believe that adequate analysis is being conducted to determine whether a prompt global strike capability should be launched from air, land, maritime surface or subsurface platforms, or a combination thereof?

Answer. Yes. the Air Force completed a comprehensive Analysis of Alternatives (AOA) that considered a range of prompt strike deployment options. In addition, the JROC recently directed a review of technology, operational concepts, and costs as part of an independent review or AOA update. Current development efforts are aimed at technology solutions that could be fielded in a range of operational concepts.

NUCLEAR DETERRENCE

Question. If confirmed as Commander of the U.S. Strategic Command, you would be involved in implementing the new Nuclear Posture Review and the reductions under the New START treaty.

Do you support the New START treaty?

Answer. Yes. New START provides the United States with insight into Russian strategic nuclear forces. The treaty has a verification regime that is effective, robust, enhances transparency, and builds confidence with Russia.

Question. Do you support the recent revision to our nuclear employment strategy?

Answer. Yes. the objectives support deterrence of adversaries and assurance of our allies and partners.

Question. Do you believe we need a fleet of 12 ballistic submarines to replace the *Ohio*-class submarines?

Answer. Yes. based on current and future projected strategic environments, 12 SSBNs is the minimum required to meet deterrence mission requirements.

Question. What in your view are the most pressing modernization requirements for the Minuteman III ICBM, following completion of the current upgrades?

Answer. The Air Force is conducting sustainment programs to take the Minuteman III ICBM through 2030 as directed by Congress. I will advocate for sustaining planned life extension programs, including arming, firing and fuzing upgrades, guidance modernization, and support equipment replacements.

Question. Do you support the development and fielding of a follow-on program to the Minuteman III ICBM? If so, when will a decision be necessary for pursuing the development of a follow on ICBM?

Answer. Yes. land-based ICBMs are an integral and enduring part of the nuclear triad, and the Air Force is scheduled to begin an AOA this year. Following completion of the AOA, we will work closely with the Air Force to develop a resource strategy to recapitalize our ICBM force beyond 2030.

Question. Do you support and intend to advocate for the modernization of all legs of the triad of nuclear delivery vehicles?

Answer. Yes. modernization of all legs of the triad is essential given our aging systems. The triad's complementary capabilities encourage restraint, deny benefits

and, if deterrence fails, impose costs on adversaries. The triad also provides the United States resiliency and flexibility in the event of technical or geopolitical surprise.

Question. In your view, is there a relationship between U.S. nuclear deterrence policy and nonproliferation policy? If so, please describe the relationship.

Answer. Yes. there is a relationship. By extending our deterrent to other nations we provide them an alternative to developing their own nuclear capabilities to meet their security needs. Thus, our extended deterrent contributes to meeting our nonproliferation policy goals.

Question. What are your views on nuclear command and control?

Answer. Today's Nuclear Command and Control systems underpin strategic deterrence and they provide an assured capability for the President to execute nuclear forces under any scenario. Current portions of our architecture are largely a product of the Cold War resulting in some obsolescent and aging elements to the infrastructure, including some elements that are passing their end of life. Despite the growing age of the infrastructure, we are fully capable in executing our nuclear mission. However, to ensure this capability remains viable in the future, continued investment and modernization of the Nuclear Command, Control, and Communications (NC3) architecture is necessary. Current emphasis is required on space-based detection, conferencing, and force direction.

Question. How will you advocate modernizing our nuclear command and control and what aspects in particular in light of the new nuclear employment strategy?

Answer. Today's NC3 systems provide assured and resilient capabilities for the President to execute nuclear forces under any scenario through all phases of conflict. To ensure this capability remains viable in the future, continued investment and modernization of the NC3 architecture is necessary. Current emphasis is required on space-based detection, conferencing, and force direction.

Continued investment for NC3 capabilities, a robust net-centric C2 infrastructure, and insertion of new technologies (such as Internet Protocol-based solutions) will maintain senior leaders' ability to respond deliberately and appropriately to any situation.

We have set a course to modernize NC3 systems to enable secure, enduring, and continuous communications with respect to the current threat environment, as well as emerging threats we are likely to confront (where man-made or natural).

Question. What is your view of the significance of non-strategic nuclear weapons in the nuclear balance between the United States and Russia?

Answer. I believe it is important to consider both strategic and non-strategic weapons and their associated infrastructure when examining questions of nuclear balance between the United States and Russia. Further, we must consider the geostrategic environment in which each country exists to better understand their force composition decisions and thus the implications for force balance.

Question. Do you believe the U.S. Government understands today how to verify reductions in nonstrategic nuclear weapons?

Answer. It depends on the nature of what is to be verified. The U.S. Government was able to verify the eliminations of non-strategic platforms made under the INF Treaty. Procedures to verify warhead eliminations, which have not yet been part of treaty, may require further study.

NUCLEAR WEAPONS COUNCIL

Question. If confirmed you would become a member of the Nuclear Weapons Council.

What would your priorities be for the Nuclear Weapons Council (NWC)?

Answer. My top priority is to continue to sustain and modernize the nuclear enterprise, including weapons, platforms and infrastructure. I support the NWC recently approved strategy and implementation plan for stockpile management and supporting elements.

Question. What changes if any would you recommend to the organization, structure, or function of the NWC?

Answer. None at this time. The NWC is composed of the appropriate members and assigned responsibilities to provide effective oversight of the nuclear weapons enterprise.

Question. What role is the NWC playing or should it play in the discussion with respect to any future nuclear arms control treaties?

Answer. NWC principals provide policy, military, and technical recommendations.

MAINTAINING A SAFE, SECURE AND RELIABLE STOCKPILE

Question. If confirmed you would play a major role, in conjunction with the National Nuclear Security Administration, to maintain the safety, security, and reliability of the U.S stockpile of nuclear weapons.

What are your priorities for implementing that responsibility?

Answer. My top priority is to ensure the stockpile remains safe, secure, and effective to support the Nation's deterrence missions. My priorities include providing an annual assessment of the stockpile's military effectiveness, establishing stockpile requirements and providing military advice on strategy and implementation plans for life extension programs and the nuclear industrial complex.

Question. The Strategic Command is an integral part of the annual certification process for nuclear weapons.

Would you recommend any changes in the Strategic Command's role in the annual process or the process generally?

Answer. Not at this time. I will closely monitor this process and will recommend appropriate changes, if necessary.

STOCKPILE STEWARDSHIP PROGRAM

Question. What is your view of how well the Stockpile Stewardship Program is proceeding towards its goal of being able to continuously assess and annually certify the U.S. enduring nuclear weapons stockpile as safe, secure, and reliable, without the need for underground nuclear testing?

Answer. The Stockpile Stewardship Program is meeting its goal of effectively and continuously assessing the nuclear weapon stockpile. It provides sufficient data and analysis to allow the annual certification of the stockpile without underground nuclear testing.

Question. In your opinion, what are the biggest challenges for the Stockpile Stewardship Program?

Answer. The Stockpile Stewardship Program's most significant challenge is sufficient and stable funding to ensure understanding of the stockpile as it ages, confidence in that understanding in the absence of underground nuclear testing, and timely responsiveness to technical issues that arise.

Question. Do you believe that all nuclear weapon life extension methods, refurbishment, reuse, and replacement, should be given equal consideration?

Answer. I support considering the full range of options as directed in the Nuclear Posture Review. Strong preference will be given to options for refurbishment or reuse. Replacement of nuclear components would be undertaken only if critical Stockpile Management Program goals could not otherwise be met, and if specifically authorized by the President and approved by Congress.

Question. The administration is proposing overhauls of the B–61 gravity bomb, and an interoperable warhead to provide for hedging between different legs of the triad.

What are your greatest concerns with the B–61 life extension program?

Answer. My greatest concern is the weapon remains safe, secure, and effective and capable of meeting its strategic and extended deterrence commitments. The current life extension program addresses the timely replacement of aging components. It is imperative that the program remains adequately funded and on schedule.

Question. The National Nuclear Security Administration estimates the cost of the first version of the interoperable warhead will exceed $14 billion.

Do you support evaluation of straight life extensions of the W–78 and W–88 warheads if either the cost or technical issues with the interoperable warhead become too great?

Answer. I support studying the technical feasibility and cost of an interoperable nuclear explosive package for the W78/88–1. Further, I believe that the W78–1 and W88–1 warhead options should be examined for comparative purposes, so an informed recommendation can be brought to the NWC.

MILITARY-TO-MILITARY COOPERATION PROGRAMS

Question. The U.S. Strategic Command has a long history of conducting military-to-military exchanges and discussions with its counterparts in Russia, but in recent years these exchanges and discussion have stopped for the most part.

If confirmed, would you seek to continue or expand this dialogue?

Answer. If confirmed, I would consult extensively with the Secretary of Defense, the State Department and the Commander, U.S. European Command to see what steps would be appropriate to engage Russia.

Question. Would you seek to establish military-to-military programs to include other countries, such as China?

Answer. If confirmed, I would consult extensively with the Secretary of Defense, the State Department and the Commander, U.S. Pacific Command to see what steps would be appropriate to engage China.

STRATEGIC FORCES AND MISSIONS

Question. During the Cold War, the primary mission for strategic forces was to deter the Soviet Union from using its nuclear weapons and, more broadly, to contribute to U.S. efforts to contain the Soviet Union. Strategic forces were therefore synonymous with nuclear forces. This isn't the case today, as the wide-ranging missions assigned to U.S. Strategic Command make clear.

What, in your view, is the primary mission for U.S. Strategic Forces today and in the future?

Answer. Our strategic forces include our Global Strike (nuclear and conventional), space, cyber, global intelligence, surveillance, reconnaissance and ballistic missile defense capabilities. Their primary missions are to assure allies and partners, deter potential adversaries and if necessary, defend against and defeat adversary attacks on the United States, our allies, and partners.

Question. With the decline in numbers of U.S. and Russian strategic nuclear weapons, is it now more important to take into account non-strategic nuclear weapons?

Answer. Yes. Nuclear weapons regardless of their delivery method are important to consider.

Question. Should we think differently about the use of strategic forces today?

Answer. Yes. Strategic forces today are no longer just nuclear forces. They include our Global Strike (nuclear and conventional), space, cyber, global intelligence, surveillance, reconnaissance and ballistic missile defense capabilities. Thus our thinking about their use must be different.

Question. Given the mission for strategic forces, as you define it, what capabilities are still needed to carry out that mission?

Answer. Required strategic deterrence capabilities include warning, attribution, assured command and control, forces, weapons, and the infrastructure to sustain them. The Triad is the cornerstone of deterrence and strategic stability. Sustainment and recapitalization of strategic nuclear forces and stockpile, space, cyber, National Command and Control systems, and infrastructure are required to deter adversaries, assure allies and partners, and manage risk.

Question. The nuclear weapons in Europe are under the command of the Commander of European Command.

How would you plan to work with that command with respect to nuclear weapons security, and policy?

Answer. If confirmed, I will consult with the Commander, U.S. European Command, to understand his needs and I will work with him to advocate for safe, secure and effective nuclear weapons to meet those needs.

NUCLEAR WEAPONS SECURITY AND HANDLING

Question. What in your view are the most challenging aspects of maintaining security in the handling of nuclear weapons?

Answer. Ensuring nuclear forces are secure from attack, physical damage, theft and misuse, and denying unauthorized access continues to be the standard for nuclear security, and if I am confirmed, this will be one of my top priorities. Our continuing challenge is to ensure our security forces are always provided the capabilities to detect, delay and defeat any adversary while capitalizing on the lessons learned from the past decade of conflict. At the core of this challenge is maintaining a culture of instant readiness in our strategic force personnel for a mission that has a low probability of execution, but only because they are ready in the deterrence role.

Question. What role do you think the Strategic Command should play in ensuring that nuclear weapons are securely stored, transported, and handled when in control of the Military Services?

Answer. As the combatant command responsible for all strategic nuclear forces and now accountable for the security of the U.S. Air Force's strategic nuclear resources, U.S. Strategic Command has an increased role in ensuring a safe, secure and effective nuclear deterrent. If confirmed, I will ensure our security forces continue to have the resources, guidance and training required to maintain a secure environment for our nuclear weapons.

SCIENCE AND TECHNOLOGY

Question. In the past, STRATCOM had a stand-alone Science and Technology (S&T) advisor—as other COCOMS currently have, but that role has been subsumed into other staff positions.

If confirmed, what would be your views on reconstituting a STRATCOM Science and Technology advisor and if that is not necessary, what priorities would be assigned to that individual?

Answer. This is something I plan to review if I am confirmed as the Commander of U.S. Strategic Command.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as Commander, U.S. Strategic Command?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JACK REED

U.S. CYBER SECURITY STRATEGY

1. Senator REED. Admiral Haney, does the Air-Sea Battle concept account for the very significant cyber threat to our command and control capabilities in the Asia-Pacific region?

Admiral HANEY. Yes, the Air-Sea Battle concept does incorporate and account for cyber threats in the Asia-Pacific region. While the Concept's title names only two of the warfighting domains, the Concept describes integrated operations across all five domains—air, land, sea, space, and cyberspace—to create advantages for U.S. Forces. In Air-Sea Battle, we must be capable of attack and defense in each warfighting domain.

U.S. Cyber Command (CYBERCOM) is working diligently to ensure that the cyberspace component to Joint operations is prepared to conduct, integrate with, and support both offensive and defensive operations by any Service and in all domains. A significant aspect of CYBERCOM's work is the establishment of cyber mission and support teams specifically focused on understanding regional cyber threats and executing operations to defend our networks against these threats.

2. Senator REED. Admiral Haney, as Commander of U.S. Strategic Command (STRATCOM), is it your understanding that you would develop the strategy and operational plans to combat these cyber threats, not just in the Pacific but across all combatant commands?

Admiral HANEY. Yes, Commander, U.S. Strategic Command is tasked in the Unified Command Plan to exercise combatant command over U.S. Cyber Command and synchronize planning for cyberspace operations in coordination with other combatant commands, the Services, and as directed, appropriate U.S. Government agencies. This includes both offensive and defensive cyberspace operations, directing the

Department of Defense network operations and defense, and providing defense support to civil authorities as directed.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

MISSILE DEFENSE OF THE HOMELAND

3. Senator AYOTTE. Admiral Haney, do you agree that defending the Homeland against a limited long-range ballistic missile attack should be the first priority of the Missile Defense Agency (MDA)?

Admiral HANEY. Yes, the first priority of the MDA should be defense of the homeland against a limited long-range ballistic missile attack. The Ballistic Missile Defense Review clearly states this as the top priority.

4. Senator AYOTTE. Admiral Haney, will you work with the Director of MDA to ensure he has the funding to modernize the ground-based midcourse defense system and to increase testing?

Admiral HANEY. Yes, I will work with the Director of MDA to ensure adequate Research, Development, Test and Evaluation funding supports ground-based midcourse defense (GMD) system modernization and operationally realistic testing. I support MDA stockpile reliability and fleet upgrade activity plans and I also concur with current MDA flight test plans to conduct two GMD intercept tests in fiscal year 2014 and one per year in each subsequent year.

EAST COAST MISSILE DEFENSE

5. Senator AYOTTE. Admiral Haney, in your responses to the advance policy questions you state, "With the restructuring of the SM–3 Block IIB program, continuing to explore the possibility of another continental United States (CONUS) interceptor site is a prudent measure."

Why do you believe exploring a third CONUS interceptor site is a prudent measure?

Admiral HANEY. Missile defense is comprised of three major components: interceptors, sensors, and command and control. Exploring a third CONUS site focuses on the first element, interceptors, to include their location and potential battlespace. At the completion of the CONUS Interceptor Site Study we'll have a better understanding of the degree of potential capability/capacity a third site might offer as well as the necessary implementation and sustainment costs for the MDA and the Army. The study will provide a useful basis for evaluating a broad range of alternatives among and between all three missile defense components, particularly improved sensor discrimination.

6. Senator AYOTTE. Admiral Haney, what types of preliminary assessments are STRATCOM and U.S. Northern Command (NORTHCOM) conducting regarding an east coast missile defense site?

Admiral HANEY. STRATCOM and NORTHCOM are providing an operational perspective to a Missile Defense Agency study to identify at least three possible candidates for an additional CONUS interceptor site. We are also assessing potential added operational capability and capacity, level of risk reduction that could be achieved, and Service sustainment ability and cost requirements.

7. Senator AYOTTE. Admiral Haney, in light of the National Air and Space Intelligence Center's July report that concluded that "Iran could develop and test an ICBM [Intercontinental Ballistic Missile] capable of reaching the United States by 2015", would you agree with me that if we had an east coast site, particularly with the cancellation of the SM3 block 2B program, that it would provide additional battle space in response to an ICBM missile from Iran to the East Coast of the United States?

Admiral HANEY. Yes, an east coast site could potentially provide additional battle space against a limited ICBM launch from Iran. We'll know more once the CONUS Intercept Site Study is complete. While an additional missile defense site may provide operational utility, the most critical near-term priority is to improve sensor capabilities such as coverage and discrimination to maximize the operational utility of the current interceptor inventory. Additionally, consideration of cost versus operational utility and a clear understanding of the threat must be integrated into the decisionmaking process.

8. Senator AYOTTE. Admiral Haney, do you agree with the June Homeland Defense Hedging Policy and Strategy report to Congress that said, "The addition of a new missile defense base in the Northeast or Upper Midwest would add battlespace to a potential engagement, allowing for additional decisionmaking time and supporting the future option to employ a Shoot-Assess-Shoot engagement strategy"?

Admiral HANEY. A new missile defense base in the Northeast or Upper Midwest could potentially expand the battlespace and allow for additional decisionmaking time. However, a future option to employ a Shoot-Assess-Shoot engagement strategy involves many more factors such as improvements in discrimination and reliability.

NUCLEAR PRIORITIES

9. Senator AYOTTE. Admiral Haney, in 2012, the U.S. National Intelligence Council wrote: "Nuclear ambitions in the United States and Russia over the last 20 years have evolved in opposite directions. Reducing the role of nuclear weapons in U.S. security strategy is a U.S. objective, while Russia is pursuing new concepts and capabilities for expanding the role of nuclear weapons in its security strategy. Other nuclear powers, such as Pakistan and potential aspirants Iran and North Korea, desire nuclear weapons as compensation for other security weaknesses."

What are the potential strategic implications of these divergent views?

Admiral HANEY. As stated in the 2010 Nuclear Posture Review (NPR), one of our key policy objectives is "reducing the role of U.S. nuclear weapons in U.S. national security strategy" to the fundamental role of deterring nuclear attacks. The NPR, however, stated there "remains a narrow range of contingencies in which U.S. nuclear weapons may still play a role in deterring conventional or CBW attack against the United States or its allies and partners. The United States is therefore not prepared at the present time to adopt a universal policy that deterring nuclear attack is the sole purpose of nuclear weapons, but will work to establish conditions to which such a policy could be safely adopted." As some potential adversaries increase their reliance on nuclear weapons, we will continue to evaluate the role nuclear weapons in our own national security strategy. As long as we maintain sufficient safe, secure, and effective nuclear forces to deter nuclear attacks on the United States, its allies, and partners, the relative dependence of others on nuclear weapons should not alter the strategic balance.

10. Senator AYOTTE. Admiral Haney, how might this impact the relative balance of power between the United States and Russia?

Admiral HANEY. Whether nuclear threats emanate from Russia or any other nuclear power, the United States will retain a force structure appropriate to deter the employment of nuclear weapons and to control escalation in the event any aggressor chooses to cross the nuclear threshold. I do not believe the relative balance of power between the United States and Russia, will shift as long as we maintain sufficient, safe, secure, and effective nuclear forces.

11. Senator AYOTTE. Admiral Haney, how might allies, who depend on U.S. nuclear security guarantees, view this divergence?

Admiral HANEY. As our allies confront new security challenges, we must ensure the U.S. deterrent remains credible while demonstrating our ability and willingness to honor our extended deterrence commitments. Military investments, policies, force posture, and exercises serve to mitigate our allies' potential apprehension of divergent security policies. The B–2 demonstration flight in March 2013, for example, assured our South Korean partners because our mutual belief is it contributed to the deterrence of North Korean aggression.

NUCLEAR DETERRENCE AND ASSURANCE

12. Senator AYOTTE. Admiral Haney, what is your view of the role of nuclear weapons in U.S. national security strategy?

Admiral HANEY. Nuclear weapons are the cornerstone of our military's deterrent force and underpin our national security strategy. The 2010 NPR states, "The fundamental role of U.S. nuclear weapons is to deter nuclear attack on the United States, our allies, and partners." The NPR, however, acknowledges that it may be some time before we can reduce our reliance on nuclear weapons solely to this fundamental role. As a result, there remains a "narrow range of contingencies in which U.S. nuclear weapons may still play a role in deterring a conventional or CBW attack against the United States, or its allies and partners."

13. Senator AYOTTE. Admiral Haney, what would happen in the event our allies lost confidence in the credibility of the U.S. nuclear umbrella?

Admiral HANEY. In a worst case scenario, allies could take unilateral actions to address perceived threats in the form of direct military action, pursuit of their own nuclear capabilities, or accommodation of potential aggressors. All these actions could destabilize the security environment increasing the potential for armed conflict, proliferation cascades, or other effects harmful to U.S. national security interests.

14. Senator AYOTTE. Admiral Haney, what must the United States do in the coming years to ensure our allies retain their confidence in the credibility of the U.S. nuclear umbrella?

Admiral HANEY. Our allies will remain confident in our security commitments as long as we maintain an appropriate extended deterrence strategy, a nuclear force structured and sized to support it, and demonstrate its effectiveness and flexibility to counter current and emerging nuclear threats. Continued support for the modernization of our nuclear forces, through efforts such as the B61–12 Life Extension Program, is indicative of our long-term commitment and is equally important in instilling confidence among our allies.

[The nomination reference of ADM Cecil E.D. Haney, USN, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 20, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment in the U.S. Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be Admiral.

ADM Cecil E.D. Haney, 0815.

[The biographical sketch of ADM Cecil E.D. Haney, USN, which was transmitted to the committee at the time the nomination was referred, follows:]

TRANSCRIPT OF NAVAL SERVICE FOR ADM CECIL EUGENE DIGGS HANEY, USN

07 Jun 1978	Ensign
07 Jun 1980	Lieutenant (junior grade)
01 Jul 1982	Lieutenant
01 Sep 1988	Lieutenant Commander
01 Jun 1993	Commander
01 Jul 1999	Captain
01 Jul 2005	Rear Admiral (lower half)
01 Jan 2008	Rear Admiral
03 Nov 2010	Vice Admiral
20 Jan 2012	Admiral, Service continuous to date

Assignments and duties:

	From	To
Navy Recruiting District, Washington, DC (Assistant Officer Recruiter)	Jun 1978	Jul 1978
Naval Nuclear Power School, NTC, Orlando, FL (DUINS)	Jul 1978 ..	Feb 1979
Naval Nuclear Power Training Unit, Windsor, CT (DUINS)	Feb 1979	Aug 1979
Naval Submarine School, New London, CT (DUINS)	Aug 1979	Dec 1979
USS *John C. Calhoun* (SSBN 630) (Main Propulsion Assistant)	Dec 1979	May 1983
USS *Frank Cable* (AS 40) (Prospective Radiological Controls Officer)	May 1983	Jun 1983

	From	To
Navy Shipyard, Puget Sound, WA (DUINS)	Jun 1983	Jul 1983
USS *Frank Cable* (AS 40) (Radiological Controls Officer)	Jul 1983 ..	Jul 1985
Naval Post Graduate School, Monterey, CA (DUINS)	Aug 1985	Oct 1987
Naval Submarine School, Groton, CT (DUINS)	Oct 1987	Apr 1988
USS *Hyman G. Rickover* (SSN 709) (Engineer Officer)	May 1988	Jul 1991
Naval Submarine School, Groton, CT (DUINS)	Jul 1991 ..	Aug 1991
XO, USS *Asheville* (SSN 758)	Aug 1991	Mar 1993
Commander, Submarine Squadron Eight (Assistant Squadron Deputy for Training)	Mar 1993	Jun 1993
Naval Reactors, Department of Energy, Washington, DC (Administrative Assistant for Enlisted Affairs).	Jun 1993	Jun 1995
Naval Reactors. Department of Energy, Washington, DC (Prospective Commanding Officer Refresher Course).	Jun 1995	Sep 1995
Commander. Submarine Force, U.S. Pacific Fleet (DUINS)	Sep 1995	Dec 1995
CO, USS *Honolulu* (SSN 718)	Dec 1995	Jun 1999
National War College, Washington, DC (DUINS)	Jun 1999	Jun 2000
Office of the Under Secretary of Defense (Congressional Appropriations Liaison Officer)	Jun 2000	May 2002
Commander, Submarine Squadron ONE	May 2002	Jul 2004
Commander, U.S. Pacific Fleet (Deputy Chief of Staff for Plans, Policies, and Requirements) (N5/N8).	Jul 2004 ..	Oct 2006
Commander. Submarine Group TWO	Oct 2006	Mar 2008
Office of the Chief of Naval Operations (Director, Submarine Warfare Division) (N87)	Mar 2008	Apr 2010
Office of the Chief of Naval Operations (Director, Naval Warfare Integration Group) (N00X)	Apr 2010	Nov 2010
Deputy Commander, U.S. Strategic Command	Nov 2010	Jan 2012
Commander, U.S. Pacific Fleet	Jan 2012	To Date

Medals and awards:
Distinguished Service Medal
Defense Superior Service Medal
Legion of Merit with four Gold Stars
Navy and Marine Corps Commendation Medal with two Gold Stars
Navy and Marine Corps Achievement Medal with one Gold Star
Meritorious Unit Commendation
Navy "E" Ribbon with two "E" devices
Navy Expeditionary Medal
National Defense Service Medal with two Bronze Stars
Global War on Terrorism Service Medal
Sea Service Deployment Ribbon with three Bronze Stars
Navy Arctic Service Ribbon

Special qualifications:
BS (Ocean Engineering) U.S. Naval Academy, 1978
MS (Systems Technology) Naval Post Graduate School, 1987
MS (Engineering Acoustics) Naval Post Graduate School, 1987
MS (Foreign Affairs) National War College, 2000
Designated Qualified in Submarines. 1981
Designated Surface Warfare Officer, 1985
Designated Joint Qualified Officer. 2003
Awarded the Vice Admiral James B. Stockdale Leadership Award, 1998
Capstone, 2006–4

Summary of joint duty assignments:

Assignment	Dates	Rank
Office of the Under Secretary of Defense (Congressional Appropriations Liaison Officer)	Jun 00–May 02	Capt
Deputy Commander. U.S. Strategic Command	Nov 10–Jan 12	VADM

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by ADM Cecil E.D. Haney, USN, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Cecil Eugene Diggs Haney.

2. **Position to which nominated:**
Commander, U.S. Strategic Command.

3. **Date of nomination:**
June 20, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
December 1, 1955; Washington, DC.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Bonita Kay Haney, formerly Bonita Kay Thompson.

7. **Names and ages of children:**
Elizabeth Ann Haney, 33 years old.
Thomas Alexander Haney, 29, years old.
Joseph Andrew Haney, 23 years old.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
Commissioner assigned as the Active Duty Navy Representative to the Military Leadership Diversity Commission (http://mldc.whs.mil/).

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.
None.

10. **Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
None.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.
2006 Black Engineer of the Year Career Achievement in Government Award.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?
Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

CECIL E.D. HANEY.

This 29th day of May, 2013.

[The nomination of ADM Cecil E.D. Haney, USN, was reported to the Senate by Chairman Levin on July 20, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 1, 2013.]

[Prepared questions submitted to LTG Curtis M. Scaparrotti, USA, by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and the chain of command by clearly delineating the combatant commanders' responsibilities and authorities and the role of the Chairman of the Joint Chiefs of Staff. These reforms have also improved cooperation between the Services and the combatant commanders, among other things, in joint training and education and in the execution of military operations.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. No. I do not see the need for modifications at this time.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. Not Applicable.

DUTIES AND QUALIFICATIONS

Question. What is your understanding of the duties and functions of the Commander, United Nations Command/Combined Forces Command/U.S. Forces Korea and what is your understanding of how these different command responsibilities interrelate?

Answer. The Commander, United Nations Command (UNC), serves as commander of the International Command and is responsible for maintaining the United Nations Armistice Agreement on the Korean Peninsula. The Commander, UNC is also responsible for the operational control, strategic direction and combat operations of the UNC member nations' forces during contingencies. The Commander, UNC acts in accordance with the U.N. Security Council resolutions and directives; and also the directives of the U.S. Government as transmitted by Secretary of Defense through the Chairman of the Joint Chiefs of Staff, keeping the U.S. Pacific Command Commander informed.

The Commander of Combined Forces Command (CFC) leads the bi-national U.S.-Republic of Korea (ROK) force and is responsible to support the Armistice Agreement, to deter aggression against the ROK and if deterrence fails, defeat the external threat to the ROK. The commander acts on the direction from the U.S.–ROK

Military Committee, which is the strategic interface between the United States and the ROK national authorities.

The Commander, U.S. Forces Korea (USFK), is a sub-unified command of U.S. PACOM and is responsible for all duties and functions assigned by title 10, U.S.C. and the Unified Command Plan. The Commander, USFK, supports the Armistice Agreements, provides forces to Commander, CFC and UNC, and provides administrative and logistic support necessary to maintain their readiness. Commander, USFK reports through the U.S. Pacific Command Commander to the Secretary of Defense.

These three commands mutually support each other's missions. The CFC and USFK can both provide support to the Armistice functions of the UNC. Similarly, both USFK and UNC can provide support to CFC for the latter's deterrence and defense missions. International support to the CFC is coordinated through the UNC. The close consultative partnership with our ROK ally and the member nations of UNC ensure that these commands are leveraged in a complementary fashion in order to support the national interests of the Republic of Korea and the United States.

Question. What background and experience, including joint duty assignments, do you possess that you believe qualifies you to perform these duties?

Answer. If confirmed, my first priority as the UNC/CFC/USFK Commander must be to maintain trained, ready, and disciplined joint and combined forces that are prepared to fight and win. My extensive experience in operations and in command, and with multiple operational deployments prepared me well to assume these duties. I have commanded troops at battalion level during operational deployments to Africa and Bosnia; as Deputy Division Commander of 1st Armored Division in Iraq; the 82d Airborne Division Commander/and Commander of RC-East in Afghanistan, a multi-national command with 26,000 troops and responsible for approximately 40 percent of Afghanistan including the key border region with Pakistan; and most recently in Afghanistan as the U.S. I Corps/ISAF Joint Command Commander responsible for the day-to-day operations of a multi-national force with contributions from 50 Nations. Between these command experiences, I've served in key joint leadership positions such as the Operations Officer for U.S. Central Command and now as the Director of the Joint Staff. These joint, coalition, and interagency experiences provide me the knowledge, skills and insight necessary to lead a large complex, multinational organization and to ensure their readiness to meet the demanding mission in Korea.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Commander, United Nations Command/Combined Forces Command/U.S. Forces Korea?

Answer. I have gained invaluable experience serving as the Director of the Joint Staff, and during my previous command of the U.S. Army I Corps at Joint Base Lewis-McChord. I also recognize that there are many individuals in both the ROK and U.S. Governments who have vast experience and knowledge of the ROK-U.S. Alliance. If confirmed, I will seek in depth discussions with experts in our Government, the ROK Government, nongovernmental organizations, and educational/research institutions to develop my personal political, military, economic and cultural knowledge. Also, if confirmed, I will continuously build strong professional relationships that are essential to success as the USFK, UNC, and CFC Commander.

RELATIONSHIPS

Question. Section 162(b) of title 10, U.S.C., provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the commanders of the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander, United Nations Command/Combined Forces Command/U.S. Forces Korea with the following officials: the Secretary of Defense, the Deputy Secretary of Defense, the Under Secretary of Defense for Policy, the Under Secretary of Defense for Intelligence, the Chairman of the Joint Chiefs of Staff, the Secretaries of the Military Departments, the Chiefs of Staff of the Services, Commander, U.S. Pacific Command, other combatant commanders.

The Secretary of Defense.

Answer. The Department of Defense (DOD) is composed of the Office of the Secretary of Defense, the Joint Chiefs of Staff, the Joint Staff, the Office of the Inspector General of the Department of Defense, the combatant commands, the Military Departments, the Defense agencies, Department of Defense Field Activities, and such other offices, agencies, activities, organizations, and commands established or

designated by law, or by the President or by the Secretary of Defense, in accordance with sections 111, 113, and 192 of title 10, U.S.C. The functions of the heads of these offices are assigned by the Secretary of Defense in accordance with existing law. The Commander UNC reports to the Secretary of Defense through the Chairman, Joint Chiefs of Staff, and through the Secretary of Defense to the President, while at the same time, keeping the Commander, U.S. Pacific Command, informed of any communications with U.S. national authorities. A validated combined U.S.-ROK document provides further guidance on Commander CFC's unique relationship with the ROK National Command and Military Authorities and the U.S. Secretary of Defense.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense, in accordance with the authorities contained in title 10, U.S.C., and except as expressly prohibited by law or order of the President or Secretary of Defense, has full power and authority to act for the Secretary of Defense and to exercise the powers of the Secretary of Defense upon any and all matters concerning which the Secretary of Defense is authorized to act pursuant to law.

Question. The Under Secretary of Defense for Policy.

Answer. The Under Secretary of Defense for Policy is the Principal Staff Assistant and Advisor to the Secretary and Deputy Secretary of Defense for all matters on the formulation of national security and defense policy, and the integration and oversight of DOD policy and plans to achieve national security objectives.

Question. The Under Secretary of Defense for Intelligence.

Answer. The Under Secretary of Defense for Intelligence is the Principal Staff Assistant and Advisor to the Secretary and Deputy Secretary of Defense regarding intelligence, counterintelligence, security, sensitive activities, and other intelligence-related matters.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman of the Joint Chiefs of Staff is the principal military advisor to the President, the National Security Council, the Homeland Security Council, and the Secretary of Defense. Commander UNC communicates through the Chairman, Joint Chiefs of Staff, to the Secretary of Defense.

Question. The Secretaries of the Military Departments.

Answer. Subject to the authority, direction, and control of the Secretary of Defense, the Secretaries of the Military Departments are responsible for, and have the authority necessary to conduct, all affairs of their respective Departments, including: recruiting; organizing; supplying; equipping to include research and development; training; servicing; mobilizing; demobilizing; administering to include the morale and welfare of personnel; maintaining; construction, outfitting, and repairs of military equipment; and the construction, maintenance, and repair of buildings, structures, and utilities as well as the acquisition, management, and disposal of real property and natural resources.

Question. The Chiefs of Staff of the Services.

Answer. The Chiefs of Staff of the Services are responsible for the organization, training, and equipping of the Services under title 10, U.S.C. Their support is critical to meet readiness needs. The Service Chiefs of Staff also provide military advice to the President, the National Security Council, the Homeland Security Council, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff as members of the Joint Chiefs of Staff.

Question. Commander, U.S. Pacific Command

Answer. The Commander, U.S. Forces Korea, as commander of a sub-unified command of U.S. Pacific Command (PACOM), reports directly to Commander, PACOM, on matters directly pertaining to USFK areas of responsibility. Commander, United Nations Command and Commander, Combined Forces Command, keep the Commander, PACOM, informed of any communications with U.S. national authorities.

Question. Other combatant commanders.

Answer. The commanders of the combatant commands are responsible to the President and the Secretary of Defense for accomplishing the military missions assigned to them and shall exercise command authority over assigned forces as directed by the Secretary of Defense. The operational chain of command runs from the President to the Secretary of Defense to the commanders of the combatant commands. The Chairman of the Joint Chiefs of Staff functions within the chain of command by transmitting to the commanders of the combatant commands the orders of the President or the Secretary of Defense.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the next Commander, United Nations Command/Combined Forces Command/U.S. Forces Korea (USFK)?

Answer. Based on my study of the security situation on the Korean Peninsula and vital U.S. national interests in Northeast Asia, there are four major and enduring challenges that confront any UNC, CFC, and USFK Commander.

The first challenge is to maintain the Alliance Agreements and to deter the DPRK. Second, to ensure force readiness to fight and win a war with North Korea and to simultaneously prepare for the consequences of a DPRK regime collapse. Third, to maintain a strong U.S.-ROK Alliance to achieve the Security Objectives on the Peninsula. Finally, to execute a cohesive and effective transformation of the Alliance in accordance with the Strategic Alliance 2015. This transformation includes an operational control (OPCON) transition as outlined in Strategic Alliance 2015 Base Plan (SA 2015).

Question. Assuming you are confirmed, what plans do you have for addressing these challenges and problems?

Answer. If confirmed, I will build strong relationships with the ROK leadership in order to ensure strength, cohesion and confidence in our alliance and our strategy.

If confirmed, I will focus on the readiness of the U.S. and ROK forces in Combined Forces Command to fight tonight and emphasize challenging, realistic and effective joint and combined training required to ensure readiness.

If confirmed, I will work closely with the ROK leadership to develop detail and agreement on the planning, conditions, and metrics required to succeed in the transition of operational control in accordance with Strategic Alliance 2015.

Finally, if confirmed, I will work closely with our Ambassador to provide the leadership necessary to realize U.S. and ROK objectives.

NORTH KOREA

Question. North Korea represents one of the greatest near-term threats to regional security and stability. The seriousness of the threat is seen by North Korea's continued pursuit of nuclear weapons and ballistic missiles. Even without these capabilities, however, North Korea's conventional military force coupled with its history of aggressive and unpredictable behavior underscore the dangerousness of the situation.

What is your assessment of the current security situation on the Korean peninsula?

Answer. I believe North Korea remains the primary threat to security in Northeast Asia. Over the past few years, the security situation on the Peninsula has reached high levels of tension following the March 26, 2010 attack on the ROK navy vessel Cheonan and the artillery shelling of Yeonpyeong Island on 23 Nov 10. In recent months, North Korea defied the will of the international community by conducting tests associated with its nuclear weapons and ballistic missile programs.

North Korea has hindered the progress of Six-Party denuclearization talks; adopted a policy of provocative actions in an attempt to secure concessions and continues its nuclear program. Although its conventional force threat continues to decline, it has compensated by repositioning and redistributing its inventory of conventional artillery, while investing in asymmetric capabilities, such as ballistic missiles, special operations forces, and cyber technology.

I believe our primary concern is the potential for additional North Korean provocations, which is a tool of choice as part of its coercive diplomatic strategy designed to safeguard the regime, maintain internal control, and extort foreign aid. Also, Kim Jong-un's youth and inexperience increase the likelihood of miscalculation, as does the imperative for him to maintain credibility with the military hardliners. These factors make him less predictable in the near-term.

Question. What is your assessment of the threat posed to South Korea, Japan, and the United States by North Korea's ballistic missile and weapons of mass destruction capabilities?

Answer. North Korean ballistic missile and nuclear programs pose a direct threat to security in Northeast Asia and could provide an increased threat to the U.S. Homeland in the future. The Kim Regime continues to use these two programs to shape conditions and to gain leverage during negotiations, to extract concessions, and ensure regime survival. North Korea views its WMD and theater ballistic missile programs as sources of international power and prestige, strategic deterrent against the ROK, United States, and Japan, a means of exerting regional influence, and a source of currency derived from export sales.

North Korea possesses extensive short- and medium-range ballistic missile programs with an inventory of several hundred ballistic missiles. North Korea continues to build these missiles of increasing range, lethality, and accuracy, while enhancing the survivability of its missile forces. North Korea's research and development of an Intercontinental ballistic missile, and possible fielding of an intermediate range missile, is a threat to the western United States, Okinawa, Guam, and Alaska. The successful space launch in December 2012 demonstrates an increasing capability as well as an intent to target the United States.

Despite severe fiscal difficulties, North Korea commits significant resources to develop and produce ballistic missiles for both deployment within North Korea and export. This missile development program presents a threat which cannot be ignored.

North Korea reaffirmed its ability to produce a nuclear weapon with its third nuclear test on 12 February 2013 at Punggye. The Intelligence Community assesses that North Korea has sufficient plutonium to produce weapons.

Additionally, there are indications that North Korea has pursued a highly enriched uranium program in the past, and it is likely the effort continues today. In November 2010, North Korea displayed a uranium enrichment facility at Yongbyon to foreign visitors. The facility's purpose, ostensibly, is to produce fuel for a light water reactor currently under construction at the facility. However, this capability could provide an alternative source of highly enriched uranium for use in nuclear weapons.

Question. What is your assessment of North Korea's conventional capabilities and readiness?

Answer. North Korea conventional capabilities (particularly air, naval, ground mechanized, and armor) continue to decline due to shortfalls in equipment modernization and advanced training. However, North Korea boasts the fourth largest Army in the world with more than 70 percent of its forces near the demilitarized zone (DMZ). I also understand that North Korea has adjusted its strategy to focus on asymmetric capabilities with deployments and development of new ballistic missiles and increased emphasis on specialized light infantry and Special Operation Forces.

Question. What, if anything, should be done to strengthen deterrence on the Korean Peninsula?

Answer. I believe the most important factors in strengthening deterrence on the Korean Peninsula are the maintenance of a strong U.S.-ROK Alliance and the readiness of our Joint and Combined Force. Both the ROK and United States continue to invest in improved military capabilities while working toward the transition to a ROK-led allied defense of the Peninsula. In order to strengthen deterrence, the Alliance needs to increase the interoperability between ROK and U.S. Forces, refine command, control, communications, computers, and intelligence (C4I) relationships and capabilities following OPCON transition, and improve the ROK's ballistic missile defense capability.

Question. Do you believe you have adequate resources to defend our allies and national interests if North Korean forces were to move across the DMZ?

Answer. Yes, as I understand it, the U.S. contribution to the combined defense of the Republic of Korea (ROK) is adequate to deter North Korea aggression and to provide decisive joint reconnaissance and operational fires in support of South Korean ground forces if deterrence should fail. Also, the ROK ally has made great strides in modernizing and improving their military readiness. If confirmed, I will conduct a careful and thorough review of the command's readiness and available resources as well as the impact of fiscal realities to ensure we have what is needed to defend our allies and national interests.

Question. What capabilities are the most critical to mounting an effective defense against a North Korean move across the DMZ?

Answer. There are several critical capabilities important in mounting an effective defense, the first of which is a trained and ready ROK force. Also, the United States provides critical ballistic missile defense, intelligence, surveillance, and reconnaissance, C4I, and joint operational fires capabilities in support of the Alliance. The CDR United Nations Command/Combined Forces Command Commander, and the U.S. senior leaders, provide vital leadership for the combined ROK-U.S. Alliance.

I am aware of the command's ongoing day-to-day engagements with our ROK civil and military counterparts that seek to balance U.S. contributions against existing and emerging ROK capabilities and U.S. national priorities. U.S. augmentation of in-place USFK capabilities also remains an essential component to defeating a potential North Korean aggression and restoring stability to the Korean Peninsula.

Question. What do you perceive are the differences, if any, between Kim Jong Un and his father?

Answer. As I understand it, the main differences between Kim Jong-un (KJU) and his father, Kim Jong-il (KJI), are in the areas of leadership of the military and experience with internal politics. There is a lot we do not know about the new leader. KJU's youth, inexperience, and lack of a track record make it difficult to predict his intentions, actions, and reactions. There is a generational shift, and KJU has been balancing his ideals with a regime effort to reflect his grandfather, Kim Il Sung. Overall, however, I do not believe there has been any significant shift in North Korean regime interests, and do not anticipate any near-term changes in North Korean pursuit of nuclear or missile capabilities.

Question. How do you think increased assertiveness by South Korean and Japanese leadership affects the situation on the Peninsula?

Answer. Cooperation between South Korea and Japan is vital for stability and security in Northeast Asia, and United Nations Command rear bases in Japan are critical for the defense of South Korea. Along with U.S. Ambassador Sung Kim, I will, if confirmed, continue to encourage South Korean and Japanese bilateral and multilateral security cooperation despite recent public friction. I understand the historical and territorial disputes that hinder public support for Korea-Japan bilateral initiatives. However, I am confident that in time of crisis and conflict with North Korea, the United Nations Command will have Japanese support, and the ROK and Japan will work closely together. If confirmed, I will continue to encourage close military cooperation but recognize these issues are heavily dependent upon bilateral discussions between Seoul and Tokyo.

Question. Do you think budget cuts and sequestration will result a reduced carrier presence and U.S. warship presence in the Pacific, and if so, do you think that makes Kim Jong Un more likely to miscalculate or to be more militarily aggressive?

Answer. I know that DOD is committed to the rebalance to the Pacific. However, the effects of full sequestration may lead to a reduction of U.S. warship presence. The presence of U.S. warships in the Pacific has a significant deterrent effect on North Korean military aggression. Pyongyang has not committed a major provocative action when a U.S. carrier group was present in the Korean Theater of Operations. North Korean rhetorical threats against U.S warships and other U.S. capabilities clearly indicate their concern, for which they have no viable military response.

Question. What is your assessment of China's role in managing North Korean behavior and ambitions?

Answer. The China-North Korea relationship has a major impact on North Korean behavior and ambitions. The United States and South Korea continue to pursue diplomatic and security dialogue with Beijing on North Korea issues. I understand China recognizes and shares our interest in stability and a nuclear-free North Korea. It is important for China to recognize the benefits of close coordination with the international community in its efforts to prevent North Korean aggression and encourage responsible behavior.

NORTH KOREAN NUCLEAR PROGRAM

Question. In 2010, North Korea disclosed that it has a functioning uranium enrichment program and earlier this year it announced the intention to restart plutonium production at Yongbyon. These developments, coupled with its underground nuclear tests—the third of which was conducted this year—make it clear that North Korea is determined to pursue nuclear weapons. So, while there may be disagreement on the current status of North Korea's nuclear weapons program, there is general consensus that North Korea will eventually possess nuclear weapons, if they do not already. Moreover, North Korea has a history of proliferating missile and nuclear technology. The Proliferation Security Initiative (PSI) is a means to interdict suspect shipments, including shipments of nuclear or missile items to and from North Korea.

Would you recommend any improvements to the organization or capability of the PSI member nations to improve the ability to interdict prohibited shipments to and from North Korea?

Answer. I fully support this initiative, and if confirmed, I will emphasize the need for multinational cooperation, interest, information sharing, and commitment to preventing the proliferation of weapons of mass destruction (WMD).

Proliferation prevention is a critical issue for the Korean Theater of Operations. The Republic of Korea has demonstrated their commitment to and leadership in the PSI through their participation in multiple multinational planning events and training exercises, including the Eastern Endeavor Livex Table Top Exercise in September 2012, and the U.S.-UAE Leading Edge 13 exercise this past February.

Recent events have reinforced the need for multinational support in combating the proliferation of WMD. This month, a North Korean-flagged ship was intercepted by the Panamanian military carrying what appeared to be ballistic missiles and other arms en-route from Cuba to North Korea.[1]

Question. In your view, are there additional steps that DOD could take, including with our allies and partners, to ensure that North Korea does not proliferate missile and nuclear technology to countries such as Syria, Iran and others?

Answer. If confirmed, I will assess whether United States or Combined ROK-U.S. Forces can more effectively contribute to the PSI, or other U.S. Pacific Command initiatives. Further, effective counter-proliferation requires interagency and international cooperative efforts integrated with the critical intelligence assets. To effectively deter North Korea's proliferation efforts, it is vital that the current sanctions levied against North Korea be maintained and enforced. This includes not only the United States but also regional and international partners.

Question. In your view, how does the lack of progress in diplomatic efforts to persuade North Korea to verifiably dismantle its nuclear weapons program inform or guide U.S. nuclear deterrence strategy in the region?

Answer. North Korea continues to make progress in its pursuit of nuclear weapons and delivery systems. We need to be consistent and persistent, and we need to continue our diplomatic efforts to close gaps and increase pressure in the regime. I understand the Department is holding ongoing bilateral Extended Deterrence Policy Committee meetings to develop a new ROK-U.S. Alliance tailored deterrence strategy to deal with this growing challenge. I support diplomatic efforts to denuclearize North Korea, and if confirmed, I would ensure that we are prepared to deter and defend against any North Korean nuclear threat.

Question. Do you think North Korea poses a near-term, mid-term, or long-term nuclear threat?

Answer. I believe North Korea's nuclear capabilities pose a long-term threat to U.S. interests.

USFK BALLISTIC MISSILE DEFENSE PRIORITIES

Question. Recent developments in the North Korean ballistic missile program—the successful space launch of a satellite in December 2012 and the display of a road-mobile missile launcher during a parade last year—coupled with the unpredictability of the North Korean regime place a premium on a robust, coordinated missile defense capability in the region.

What is your assessment of the highest priority missile defense needs of U.S. Forces Korea and Combined Forces Command?

Answer. As I understand it, the levels of interoperability we achieved with our partners in the Korean Theater during the most recent North Korean missile launch was unprecedented, however, there is more work to be done. Our ballistic missile defense needs an organic Upper Tier ballistic missile defense capability such as Terminal High Altitude Area Defense (THAAD) or Theater Ballistic Missile capable Aegis ships in order to fully address the North Korean missile threat. While THAAD's temporary deployment to Guam bolsters the PACOM AOR overall ballistic missile defenses, it does not specifically address the ballistic missile defense shortfalls for the Korean Theater of Operations.

Question. What missile defense capabilities do you believe are needed in the near term to meet the operational needs of these commands, and what systems are available to provide such capabilities?

Answer. As I understand, the evolving ballistic missile threat in Korea requires an integrated, layered ballistic missile defense approach. The addition of an upper-tier intercept capability such as the THAAD or ballistic missile defense capable Aegis ships in the near term would complement the Patriot's existing terminal defense capability and significantly enhance ballistic missile defense on the Peninsula. Also, I understand the U.S. and ROK teams continue to identify improvements to the missile defense capability. If confirmed, I will conduct a thorough review of the missile defense capabilities to ensure we are prepared to defend against the North Korea missile threat.

Question. In addition to the deployment of Patriot, THAAD, and Aegis BMD capable ships to the Pacific, what other steps, if any, do you think are necessary to provide adequate protection for U.S., partner, and allied assets?

Answer. We must continue to work on the interoperability and integration of existing and emerging ballistic missile defense systems with our allies and partners. The ability to rapidly and seamlessly share ballistic missile warning, tracking, and

[1] Derived from an open source article in The Korean Times published on 17 July 2013.

engagement information is crucial to providing a missile defense that maximizes protection while preserving scarce resources.

Question. The February 2010 Ballistic Missile Defense Review established a policy of pursuing a Phased Adaptive Approach to regional missile defense, including in Europe, the Middle East, and East Asia. This approach is intended to provide timely and effective defense of existing and emerging missile threats with a flexible set of missile defense capabilities, tailored to each region.

Do you support the Phased Adaptive Approach to missile defense, and do you believe it is an appropriate approach to providing missile defense capabilities for the vicinity of the Korean Peninsula?

Answer. Yes, I do support the Phased Adaptive Approach and believe that it is the appropriate approach to continue to improve the missile defense capabilities on the Korean Peninsula.

Question. In Europe the Phased Adaptive Approach is geared towards protecting additional territory of partners and allies as the Iranian threat capabilities grow.

Since the North Korean capability already threatens partners and allies, what are the phases of the Phased Adaptive approach in the Pacific?

Answer. Specific to the Republic of Korea, I understand that Phase I has been completed through the stationing of U.S. and ROK Patriot forces to defeat short and medium range missiles. Phase II, which is underway, involves increasing partner capabilities and integrating capabilities. The Republic of Korea has committed to upgrading its Patriot forces, and we have made significant strides towards the integration of our ballistic missile defense systems. Phase III is the addition of upper-tier systems such as THAAD or Aegis BMD and more powerful sensors such as AN/TPY–2 to defeat medium and intermediate range missiles.

Question. Do you believe it would be in our security interests to seek a cooperative missile defense relationship with South Korea as a means of enhancing security on the Korean Peninsula and the region?

Answer. Yes, I believe it is in our interest, and I understand that the command is actively seeking a cooperative missile defense relationship. If confirmed as Commander of U.S. Forces in Korea, I would continue to follow through on Alliance agreements reached during the Counter-missile Capabilities Committee to enhance an integrated, comprehensive Alliance counter-missile capability based on a strategy of detecting, defending against, disrupting, and destroying North Korean missile assets.

ROLE OF OTHER REGIONAL COUNTRIES

Question. North Korea's provocative behavior threatens not just security and stability on the Korean Peninsula, but also the security and stability of the entire region.

In your view, what are the roles and responsibilities of other regional countries in helping to manage the threat posed by North Korea's nuclear and ballistic missile programs?

Answer. Not only regionally but internationally, countries have a responsibility to help deter against the North Korean threat. This is why, if confirmed, I would strengthen the role and visibility of the United Nations Command. I believe there is deterrent value in highlighting the UNC role and presence—the Alliance is prepared to fight tonight, but the entire international community has a stake in stability in Northeast Asia.

UNITED STATES-REPUBLIC OF KOREA (ROK) ALLIANCE

Question. Since the end of World War II, the U.S.-ROK alliance has been a key pillar of security in the Asia-Pacific region. This relationship has gone through periods of inevitable change.

What is your impression of the current U.S. security relationship with the ROK?

Answer. It is my understanding the current U.S. security relationship with the ROK is very strong, based on mutual respect and trust and grounded in the Mutual Defense Treaty. In June 2009, the United States and ROK signed a Joint Vision statement that commits both nations to building an alliance that ensures a peaceful, secure, and prosperous future for the Korean Peninsula, the Asia-Pacific region, and the world at large. And recently, President Obama and President Park validated the Joint Vision Statement during their 2013 summit, issuing a Joint Declaration that add impetus to our efforts to modernize and strengthen our Alliance in the service of both of our Nation's interests.

Question. If confirmed, what measures, if any, would you take to improve the U.S.-ROK security relationship?

Answer. I will, if confirmed, continue the work of my predecessors focused on sustaining strong ties with the ROK military and other security-related organizations in the ROK Government. Regular and consistent, in-depth engagement at multiple levels is essential to building mutual understanding and habits of cooperation that will serve our mutual interests and maintain a strong and vibrant relationship in a complex environment.

If confirmed, I will also work to build broader and deeper relationships with the Korean people. In particular, I will encourage continued exchange and cooperation activity between the Command and the people of local Korean communities—activity that form strong Americans and Korean bonds.

Finally, I will work closely with the U.S. Ambassador to Korea and other elements of the U.S. Government to take a flexible, adaptable, and expansive approach to designing and executing Alliance-building initiatives that promote the continuation of a strong U.S.-ROK security relationship.

Question. What is your assessment of ROK warfighting capability trends with regard to the modernization and capability improvements in ROK equipment and training?

Answer. The ROK military remains a capable and motivated force. However, I understand recent USFK assessments indicate the ROK military has critical capability gaps across all the services in interoperability, materiel, manning, and training. The ROK Government in recent bilateral talks has committed to an acquisition timeline and training plan to resolve capability shortfalls. If confirmed, I will work closely with the ROK leadership to assess and validate ROK progress during annual combined joint exercises and other bilaterally agreed forums. Meanwhile, the United States will bridge capability gaps until the ROK military has acquired the capability. There are U.S. capabilities like extended deterrence that the United States will provide for the duration of the Alliance.

Question. What is your understanding of the command relationships between U.S. and ROK forces?

Answer. Based upon my understanding, the current command relationships provide very close cooperation, collaboration, and transparency to fully leverage combined capabilities. The U.S.-ROK command relationships are structured to address the distinct requirements of Armistice, crisis, and wartime conditions. Our crisis action relationships provide the required flexibility to allow a tailored Alliance response to a military crisis on the Peninsula. Today, the ROK Chairman is responsible for the conduct of ROK forces and the defense of South Korea in the Armistice environment. In wartime, the current Alliance command relationships dictate that a U.S. General, Commander of CFC, exercise operational control of Alliance forces, both United States and ROK.

Question. Since the 2010 North Korean attacks against the ROK—the sinking of the South Korea Navy ship *Cheonan* and the artillery attack on the South Korean island—South Korea has been adamant that it will responded "firmly" to the next such provocation. A main topic during subsequent U.S.-ROK Security Consultative Meetings has been the development of a joint counter-provocation plan, which was reportedly formalized earlier this year.

What is your understanding of how the attacks on the *Cheonan* and on Yeonpyeong Island changed the ROK and U.S. security posture on the Peninsula?

Answer. These attacks highlighted the threat from North Korea. The Command has since signed a combined Alliance counter-provocation contingency plan that improved the readiness posture and allows for a timely, decisive, proportionate, and coordinated Alliance response to future provocations. CFC/USFK/UNC lines of communication with ROK JCS, U.S. DOD and U.S. National Command Authority (NCA) have been improved and exercised as a result of these two most recent provocations. If confirmed, I would continue such efforts to ensure we are always improving deterrence and, in the event of another provocation, our ability to respond.

Question. What is your understanding of the U.S. obligations in the event of an attack on South Korea by North Korea, and under what circumstances do you believe the U.S. armed forces should be committed to engage North Korean forces in response to an attack on South Korea?

Answer. Under the Mutual Defense Treaty and through our Alliance, we have deterred a major North Korean attack, and maintained our commitment to defend South Korea from external aggression. There are a number of plans that outline specific U.S. commitments and South Korean obligations to coordinate responses to a North Korean provocation or attack.

TRANSFER OF WARTIME OPERATIONAL CONTROL

Question. In June 2010, the United States and ROK agreed to further delay the transfer of OPCON until December 2015. This delay was purportedly agreed to because of the evolving security situation on the Peninsula and in order to more closely synchronize the transfer with other transformation initiatives. According to a recent article in the Washington Post, the ROK has reportedly requested to delay the transfer of beyond December 2015.

Do you favor transfer of wartime operational control to the ROK no later than December 2015?

Answer. Yes, I do favor the transfer of wartime operational control no later than December 2015. The very real threat presented by North Korea, however, dictates that this transition be executed in a manner that does not accept any unnecessary risk to the national security of the ROK. In short, the ROK must meet a detailed set of certification requirements that are, I understand, in accordance with our Strategic Alliance 2015 plan. Although these requirements are based on meeting milestones leading to December 2015, it is important to note that the transition is conditions-driven.

Question. If confirmed, what will you do to help ensure full OPCON transfer is not delayed beyond December 2015?

Answer. If confirmed, I will continue to execute our Strategic Alliance 2015 plan as directed by agreement of the Secretary of Defense and ROK Minister of National Defense. A principle objective of the theater exercise program in Korea is to train and certify OPCON transition, and I do not anticipate that will change. If confirmed, I will work aggressively with the ROK Chairman of the Joint Chiefs of Staff to meet Strategic Alliance 2015 milestones and report progress to the U.S. Chairman, the Secretary of Defense, and the ROK Minister. As we continue forward with OPCON transition, if confirmed, I will continue to provide the best military advice to senior civilian leadership.

Question. Following the decision to delay OPCON transfer to 2015, the United States and ROK entered into an agreement referred to as Strategic Alliance 2015 which is described in the U.S. Forces Korea October 2010 Strategic Digest as "an overarching and synchronized Alliance transformation roadmap, containing mutual Alliance end states and milestones, ensuring a smooth transition of the lead for the combined defense of the Republic of Korea."

What is your understanding of the ROK's current and projected military capabilities and the ability of ROK forces to assume a greater role in the defense of their homeland including responsibility for command and control of the readiness, operations and warfighting of their own forces in wartime ("OPCON Transfer")?

Answer. It is my understanding that the ROK has a highly-trained and capable military that is continuously improving. Their ground force is fully capable of defending the ROK from aggression and defeating a North Korean conventional attack, and they possess an outstanding Fires force that is fully digitized and stands ready to neutralize enemy artillery. ROK naval forces are highly trained and rapidly expanding capabilities to operate in deeper waters. The addition of Aegis-class destroyers aids their ability to control local seas and also improves ballistic missile defense. The ROK Air Force has made great progress in both training and capability in recent years and is fully able to integrate with U.S. Air Force to form a decisive team that, I understand, provides perhaps our largest advantage over our adversary. In the coming years, both ROK Marines and ROK Special Forces will vastly increase their capability and capacity levels, enabling an even more lethal joint and combined team.

With regard to assuming a greater leadership role, I understand the ROK already lead much of the operation in Korea. During routine operations, ROK JCS commands and controls its armed forces. They are responsible for the day-to-day training and readiness of the force. During contingency operations the ROK provides leadership for the ground component. As we move toward OPCON transition, I understand their role in leading theater contingency operations will continue to expand until they assume the overall command and control lead in late-2015.

Question. What is your understanding of the purpose and scope of the Strategic alliance 2015?

Answer. I understand that, in 2009, the U.S. and ROK Presidents agreed the leadership role of defending the ROK in wartime would transfer from a U.S.-led combined command to a ROK-led combined defense structure. To meet this, U.S. and ROK civilian and military leaders developed the Strategic Alliance 2015 initiative to provide an overarching Alliance roadmap containing joint endstates and milestones. It is my understanding that SA 2015 combines the transition of wartime operational control with other Alliance transformational initiatives including the re-

location of U.S. Forces south of Seoul and the consolidation of U.S. Forces in Korea into two enduring hubs.

Question. How will it help ensure that the OPCON transfer takes place no later than December 2015, as it is now scheduled?

Answer. In addition to identifying and programming the milestones required to achieve the transition of wartime operational control, Strategic Alliance 2015 also includes a bilateral governance process that allows Alliance civilian and military leadership to monitor and assess progress. This process enables Alliance leadership to engage across the ROK and U.S. Governments as necessary to gain and preserve the required commitments of energy and resources to keep this transformation on track. If confirmed, I will be an active and energetic leader in this process.

Question. South Koreans may be concerned as much or more about U.S. commitment than South Korean capabilities in December 2015.

What steps do you recommend to assure South Korea of U.S. commitment?

Answer. I understand South Korea has raised a number of questions about U.S. commitment in light of the U.S. rebalance to Asia, our fiscal situation, and plans to transition to a ROK-led defense of South Korea. I firmly believe the United States should reassure our ally by maintaining a credible, ready U.S. Force posture and the capability required to meet our Alliance commitments. The United States should also continue to support robust and realistic training exercises, which assure our ROK ally and deter North Korea. Finally, we should sustain close communication through forums such as the Extended Deterrence Policy Committee, the Countermissile Capabilities Committee, and the Military Committee Meetings.

CONSOLIDATION OF U.S. FORCES

Question. The Land Partnership Plan (LPP) is consolidating the combat brigade and supporting elements of the Second Infantry Division in and around Camp Humphreys, south of Seoul. U.S. costs associated with implementing the LPP are estimated at $3.2 billion, and that does not include hundreds of millions of dollars in transition costs for sustaining facilities until the move is completed. The Yongsan Relocation Plan (YRP) proposes to move most of the U.S. Forces currently stationed at Yongsan compound in Seoul to Camp Humphrey as well. The YRP relocation is to be largely funded by the Republic of Korea (ROK) Government, but the United States will face potentially significant costs as well.

What is the current status of the two consolidation plans and the timeline for completion?

Answer. It is my understanding that both the YRP and Land Partnership Plan (LPP) are on track to meet Strategic Alliance 2015 milestones. Construction will be complete by the end of 2015 and unit moves complete by the end of 2016. This multi-billion dollar bilateral program is receiving close USFK oversight that is accountable to both the U.S. and Republic of Korea Governments in order to continue to keep it on track. If confirmed, I will continue to provide critical oversight of these relocation efforts.

Question. In your opinion, does the consolidation better support the warfighting mission? If so, how?

Answer. Yes, consolidation better supports the warfighting mission in several ways: it postures forces, specifically the 8th Army and 2nd Infantry Division, to increase readiness through better coordination, synchronization, and oversight of its subordinate units; postures forces to better execute contingency missions; and, through co-location, it increases the cohesiveness of our force in Korea. I do have a couple concerns for specific units. If confirmed, I intend to review these planned moves.

Question. What do you anticipate to be the total costs, including transition costs, to be incurred by the U.S. Government to carry out the two consolidations?

Answer. The estimated U.S. appropriated costs related to the LPP program are $884.6 million, which includes U.S. military construction, moving services, furniture, fixtures, equipment, and C4I requirements. These cost estimates were recently validated by the Army Staff in March 2013. The remaining costs are paid for through host nation burden sharing or directly by the Republic of Korea Government. The costs for executing YRP will be funded completely by the Republic of Korea Government. I understand this is a sensitive issue. If confirmed, I will conduct a thorough review of the associated costs to ensure the judicious use of taxpayer funds.

Question. Given that the U.S.-ROK Status of Forces Agreement states that the United States is not obligated to restore facilities and areas to their original condition when they are returned to the ROK, to what extent to you believe the United

States should compensate the ROK for the costs related to environmental clean-up at bases being vacated as a result of the LPP?

Answer. I take environmental protection, human health and public safety issues very seriously. DOD policies are straight forward and clear regarding overseas environmental remediation. If confirmed, I will ensure those policies are fully implemented. It is also my understanding that the Republic of Korea and U.S. Governments have an established and effective means of communication regarding environmental issues. If confirmed, I will ensure we continue to cooperate closely and transparently with the Republic of Korea on all environmental matters.

Question. During its review of U.S. costs and allied contributions to support U.S. military in Korea and elsewhere, the Senate Armed Services Committee reviewed the full list of construction projects under consideration at Camp Humphreys. Some of those projects appear to be of questionable value and necessity. Others raised questions as to whether they were the most economical way to meet requirements.

If confirmed, what would you do to ensure that the full list of construction projects planned at Camp Humphreys is focused on meeting mission critical requirements and doing so in the most cost effective way?

Answer. If confirmed, I will review the Senate Armed Services Committee (SASC) report, review our plans, and ensure all construction resources are focused on the highest priority U.S. operational and force readiness requirements across all services and all bases in Korea. USFK's comprehensive campaign plan, to include the theater infrastructure master plan, appears to be an effective mechanism to prioritize these requirements.

HOST NATION BURDEN-SHARING PROGRAMS

Question. The United States and ROK currently operate under a "Special Measures Agreement" (SMA) in which the ROK contributes toward U.S. costs associated with maintaining U.S. Forces in the country. A recent SASC review, entitled Inquiry into the U.S. Costs and Allied Contributions to Support the U.S. Military Presence Overseas, found that ROK SMA contributions are not keeping pace with the growth in U.S. costs.

What is your assessment of the current level and quality of the burden-sharing arrangement?

Answer. It is my understanding that the ROK provides cost sharing support for U.S. Forces stationed in Korea through the SMA program. SMA contributions are divided into three categories: labor, supplies and services, and construction. SMA support plays a key role in developing and maintaining force readiness by providing the Korean workers needed to support the force, making valuable supplies and services available, and building and modernizing facilities. Since negotiations are underway over a new SMA, I will refrain from commenting on this issue, but believe that the ROK should provide an appropriate level of support to maintain U.S. Forces in Korea.

Question. The Department has said that it expects negotiations for a new SMA to begin this summer.

What steps will you take to ensure those negotiations result in a fair sharing of the costs of maintaining the United States' military presence in ROK?

Answer. It is my understanding that the United States is pursuing a requirements-based approach during ongoing State Department led negotiations over a post-2013 SMA. If confirmed, I will examine opportunities to ensure that our ROK ally provides fair and appropriate levels of cost sharing support.

Question. A significant percentage of burden-sharing funds in recent years have been used to carry out construction supporting the consolidation of U.S. Forces at Camp Humphreys.

Do you believe this funding trend should be continued, or that funding should be spread to critical requirements at other U.S. bases in the ROK?

Answer. I have been informed that some ROK SMA contributions will continue to go to U.S. construction obligations under the Land Partnership Plan into 2014. This allows the United States to meet its obligations under the Strategic Alliance 2015 plan and the Land Partnership Plan. My intention, if confirmed, is to use ROK SMA contributions to continue to resource the highest priority U.S. operational and force readiness requirements across all Services and all bases in Korea. USFK's comprehensive campaign plan, to include the theater infrastructure master plan, appears to be an effective mechanism to prioritize these requirements.

Question. The committee's review of U.S. costs and allied contributions to support U.S. military in Korea and elsewhere raised concern about the manner in which USFK accounts for host nation contributions in some cost benefit analyses. For example, the economic analyses of certain projects at Yongsan do not consider costs

paid with host nation contributions, in effect, treating those contributions as "free money".

Do you agree that, in conducting cost benefit analyses, USFK should account for host-nation contributions, whether they be in cash or in-kind, in the same manner as appropriated funds?

Answer. I believe these contributions are a vital component of covering the costs of stationing U.S. Forces in Korea. This valuable resource must be managed in a responsible and effective manner. If confirmed, I will ensure that I understand how ROK burden sharing funds are incorporated into cost benefit analysis that support proposed courses of action.

Question. What steps would you propose to improve oversight of how host nation funds are spent in the ROK?

Answer. I agree that oversight of host nation cost sharing support is essential to ensure this valuable resource is used in the most effective and efficient manner. If confirmed, my intention is to comply with all policy and statutory requirements. Additionally, I intend to ensure we continue oversight procedures for U.S. military planning efforts in the ROK in close coordination with U.S. Pacific Command, the Joint Staff, and DOD.

TRAINING OF U.S. FORCES IN THE REPUBLIC OF KOREA

Question. One of the challenges for the U.S. troops on the Korean Peninsula is training, particularly the access to training ranges for large ground unit maneuver and fires and for close air support missions.

What is your understanding of the training challenges for U.S. Forces in the ROK, including the availability and access to training ranges for large ground unit maneuver and fires, close air support, and other Air Force training requirements?

Answer. Availability and access to training ranges, I understand, continues to create significant challenges for Air Force Units on peninsula. The limited number of ranges and the requirement to share range time with our ROK partners causes significant training shortfalls. Range restrictions further limit opportunities to maintain proficiency in certain mission sets. 7th Air Force (7AF) units mitigate these shortfalls through off-peninsula deployments and training exercises.

For ground, maritime, naval, and special operations components, I understand, ranges and training areas are sufficient to achieve both service standards in training as well as unique mission training requirements with few exceptions. Live fire and maneuver training is conducted on U.S. Army, ROK Army, ROK Air Force, ROK Navy, ROK Special Forces, and ROK Marine Force ranges and training maneuver areas. The training areas notably include maritime forcible entry operations (over the beach maneuver) as well as blue water maneuver areas.

Question. In your view, are the ranges in Korea adequate to meet the training requirements of U.S. Forces?

Answer. It is my understanding that conditions for a fully trained force are met across all the components through innovative training both on and off the Peninsula. For all components, CFC is capable of executing tremendous live, virtual, constructive, and gaming capabilities to exercise bilateral, joint, and combined operations. This capability is showcased biannually during exercises Key Resolve and Ulchi Freedom Guardian, and the result is a highly trained force at the operational and high tactical level of war.

For ground, maritime, naval, and special operations components, ranges and training areas are sufficient to achieve both service standards in training as well as unique mission training requirements with few exceptions. Live fire and maneuver training is conducted on U.S. Army, ROK Army, ROK Air Force, ROK Navy, ROK SOF, and ROK Marine Force ranges and training maneuver areas. The maneuver and live fire exercise training areas are capable of supporting reinforced Company size elements. The training areas notably include maritime forcible entry operations (over the beach maneuver) as well as blue water maneuver areas.

The air component has the greatest challenges with on-Peninsula training ranges due to local restrictions and language barriers on the ROK-only ranges. The 7AF has mitigated these challenges through innovative use of the two dual-use ROKAF and Air Force training ranges and integration of off-Peninsula training exercises to cover local training gaps.

Question. How will the overall readiness reduction of U.S. Forces due to budget cuts and sequestration, as forecast by the Chairman of the Joint Chiefs of Staff and Service Chiefs, impact U.S. Force capabilities in Korea?

Answer. U.S. Force capabilities in Korea are inherently joint and require contributions from all services across all domains. I understand that USFK depends on Service providers to meet capability requirements; any impact to the Services will im-

pact current theater capabilities, and the capabilities of planned reinforcements which are instrumental to mission accomplishment.

TOUR NORMALIZATION IN SOUTH KOREA

Question. Prior to 2012, the Defense Department had contemplated full tour normalization for U.S. military personnel assigned to the Korean Peninsula. In March 2012, USFK's Commander said that DOD was "not able to afford Tour Normalization at this time."

Do you agree that full Tour Normalization is unaffordable? Please explain.

Answer. Yes, Tour Normalization is unaffordable and unnecessary considering USFK's mission and posture. USFK determined that the cost of the initiative is not affordable, and there may be other options to improve readiness. PACOM agreed with the assessment and removed it from the PACOM 2012 Theater Posture Plan. Subsequently, DOD stopped pursuing Tour Normalization as an initiative for Korea.

Question. USFK continues to face the challenge of funding infrastructure to support the large increase in Command Sponsored Families that resulted from Phase I of Tour Normalization—including the cost of family housing. The Committee's recent review of U.S. costs and allied contributions to support U.S. military in Korea and elsewhere concluded that approval of the U.S. Army's plan for a public-private partnership to build family housing at Camp Humphreys "would substantially increase long-term costs for U.S. taxpayers and set a troubling precedent for future military housing plans."

Given the unaffordability of the previously proposed Army's plan for family housing at Camp Humphreys, if confirmed, will you investigate alternate plans for providing family housing for servicemembers assigned to Camp Humphreys?

Answer. Yes, if confirmed, I will investigate alternative plans, which is necessary to meet USFK's readiness requirements.

QUALITY OF LIFE

Question. Through investment in quality of life amenities, to include housing, health care, and recreation, the Department has worked to achieve the goal of making South Korea an "assignment of choice" for U.S. Forces.

What do you consider to be the most essential quality of life programs for soldiers and their families stationed in Korea and, if confirmed, what would be your goals in this regard?

Answer. I believe the most essential quality of life programs for servicemembers and their families serving in the Republic of Korea are access to quality living and working conditions and facilities, quality health care, and quality educational opportunities for dependent family members. If confirmed, I will advocate for and take actions to provide our servicemembers and family members with the best possible living and working environment, health care services, and educational opportunities for dependent family members.

Question. What is your understanding of the capacity of DOD schools in South Korea to accommodate the increase in families/children associated with tour normalization?

Answer. I understand the schools in Korea are being constructed to support a student population based upon the currently authorized 4,645 command sponsored families.

MEDICAL CARE FOR U.S. FORCES IN KOREA

Question. One of the most important quality of life issues in Korea is ensuring access to high quality medical care for servicemembers of all military branches and their families. Separate medical chains of command responsible for providing health care, and the presence of non-command-sponsored family members who need health services, among other factors, have presented challenges.

If confirmed, how would you assess the management and delivery of health care services in South Korea for both command and non-command sponsored family members?

Answer. Command sponsored family members are enrolled in TRICARE Prime and receive the same health benefits as active duty servicemembers and activated National Guard/Reserve members. Additionally, the host nation system accepts TRICARE and is robust enough to provide care to both Command Sponsored and non-Command Sponsored Families.

I understand South Korea's advances in specialty care—to include surgical care, imaging, and therapeutics—is among the best in the world, with six institutions with whom U.S. Forces Korea conducts business certified in the Joint Commission International Surveys the last 2 years.

If confirmed, I will continue to monitor and assess the availability and quality of health care for our servicemembers, civilians, and their families serving in the Republic of Korea.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. DOD and the Military Services have developed comprehensive policies and procedures to prevent and respond to incidents of sexual assault, including providing appropriate resources and care for victims of sexual assault. However, numerous incidences of sexual misconduct involving military personnel continue to occur. In 2012, for the fourth year in a row, there were more than 3,000 reported cases of sexual assault in the military, including 2,558 unrestricted reports, and an additional 816 restricted reports. Moreover, a recent survey conducted by the DOD indicates that the actual number of sexual offenses could be considerably higher, as 6.1 percent of active duty women and 1.2 percent of active duty men surveyed reported having experienced an incident of unwanted sexual contact in the previous 12 months.

What is your assessment of the current sexual assault prevention and response program in USFK?

Answer. USFK takes the prevention of sexual assaults very seriously. Sexual assault is a crime that violates basic human dignity and the standards of decency that we are sworn to uphold and protect. We cannot allow sexual assaults to injure our servicemembers and families, erode trust in each other and our institutions, or compromise readiness.

All Services have commander-driven programs, with engaged leadership at all levels. These programs focus on education and culture, positive changes to the environment, and strict enforcement of standards to eliminate sexual assaults in our formations.

Commanders will continue to aggressively investigate every allegation of sexual assault and hold accountable those who cannot live by our standards.

Question. In your view, does the current sexual assault prevention and response program in USFK adequately address issues regarding sexual assaults involving DOD contractor personnel?

Answer. Yes, as I understand it, the sexual assault prevention and response program in USFK adequately addresses issues regarding sexual assaults involving DOD Contractors.

I understand that DOD Contractors serving in Korea have access to USFK sexual assault prevention and sexual assault response training resources and command policies. Additionally, contractors that are sexual assault victims have access to most USFK victim advocate resources.

In Korea, I understand the Command often partners with local law enforcement in investigating and prosecuting sexual assaults committed by contractor personnel and either they will be prosecuted under Korean Law or they will be returned to the United States and prosecuted by the Department of Justice under the Military Extraterritorial Jurisdiction Act (MEJA).

Question. What is your view of the adequacy of the training and resources in place to investigate and respond to allegations of sexual assault in the USFK area of responsibility?

Answer. I understand that the training and resources in place to investigate and respond to allegations of sexual assault in the USFK area of responsibility is high-quality. U.S. Criminal Investigation Command (CID) recently stationed a Sexual Assault Investigator in Korea who provides direct guidance, review, and management of all CID sexual assault investigations in Korea. Each CID office in Korea has assigned multiple agents trained for interviewing sexual assault victims in support of sexual assault investigations. Trial Counsel works closely with agents as the agents investigate these offenses. If confirmed, I will closely review the adequacy of these resources.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults? Are you aware of any problem with the manner in which confidential reporting has been implemented and applied?

Answer. I agree with the current reporting options and am not aware of any systemic problem with the manner in which confidential reporting has been implemented and applied.

Protecting victims is paramount to ensuring that we get timely reports of sexual assaults and gain confidence within our ranks that leadership will do what is right. The recent change in DOD strategic plan guidance has helped eliminate barriers to reporting sexual assaults within our formations.

The use of restricted and unrestricted reports serve as valuable options to our overall sexual assault program. They improve the military justice process to ensure more timely, thorough and efficient reporting, investigations and accountability.

Question. What is your view of the willingness and ability of commanders to hold assailants accountable for their acts?

Answer. Commanders care very deeply about this issue and they are up to the task. The commander is central to all we do in military units. We entrust them with tremendous responsibility and special trust and we must hold them accountable for reinforcing the highest standards of respect and trust. A foremost responsibility of all commanders is to maintain good order and discipline. Sexual assault eats at the core of the trust, respect, cohesiveness, and readiness that sustains our military. There is no doubt that all commanders must redouble their efforts to eliminate this problem; there are no shortcuts. I am confident, though, of the ability and willingness of our commanders to tackle the problem.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults have occurred?

Answer. Commanders at every level are responsible for the behavior of their personnel and for the climate in their unit. Leaders must lead by example and instill the importance of standards, values and discipline in our formations.

I understand USFK Headquarters has established a USFK Sexual Assault Task Force co-chaired by the USFK Deputy Chief of Staff and Command Sergeant Major. Established in June 2012, this working group meets monthly to coordinate efforts with components and experts on prevention measures, training factors, and sharing of best practices. Results and required actions are briefed directly to the USFK Commander.

If confirmed, I plan to use this working group to review policies and programs that directly affect our sexual assault prevention and response program.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. The commander's role in military justice is longstanding and essential to the effectiveness of command in our forces. Removing commanders from the military justice system would signal a lack of confidence in our commanders that would undermine good order and discipline. It would foster doubt in our servicemembers in the competency and abilities of their commanders that are entrusted with their lives. The maintenance of good order and discipline is the responsibility of the commander. Removing this responsibility would certainly erode the ability of a commander to effectively command his unit.

Question. If confirmed, what actions would you take to ensure senior level direction and oversight of efforts to prevent and respond to sexual assaults and to hold assailants accountable for their actions?

Answer. If confirmed, I will lead by example. I will immediately review the associated policies and regulations and ensure effective prevention, reporting and response; including the establishment of critical and prioritized reporting requirements that ensure my immediate awareness of an assault in the command.

I am confident that commanders take the responsibilities and authorities they have under the Uniform Code of Military Justice, with the utmost seriousness and will hold assailants accountable for their actions.

If confirmed, I will publish in writing and communicate in multiple means my priorities and guidance.

I will personally check the execution of my directives and the health of the environment through personal engagement with servicemembers and commanders.

I will emphasize the importance of a healthy command climate and require accountability of commanders for their environment.

I will form a multi-functional team that continuously explores prevention and response actions to close gaps and the implement best practices.

PREVENTION OF HUMAN TRAFFICKING

Question. Following media reports connecting prostitution and human trafficking in Korea to U.S. military forces, Commander, U.S. Forces Korea, in 2004 instituted a zero tolerance policy regarding the illegal activities of prostitution and human trafficking. Under this policy, all USFK personnel, military and civilian, as well as contractors and their employees, are expected to comply with prohibitions, including observance of curfews and laws regarding off-limits areas and establishments, aimed at curtailing these practices.

What effects have changes in U.S. policy, as well as new criminal laws implemented by the ROK, had on the incidence of prostitution and human trafficking in Korea?

Answer. It is my understanding that U.S. and USFK policy has significantly increased education and awareness of prostitution and human trafficking activity, but recorded incidents are too few to note statistically meaningful changes.

USFK maintains a zero tolerance policy and places establishments suspected of prostitution and/or human trafficking activity off-limits via the Armed Forces Disciplinary Control Board process.

The Air Force component has been especially aggressive in recent months and has been successful in eliminating prostitution and human trafficking activity in the majority of establishments outside one base, and are aggressively pursuing action at another location.

USFK heads a Combating Trafficking in Persons Task Force and works closely with each component and the U.S. Embassy staff to monitor prostitution and human trafficking activity and work cooperatively to combat it.

Question. What further changes, if any, to the Uniform Code of Military Justice (UCMJ) and military regulations are needed in your judgment to ensure maximum effectiveness of the zero tolerance policy?

Answer. I believe the UCMJ is well equipped to meet the challenges of indiscipline in our Armed Forces, to include allegations of prostitution and human trafficking. It is a crime under the UCMJ to engage in pandering and prostitution, and patronizing a prostitute. While the UCMJ does not specifically address human trafficking, human trafficking crimes are prosecuted under the UCMJ through charges of unbecoming, violation of a General Order, or violation of existing Federal laws criminalizing trafficking through assimilation.

Question. If confirmed, what steps would you take to further enhance the effectiveness of the zero tolerance policy?

Answer. If confirmed, I will reinforce efforts of the Armed Forces Disciplinary Control Board which is the Department of the Defense program to address problems with off-post establishments, through training and public awareness efforts. I will ensure my area commanders continue to work with local communities to eliminate prostitution and human trafficking.

NORTH KOREA-POW–MIA RECOVERY EFFORTS

Question. From 1996–2005, the United States worked with the North Korean military to recover and repatriate the remains of American servicemembers who perished on the Korean peninsula. In the spring of 2005, the United States halted the program and, despite efforts last year to restart the program, there has been no recovery operations since.

In your opinion, under what conditions should the United States work with North Korea to repatriate the remains of American servicemembers found in North Korea?

Answer. Although I cannot speak for national-level policy makers, from an operational perspective, I believe that a successful resumption of remains recovery operations in North Korea should be based upon North Korean guarantees for the safety and security of the U.S. servicemembers and civilians participating in the recovery operations and that the repatriations should be conducted in accordance with the provisions of the 1953 Armistice Agreement.

REGIONAL POSTURE

Question. In your opinion, how should the United States employ its forces in ROK to provide for regional presence and engagement, and to best respond to regional threats, provide support for out-of-area contingencies, and maintain readiness?

Answer. Readiness to "Fight Tonight" is the number one priority and focus for USFK. I understand U.S. Forces in the ROK currently provide regional presence and engagement through participation in regional exercises.

Employment must primarily support Deter, Defend, and Defeat in armistice and crisis on the Korean Peninsula. U.S. and ROK force employment will remain flexible enough to support U.S. Pacific Command Theater Security Cooperation in limited increments, in order to support response to regional threats and out-of-area contingencies.

Employment and regional exercises will continue to promote regional peace and support U.S. regional partners and allies. These engagement efforts will best train our forces for contingency operations to respond to regional threats and also maintain readiness.

Question. What adjustments, if any, do you anticipate having to make to your strategy if current budget cuts and sequestration cuts remain in place?

Answer. I believe the fundamental strategy of UNC, CFC, and USFK will remain unchanged—we will continue to deter, maintain readiness, and engage with our ROK allies and U.N. Sending State partners. We will, however, have to carefully prioritize our resources to maintain readiness and capabilities within cost constraints.

Question. What additional strategic risks do you think you will have to assume over the next 5 years in your area of responsibility if the current budget cuts and sequestration cuts remain in place?

Answer. I see increased risks in terms of Alliance military readiness to meet increasing North Korean investments in asymmetric capabilities in various areas, including cyber and nuclear-capable missiles. Additionally, a reduction in resources could erode the confidence of our ROK allies in the strength of our deterrent and warfighting capabilities, and our commitment to their defense.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes, I do.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Answer. Yes, I do.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as Commander, United Nations Command/Combined Forces Command/U.S. Forces Korea?

Answer. Yes, I do.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes, I do.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis of any good faith delay or denial in providing such documents?

Answer. Yes, I do.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

RECOVERY EFFORTS IN NORTH KOREA

1. Senator AYOTTE. Lieutenant General Scaparrotti, the United States estimates there are 43 servicemembers missing who served in North Korea. Do you commit to working with U.S. Pacific Command (PACOM) and Joint Prisoner of War/Missing in Action (MIA) Accounting Command (JPAC) in order to support efforts to resume MIA recovery operations in North Korea?

General SCAPARROTTI. I remain committed to working with PACOM and JPAC to resume the MIA recovery operations in North Korea. From an operational perspective, I believe that a successful resumption of remains recovery operations in North Korea should be based upon North Korean guarantees for the safety and security of the U.S. servicemembers and civilians participating in the recovery operations and that the repatriations should be conducted in accordance with the provisions of the 1953 Armistice Agreement.

SEQUESTRATION IMPACT ON U.S. FORCES KOREA

2. Senator AYOTTE. Lieutenant General Scaparrotti, what are your concerns regarding the impact of sequestration on readiness of U.S. Forces in Korea?

General SCAPARROTTI. Although U.S. Forces Korea currently has a very high priority for funding and resources, I see increased risks on Alliance military readiness to meet increasing North Korean investments in asymmetric capabilities in various areas, including cyber and nuclear-capable missiles. Additionally, a reduction in trained and ready resources could erode the confidence of our ROK allies in the

strength of U.S. deterrent and warfighting capabilities. In particular, full sequestration will ultimately reduce the readiness of response forces in CONUS that would deploy to Korea if deterrence fails.

USFK will continue to carefully prioritize resources and work diligently with the Services to maintain readiness and capabilities within cost constraints. I intend to closely monitor readiness levels.

COMBAT OPERATIONS AND IMPACT ON U.S. NATIONAL SECURITY INTERESTS

3. Senator AYOTTE. Lieutenant General Scaparrotti, according to the 2012 Strategic Guidance, the United States now seeks to be able to conduct one major combat operation while only denying the objective of an opportunistic aggressor in a second region. This is a reduction from the longstanding goal of being able to conduct two simultaneous major combat operations.

As the next Commander of U.S. Forces in Korea, how does this change from two major combat operations to one and a half, impact your thinking?

General SCAPARROTTI. This construct is based on recognition of limited resources resulting from our constrained fiscal environment. These constraints can lead to greater risk, demanding a continual assessment of the strategic landscape and effective balance of resources. As the next Commander of U.S. Forces in Korea, my priority is to deter aggression against the Republic of Korea and if deterrence fails, defeat the threat. Maintaining stability on the Korean Peninsula and the Northeast Asia region requires the ability to "Fight Tonight". If U.S. Forces in Korea are called upon to act, we will need priority access to the resources required to undertake these missions. I will continue to evaluate the risk on the Peninsula and work closely with the U.S. Pacific Commander and the Services to ensure we have forces trained and ready.

4. Senator AYOTTE. Lieutenant General Scaparrotti, if our national security interests require us to intervene in Syria or Iran, does this 1.5 assumption for defense planning undercut the resources you might have available should hostilities break out on the Korean peninsula?

General SCAPARROTTI. Current plans take into account realistic force availability. Depending on the type and number of forces required if intervention in Syria or Iran is directed, it could have an adverse effect on resources available.

5. Senator AYOTTE. Lieutenant General Scaparrotti, would this 1.5 assumption make it more likely that North Korea might undertake opportunistic aggression if we intervene elsewhere?

General SCAPARROTTI. South Korean and U.S. military capabilities on the Peninsula have effectively deterred major North Korean military aggression for 60 years. We believe that Pyongyang recognizes these capabilities and knows it lacks the resources and foreign support necessary to execute a major attack should the United States be committed elsewhere.

[The nomination reference of LTG Curtis M. Scaparrotti, USA, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
May 20, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment in the U.S. Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be General.

LTG Curtis M. Scaparrotti, 8351.

[The biographical sketch of LTG Curtis M. Scaparrotti, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF LTG CURTIS M. SCAPARROTTI, USA

Source of Commissioned Service: USMA

Educational Degrees:
U.S. Military Academy - BS - No Major
University of South Carolina - ME - Administrative Education

Military Schools Attended:
Infantry Officer Basic and Advanced Courses
U.S. Army Command and General Staff College
U.S. Army War College

Foreign Language(s): None recorded

Promotions:

Promotions	Date of appointment
2LT	7 Jun 78
1LT	7 Jun 80
CPT	1 Jan 82
MAJ	1 Jul 89
LTC	1 Jul 93
COL	1 May 99
BG	1 Jan 04
MG	9 Jul 07
LTG	15 Oct 10

Major duty assignments:

From	To	Assignment
Aug 12	Present	Director, Joint Staff, Washington, DC
Oct 10 ..	Jul 12	Commanding General, I Corps and Joint Base Lewis-McChord, Joint Base Lewis-McChord, WA/Commander, International Security Assistance Force Joint Command/Deputy Commander. U.S. Forces-Afghanistan, Operation Enduring Freedom, Afghanistan
Aug 10	Sep 10	Special Assistant to the Commanding General, XVIII Airborne Corps
Oct 08 ..	Aug 10	Commanding General, 82d Airborne Division, Fort Bragg, NC/Commanding General, Combined Joint Task Force-76 and Operation Enduring Freedom, Afghanistan
Jul 06 ...	Sep 08	Director of Operations, J–3, U.S. Central Command, MacDill Air Force Base, FL
Aug 04	Jun 06	Commandant of Cadets, U.S. Military Academy, West Point, NY
Jun 03 ..	Jul 04	Assistant Division Commander (Maneuver), 1st Armored Division, U.S. Army Europe and Seventh Army, Germany and Operation Iraqi Freedom, Iraq
Jul 01 ...	Jun 03	Assistant Deputy Director for Joint Operations, J–3, Joint Staff, Washington, DC
Jun 99 ..	Jun 01	Commander, 2d Brigade, 82d Airborne Division, Fort Bragg, NC
Jun 98 ..	Jun 99	Chief, Army Initiatives Group, Office of the Deputy Chief of Staff for Operations and Plans, U.S. Army, Washington, DC
Aug 97	Jun 98	Student, U.S. Army War College, Carlisle Barracks, PA
May 96	Jul 97	G–3 (Operations), 10th Mountain Division (Light), Fort Drum, NY
May 94	Apr 96	Commander, 3d Battalion, 325th Infantry (Airborne Combat Team), U.S. Army Southern European Task Force, Vicenza, Italy and Operation Support Hope, Zaire/Rwanda, Operation Joint Endeavor. Bosnia-Herzegovina and Operation Assured Response, Liberia
Feb 93	May 94	Executive Officer to the Director of Management, Office of the Chief of Staff, Army, Washington, DC
May 92	Feb 93	Lieutenant Colonels Assignment Officer, Infantry Branch, U.S. Total Army Personnel Command, Alexandria, VA
May 91	May 92	Chief, Operations Branch, G–3 (Operations), 10th Mountain Division (Light), Fort Drum, NY
May 90	May 91	S–3 (Operations), 1st Brigade, 10th Mountain Division (Light), Fort Drum, NY
Jun 89 ..	May 90	S–3 (Operations), 1st Battalion, 87th Infantry, 10th Mountain Division (Light), Fort Drum, NY
Jul 88 ...	Jun 89	Student, U.S. Army Command and General Staff College, Fort Leavenworth, KS
May 85	Jun 88	Tactical Officer, later Aide-de-Camp to the Superintendent, U.S. Military Academy, West Point, NY
May 84	May 85	Student, University of South Carolina, Columbia, SC
Oct 83 ..	May 84	Student, Infantry Officer Advanced Course, Fort Benning, GA
Apr 82 ..	Sep 83	Commander, B Company, 3d Battalion (Airborne), 325th Infantry, 82d Airborne Division, Fort Bragg, NC
Nov 80	Apr 82	S–3 (Air), 3d Battalion (Airborne), 325th Infantry, 82d Airborne Division, Fort Bragg, NC

From	To	Assignment
Dec 79	Oct 80	Anti-Tank Platoon Leader, Combat Support Company, 3d Battalion (Airborne), 325th Infantry, 82d Airborne Division, Fort Bragg, NC
Apr 79 ..	Dec 79	Rifle Platoon Leader, A Company, 3d Battalion (Airborne), 325th Infantry, 82d Airborne Division, Fort Bragg, NC

Summary of joint assignments:

	Date	Grade
Director, Joint Staff, Washington, DC	Aug 12–Present ...	Lieutenant General
Commanding General, Combined Joint Task Force-76, Operation Enduring Freedom, Afghanistan.	May 09–Jun 10	Major General
Director of Operations, J–3, U.S. Central Command, MacDill Air Force Base, FL ..	Jul 06–Sep 08	Brigadier General/ Major General
Assistant Deputy Director for Joint Operations, J–3, Joint Staff, Washington, DC	Jul 01–Jun 03	Colonel

Summary of operational assignments:

	Date	Grade
Commanding General, Combined Joint Task Force-76, Operation Enduring Freedom, Afghanistan.	May 09–Jun 10	Major General
Assistant Division Commander (Maneuver), 1st Armored Division, U.S. Army Europe and Seventh Army, Germany and Operation Iraqi Freedom, Iraq.	Jun 03–Jul 04	Colonel/Brigadier General
Commander, 3d Battalion. 325th Infantry (Airborne Combat Team), U.S. Army Southern European Task Force, Vicenza. Italy and Operation Support Hope, Zaire/Rwanda, Operation Joint Endeavor, Bosnia-Herzegovina and Operation Assured Response, Liberia.	May 94–Apr 96	Lieutenant Colonel

U.S. decorations and badges:
Defense Distinguished Service Medal
Distinguished Service Medal (with Oak Leaf Cluster)
Defense Superior Service Medal (with Oak Leaf Cluster)
Legion of Merit (with four Oak Leaf Clusters)
Bronze Star Medal (with two Oak Leaf Clusters)
Meritorious Service Medal (with four Oak Leaf Clusters)
Army Commendation Medal (with four Oak Leaf Clusters)
Army Achievement Medal
Combat Action Badge
Expert Infantryman Badge
Master Parachutist Badge
Ranger Tab
Joint Chiefs of Staff Identification Badge
Army Staff Identification Badge

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by LTG Curtis M. Scaparrotti, USA, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Curtis M. Scaparrotti.

2. **Position to which nominated:**
Commander, United Nations Command/Combined Forces Command/U.S. Forces Korea.

3. **Date of nomination:**
May 20, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
March 5, 1956; Logan, OH.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Cindy S. (Bateman) Scaparrotti.

7. **Names and ages of children:**
Michael L. Scaparrotti, 31.
Stephanie M. (Scaparrotti) High, 27.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None other than listed in service record.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.
I am a trustee in two living trusts which were created as part of our estate planning. The trusts are:

The Curtis M. Scaparrotti Living Trust
The Cindy S. Scaparrotti Living Trust

My wife and I are listed as trustee in both trusts. The contents of the trusts are all our personal property and home furnishings. Additionally, our investments listed in the SF 278, on pages 6 thru 8 of 18, as Living Trust items 7.0 to 7.19, are in her trust. None of the contents of either trust create a potential conflict of interest.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Member, Association of the U.S. Army
Life Member, 82nd Airborne Division Association
Life Member, 1st Airborne Division Association
Life Member, U.S. Army War College Alumni Association

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

The Ellis Island Medal of Honor

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

Yes, I do agree.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?

Yes, I do agree.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

CURTIS M. SCAPARROTTI.

This 16th day of January, 2013.

[The nomination of LTG Curtis M. Scaparrotti, USA, was reported to the Senate by Chairman Levin on July 30, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 1, 2013.]

NOMINATIONS OF HON. DEBORAH LEE JAMES TO BE SECRETARY OF THE AIR FORCE; HON. JESSICA GARFOLA WRIGHT TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS; MR. FRANK G. KLOTZ TO BE UNDER SECRETARY OF ENERGY FOR NUCLEAR SECURITY; MR. MARCEL J. LETTRE II TO BE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE; AND MR. KEVIN A. OHLSON TO BE A JUDGE OF THE U.S. COURT OF APPEALS FOR THE ARMED SERVICES

THURSDAY, SEPTEMBER 19, 2013

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:33 a.m. in room SD–G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, McCaskill, Udall, Hagan, Shaheen, Gillibrand, Blumenthal, Donnelly, Kaine, King, Inhofe, McCain, Chambliss, Wicker, Ayotte, Graham, Vitter, Blunt, and Lee.

Other Senator present: Senator Conrad.

Committee staff members present: Peter K. Levine, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Jonathan D. Clark, counsel; Jonathan S. Epstein, counsel; Gabriella E. Fahrer, counsel; Creighton Greene, professional staff member; Michael J. Kuiken, professional staff member; Gerald J. Leeling, general counsel; Thomas K. McConnell, professional staff member; Mariah K. McNamara, special assistant to the staff director.

Minority staff members present: John A. Bonsell, minority staff director; Daniel C. Adams, minority associate counsel; Steven M. Barney, minority counsel; William S. Castle, minority general counsel; Samantha L. Clark, minority associate counsel; Allen M. Edwards, professional staff member; Anthony J. Lazarski, profes-

sional staff member; Daniel A. Lerner, professional staff member; and Robert M. Soofer, professional staff member.

Staff assistants present: Daniel J. Harder and Kathleen A. Kulenkampff.

Committee members' assistants present: Carolyn Chuhta, assistant to Senator Reed; Jason Rauch, assistant to Senator McCaskill; Casey Howard, assistant to Senator Udall; Christopher Cannon, assistant to Senator Hagan; Mara Boggs, assistant to Senator Manchin; Patrick Day, assistant to Senator Shaheen; Moran Banai and Brooke Jamison, assistants to Senator Gillibrand; Marta McLellan Ross, assistant to Senator Donnelly; Karen Courington, assistant to Senator Kaine; Steve Smith, assistant to Senator King; Paul C. Hutton IV, assistant to Senator McCain; Lenwood Landrum, assistant to Senator Sessions; Todd Harmer, assistant to Senator Chambliss; Joseph Lai, assistant to Senator Wicker; Brad Bowman, assistant to Senator Ayotte; Peter Schirtzinger, assistant to Senator Fischer; Craig Abele, assistant to Senator Graham; Joshua Hodges, assistant to Senator Vitter; Robert Moore, assistant to Senator Lee; and Jeremy Hayes, assistant to Senator Cruz.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody. The committee meets this morning to consider the nominations for a number of important and challenging assignments within the Department of Defense (DOD).

We welcome Deborah James, who is nominated to be Secretary of the Air Force; Jessica Wright, who is nominated to be Under Secretary of Defense for Personnel and Readiness; Frank Klotz, nominated to be the Under Secretary of Energy for Nuclear Security; Marcel Lettre, nominated to be Principal Deputy Under Secretary of Defense for Intelligence; and Kevin Ohlson, nominated to be a judge of the U.S. Court of Appeals for the Armed Forces.

We also welcome your family members here this morning. The committee recognizes the immense contribution which are made by families and other friends for the success of the efforts which you undertake. We thank them for joining us today.

Our witnesses, during their opening statements, should feel free to introduce family members and others who are here to be with them today.

We're especially pleased to welcome back to our committee Senator Conrad, who is a—I won't say an "old friend," because he still looks a lot younger than he did when he left the Senate. I hope there is a connection between the two, for personal reasons. [Laughter.]

But, he's been a dear friend of all of us, and he made such a contribution here, when he was here, that we think about him all the time. Please feel welcome here as you introduce Mr. Klotz, and say hi to Lucy for us, too, if you would.

The positions to which the witnesses have been nominated are some of the most demanding in the Department of Defense. We thank all of our nominees for their commitment and dedication, and especially for their willingness to continue to serve our country.

The Secretary of the Air Force is responsible for seeing to all Department of the Air Force affairs, including organizing, training, equipping, and providing for the welfare of nearly 330,000 Active Duty men and women, 176,000 Air National Guard and Air Force Reserve members, 186,000 civilians and their families. If confirmed, Ms. James will assume control at a time of immense fiscal challenge. Her responsibility to oversee the Air Force's annual budget of more than $110 billion is going to require the wise balancing of risk across the force while also ensuring core Air Force capabilities remain robust.

The Under Secretary of Defense for Personnel and Readiness is the Secretary of Defense's senior policy advisor on a range of issues, including total force management, military and DOD civilian personnel policy, healthcare, and compensation. If confirmed for this position, Ms. Wright will play a critical role in the Department's efforts to address many difficult issues; chief among them, eliminating the scourge of sexual assault and sexual harassment in our military. Ms. Wright is no stranger to the rigors of this position, having already served in an acting capacity for several months.

If confirmed as the Under Secretary of Energy for Nuclear Security, Mr. Klotz will be the administrator for the National Nuclear Security Administration (NNSA). His responsibilities will include overseeing the safety, reliability, and performance of the Nation's nuclear weapons stockpile and promoting international nuclear safety and nonproliferation. Mr. Klotz has held numerous positions in the fields of arms control and nuclear policy, including advising the President as the Director for Nuclear Policy and Arms Control on the National Security Council staff, experiences that will surely serve him well.

The Principal Deputy Under Secretary of Defense for Intelligence is a new position that will serve as the primary staff assistant and advisor to the Under Secretary of Defense for Intelligence. His responsibilities will include policy and strategic oversight of all DOD intelligence activities, counterintelligence and security policy, plans and programs, and exercise planning. Mr. Lettre has spent several years in the halls of the Pentagon, where he's currently serving as the Special Assistant to the Secretary of Defense, and, prior to that, as the Principal Deputy Assistant Secretary of Defense for Legislative Affairs.

Mr. Ohlson, if confirmed, will join four other civilian judges as a member of the U.S. Court of Appeals for the Armed Forces, the highest court for military personnel on Active Duty and others subject to the Uniform Code of Military Justice (UCMJ) and others subject to the UCMJ beside personnel who are on Active Duty. The court exercises jurisdiction over all appeals from U.S. military courts and is a vital part of the military justice system. Mr. Ohlson has many years of relevant experience, serving currently as the chief of the Department of Justice's Professional Misconduct Review Unit and previously in the Office of the Attorney General and as a Judge Advocate General (JAG) in the Army. This extensive background makes Mr. Ohlson a strong candidate for this judicial role.

Again, we welcome all of our nominees today. We look forward to your testimony.

I now will call on Senator Inhofe.

STATEMENT OF SENATOR JAMES M. INHOFE

Senator INHOFE. Thank you, Mr. Chairman. You've done a good job of describing what you guys are going to be involved in, but, at the risk of sounding negative, I look at some of the problems that you'll be faced with. General Klotz, you'd be taking the reins of the NNSA at a time that is really difficult right now. I think you know that, and I'm anxious to hear your testimony.

Congress has serious concerns about the management of the administration, especially in respect to the cost-growth schedule slippage in all of that. We look forward to your thoughts on that.

Ms. Wright, again, I apologize for not having been there when you were at our scheduled visit, but we had a chance to visit vicariously anyway. You've served as the Acting Under Secretary since January of this year, and have been involved in a lot of important but controversial things. I am concerned about your thoughts on sexual assault, religious expression. I'm troubled by your September 4, 2013, decision concerning administrative leave. I'm also concerned about the impact of our civilian personnel furloughs. I know that we suffered some 24,000, just in my State of Oklahoma, 14,000 just at Tinker Air Force Base. It is serious, and I'm just wondering what we are accomplishing from that.

Ms. James, the Air Force is forced to ground a third of its combat-coded Active squadrons for a time during 2013. According to the Chief of Staff of the Air Force, it will now cost a minimum of 10 percent more for flying hours to recover, back where we were. It's a tough time that you're getting into that position.

It's also been reported that the Air Force is considering the retirement of its entire fleets of aircraft, including the A–10s, F–15Cs, B–1s, and the KC–10s. I'm very much concerned about this. It's a disarming of America that bothers me a great deal.

Mr. Lettre, if confirmed, you'll be confronted with a number of significant challenges, including the ongoing uncertainty in Syria, and then the challenges in Iran, which have always concerned me more than the problems in Syria, quite frankly. The cyber operations, the development of a national cyber force, are also things that are going to be—you're right in at the ground floor of that—a matter of keeping up with the competition. It's going to be tough.

Finally, Mr. Ohlson, in terms of military justice, I know there are people like Senator Graham and others who have had a lot more personal experience. I go all the way back to before you guys were born, when I was in the Army and was a court reporter for the justice system, and I've developed some pretty strong feelings about it since that time.

I look at you, and I wonder why in the world you're doing this, but I'm glad you are, and we're anxious to hear your testimony.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Inhofe.

I'm going to ask the standard questions of all of our civilian nominees first, then I'm going to call on Senator Conrad, who is going to introduce Mr. Klotz, and then I'm going to go to the order

in which we've indicated on our hearing notice, calling first on you, Ms. James.

First let me start with the questions that I ask all of our civilian nominees.

In order to exercise its jurisdiction, we must receive testimony, briefings, and other communications of information; and so, these questions and their answers become very important to us.

Have you adhered to applicable laws and regulations governing conflicts of interest?

[All five witnesses answered in the affirmative.]

Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

[All five witnesses answered in the negative.]

Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record in hearings?

[All five witnesses answered in the affirmative.]

Will you cooperate in providing witnesses and briefers in response to congressional requests?

[All five witnesses answered in the affirmative.]

Will those witnesses be protected from reprisal for their testimony or briefings?

[All five witnesses answered in the affirmative.]

Do you agree, if confirmed, to appear and testify, upon request, before this committee?

[All five witnesses answered in the affirmative.]

Finally, do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly-constituted committee, or to consult with the committee regarding the basis for any good-faith delay or denial in providing such documents?

[All five witnesses answered in the affirmative.]

Thank you all.

Now let me call on Senator Conrad.

STATEMENT OF HON. KENT CONRAD, U.S. SENATOR FROM THE STATE OF NORTH DAKOTA, RETIRED

Senator CONRAD. Thank you, Mr. Chairman. I also want to acknowledge the ranking member of the committee, Mr. Inhofe. Thank you very much for this opportunity to introduce General Klotz. I might say that I miss very much our association after retiring.

I want to acknowledge that General Klotz is here with his wife, Nancy, as well as his son, Justin. His son, Justin, actually runs a nursing home, which may have special relevance for me now that I've left the Senate, may have special relevance for some of you who are about to leave.

Chairman LEVIN. Thank you for reminding us. [Laughter.]

Senator CONRAD. It is so good to be back with colleagues that I like and respect.

I am here to commend to you General Frank Klotz, somebody that I've known for more than 20 years and have grown to greatly respect.

Frank Klotz is a renaissance man. He's extremely well educated, he has a distinguished service in the military, and he has a remarkable record of accomplishment in the diplomacy of arms control.

Let me just briefly remind you of part of his life story:

In 1973, he graduated with distinction from the U.S. Air Force Academy. He was named a Rhodes Scholar and holds a Ph.D. from Oxford. In 1983, the U.S. Jaycees [U.S. Junior Chamber] named him one of the ten outstanding young men of America. In 1986, he became commander of the Strategic Missile Squadron at Grand Forks Air Force Base in North Dakota. In 1990, he was made the chief of the Nuclear Biological and Chemical Plans Branch at the U.S. Mission to the North Atlantic Treaty Organization (NATO) in Brussels, Belgium. In 1991, he became commander of the 321st Operations Group at Grand Forks Air Force Base, ND. In 1993, he became director of the Chief of Staff's Operations Group at the U.S. Air Force Headquarters here in Washington. In 1995, he became commander of the 91st Missile Group at Minot Air Force Base, ND.

Notice a pattern, here? [Laughter.]

North Dakota—Grand Forks, ND; Minot, ND.

In 1999, he was our Defense Attache in Moscow. He was the senior U.S. military officer based in Russia. In 2001, he became the Director for Nuclear Policy and Arms Control at the National Security Council in the White House. In that position, he advised the President on all aspects of nuclear weapons policy. He represented the White House in talks leading to the 2002 Moscow Treaty that reduced deployed weapons by two-thirds. As I recall, that treaty passed the Senate on a vote of 95 to 0. Pretty good.

In 2003, he became Commander of the 20th Air Force. In that position, he led 9,500 men and women of our intercontinental ballistic missile forces. In 2005, he became Vice Commander of U.S. Space Command, so he was second in command of over 39,000 men and women. In 2006, he was awarded the General Thomas D. White Trophy for Most Outstanding Contribution to Aerospace. In 2007, he became the Assistant Vice Chief of Staff and Director of the Air Force staff—again, here at headquarters.

In 2009, he became Commander of Global Strike Command at Barksdale Air Force Base in Louisiana. He stood up that command. In that position, he led 23,000 Americans, men and women, and oversaw all nuclear-capable bombers and missiles.

In 2011, he won the prestigious General Larry D. Welch Award for his leadership. In 2011, he became a senior fellow at the Council of Foreign Relations.

This is an uncommon man with a common touch. He is smart, with remarkably good judgment, who has dedicated his life to the defense of our country. I could not be more honored than to recommend to you General Frank Klotz to be Under Secretary of Energy for Nuclear Security. I know of no one more qualified or more prepared for the position than General Frank Klotz.

Thank you very much for this time. It's good to see you all again, and I hope I'll have other chances to see you in the future.

Chairman LEVIN. Thank you so much, Senator Conrad, for a very powerful and heartfelt introduction. We know you have to leave, so please feel free to do that.

Ms. James.

STATEMENT OF HON. DEBORAH LEE JAMES, TO BE SECRETARY OF THE AIR FORCE

Ms. JAMES. Thank you, Mr. Chairman and Senator Inhofe, other members of the committee. I am deeply, deeply appreciative of the opportunity to appear before all of you today. I want to also thank Secretary Hagel for his support, as well as President Obama for the confidence that he has placed in me by putting my name forward as the nominee to be the 23rd Secretary of the Air Force.

Needless to say, I view this opportunity as the privilege and an honor of a lifetime. If confirmed, I will work very hard to ensure that I live up to what is an enormous amount of trust that may be placed in me.

I'd also like to take just a moment to say to all of the airmen who may be with us today here in the committee room, or who may be listening from elsewhere—I want to wish them all a very happy 66th birthday. I think I speak, certainly, for all of this panel and all of America to say that we are very proud of our Air Force. I know I am.

I also want to recognize some very important people who are in my life. They're very important to me, personally, and they give me great joy every day. Seated behind me is Frank Beatty, my husband, and three of our four children. With me today is Sam Lee, Regina Lee, and Michelle Beatty. Paul, our fourth child, could not be with us here today. He is in school at George Mason University, and he was not going to cut class. I thought that was a good decision on his part.

Chairman LEVIN. Well, what is the excuse for these kids who are with you, then? [Laughter.]

Ms. JAMES. But, anyway, you guys, thank you so much for being here and supporting me. I love you all very much.

Incidentally, Senators, I would love you to know that Sam and Regina were here with me almost precisely 20 years ago when I first appeared before this committee to be considered as the Assistant Secretary of Defense for Reserve Affairs. If you take a real good look at them now, I think you will agree with me that they are a whole lot taller and much less squirmy than they were 20 years ago.

I also notice that I have quite a few friends and colleagues who turned out to support me, so a quick shout-out and thanks to Michelle and Tom, Amy, Jim, Mason, Linda, Seileen, Paula, Larry, Louise, Mick, Tom—I have quite a gang back there. Thank you all very much; it means a great deal that you've taken the time to be here.

Senators, I have worked for more than 3 decades as a civilian in support of our military. I've had experience in the executive branch, on Capitol Hill; I've been in the world of think tanks; and I've been in the defense industry. I've also been a volunteer in some of the wonderful nonprofit organizations that help our military, our veterans, and their families in ways that the Government simply cannot.

Specifically, I've served 17 years in the Government and 15 years in the private sector. My prior Government service includes a dec-

ade where I served on the staff of the professional staff of the House Armed Services Committee, and then I was 5 years in the Pentagon as the Assistant Secretary of Defense for Reserve Affairs.

Currently, I'm serving as a member of the Defense Advisory Committee on Women in the Services (DACOWITS), which is an advisory body to the Secretary of Defense on matters affecting our women in uniform. While in the private sector, I've spent the bulk of my time with the company which is my current company, Science Applications International Corporation (SAIC).

I'd like to now come right to the point and give you my bottom line and that is, I'm coming before you today absolutely committed to keeping the U.S. Air Force the very best air force in the world. Now, what does this mean to me? If confirmed, it means that I want to focus on people. As you said, Senator, there's more than 690,000 Active Duty, Reserve, Guard, and civilian airmen who form the backbone of everything that we do. It also means taking on that which will most assuredly be program budget decisions, making tradeoffs, finding the right balance between preserving the Air Force of today and building toward the Air Force of tomorrow. I have no illusions, this is going to be very hard, and we'll need everybody's help to get there from here.

It means ensuring that our Air Force is ready to take on whatever missions our leaders may task, missions to protect us and our interests overseas, as well as missions to protect Americans here at home.

Since virtually all missions nowadays are joint, it also means being an effective partner with the Army, Navy, Marine Corps, and Coast Guard. Ultimately, here's what it means. This would be my goal, if confirmed, and that would be to leave our Air Force, some years from now, on a path toward greater capability and better affordability for our taxpayers and with the people, who underpin everything, who are second to none. I pledge to you to work on all of these areas very hard, if confirmed.

I'd like to close by thanking the members of this committee, as well as the professional staff, personal staff that I see in the background, because I know that our military would not be the military that it is today had it not been for all of your efforts and all that has happened that has brought us here today.

Thank you, and I look forward to your questions.

Chairman LEVIN. Thank you very much, Ms. James.

Secretary Wright.

STATEMENT OF HON. JESSICA GARFOLA WRIGHT, TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

Ms. WRIGHT. Good morning. Chairman Levin, Ranking Member Inhofe, members of the committee, I am humbled to be sitting before you, and I thank you for the opportunity to be here again. I'm very grateful for the confidence that President Obama has placed in me, first to nominate me as the Assistant Secretary of Defense for Reserve Affairs and now the Under Secretary of Defense for Personnel and Readiness. I want to thank Secretary Hagel and Deputy Secretary Carter for their support of my nomination.

It's been my great honor to serve this Nation, first in uniform, for 35 years, and the last 2-plus years as a civilian with the Department of Defense.

My career in public service would not have been possible without my family. My husband, Chuck, who is here with me today, is my most avid supporter and my champion. He's a combat-tested Army officer who retired with 24 years of service. Our son, Mike, is an Army lieutenant, and he is presently serving in Afghanistan. I have a great pleasure to recognize my mom, Cass. She's here with me today, too. She's the reason that I clearly have grown into an independent woman.

A few days ago, our family buried our dad, John Garfola. My dad served in World War II as a combat medic in the China-Burma-India campaign. He was the role model for my family, and he is my hero.

I've enjoyed the tremendous opportunity of serving as the Acting Secretary of Defense for Personnel and Readiness since January of 2013. In this role, I have the responsibility of advocating for the outstanding men and women of our Active, Guard, and Reserve components, and their families, and the dedicated Department of Defense civilians. It is evident to me that our people, and those that support them, are the Department's greatest asset and their strength.

I fully acknowledge that there are many challenges facing the Department, and the most pressing challenge is the constrained fiscal climate. The Department has two sacred obligations. One is to care for its people, who are willing to sacrifice their lives in order to protect the national interest, and the second is to ensure the national security of the United States. Having had the privilege of wearing our country's uniform for 35 years, I bring a special understanding to both obligations. Our servicemembers and their families selflessly put the interests of our Nation first. Because of the sense of duty, the America's military remains one of the most trusted institutions in our society. If confirmed, I look forward to supporting Secretary Hagel, to ensure that the Department honors both of its obligations, and to sustain an agile, capable force.

One of the most significant challenges we face is the stress on our force as a result of the long, continuous period of armed conflict. For more than a decade, we've repeatedly deployed servicemembers to combat zones, hotspots, and areas of the world that are devastated by natural disaster, separating them from their loved ones for months and years at a time. Although our servicemembers never hesitate to answer the Nation's call, this call causes the toughest challenges on the battlefield and here at home. Our servicemembers and their families are under significant strain. Their minds, their bodies, their spirits require healing. If confirmed, I will ensure that the efforts necessary to provide care for our people are continued.

This year, the Department celebrated the 40th anniversary of the All-Volunteer Force. This force helped win the Cold War, stood against aggression in the Persian Gulf, kept peace in the Balkans, fought in Iraq and Afghanistan. In the next several years, we, as a Nation, will be further challenged by shifting operational requirements abroad, evolving threats to national security, and significant

budget challenges. If confirmed, I will be vigilant and ensure the Department provides the leadership and vision necessary to rebalance, adapt, and involve the All-Volunteer Force as it has done so well over the last 40 years. I'm also committed to ensuring that we maintain the military's status as the strongest, most capable, most respected fighting force in the history of the world. I'm grateful to the members of this committee for your continued leadership for the support of our military forces, their families, and the civilian employees of the Department of Defense. If the Senate confirms me for this position, I pledge that I will work diligently with you to best serve the men and women of the Department and their families. I'm deeply honored for this nomination and the potential to continue to serve our Nation.

Thank you, and I look forward to your questions.

Chairman LEVIN. Thank you, Secretary Wright.

General Klotz.

STATEMENT OF MR. FRANK G. KLOTZ, TO BE UNDER SECRETARY OF ENERGY FOR NUCLEAR SECURITY

Mr. KLOTZ. Thank you, Chairman Levin, Ranking Member Inhofe, distinguished members of this committee. It's a great honor to again appear before the Senate Armed Service Committee. The uniform I'm wearing today may be different this time, but my desire to serve our Nation remains as strong as it ever was. For that reason, I'm enormously grateful to President Obama and Secretary Moniz for their trust and confidence in putting forward my nomination as Under Secretary and Administrator of the NNSA.

I'm also thankful to Senator Kent Conrad for his very generous and gracious introduction. Senator Conrad has been a mentor, a role model, and a dear friend for many years. I had the opportunity to work closely with him on several challenges confronting our Nation's nuclear deterrent forces, and always in a very open and candid and collaborative manner. I like to think that we did some very worthy and noble work together.

I'd also like to thank my wife, Nancy, for her loving and steadfast support, not just today but for the nearly 40 years we shared on Active Duty, including the 29 times that she had to uproot home and family as we moved to new assignments.

Our oldest son, Justin, who lives in Philadelphia and, as you heard—Senator Conrad said, is administrator of a long-term care facility, is also here today. Our youngest son, David, is watching in Boston via webcam.

The spouses and children of those who wear our Nation's uniform serve in countless and often unrecognized ways, and routinely deal with many difficulties and hardships. They, too, deserve our deepest respect and our gratitude for their own invaluable contributions to our country. I'm certainly very proud of my wonderful family and their accomplishments.

I'm also delighted to be joined by my best friend and classmate of the Air Force Academy, the Class of 1973, which, as we speak, is convened out in Colorado Springs for our 40th anniversary. Steve was the first graduate of any Service Academy to become a Catholic priest, and today he is the President of Saint Luke Institute in Silver Spring, MD.

Finally, but certainly not least, Oliver Bloom, who serves as my research associate at the Council on Foreign Relations, is also here. He's a recent graduate of Princeton University but hails from the State of New Hampshire.

The NNSA has a unique and special responsibility for pursuing two different but complementary principles that have traditionally guided American nuclear weapons policy:

The first is that the United States must continue to lead international efforts to limit and reduce nuclear arsenals, combat nuclear proliferation, and secure nuclear materials across the globe.

The second principle is that appropriately sized nuclear forces still play an essential role in protecting U.S. and allied security interests even as we seek to reduce the overall number and role of nuclear weapons in our national security policy. As President Obama and congressional members have repeatedly emphasized: as long as nuclear weapons exist, we must maintain a safe, secure, and effective nuclear arsenal.

If confirmed to be the Under Secretary and the Administrator of the NNSA, my highest priority will be to ensure that the NNSA delivers on the commitments made to Congress and to its many stakeholders in sustaining our nuclear weapons stockpile, both now and in the future, in conducting leading-edge scientific research and preventing nuclear materials from falling into the hands of terrorists and would-be proliferators, in supporting the Navy's nuclear reactor program, in modernizing our facilities to meet the demands of the future, and in protecting the safety and security of our sites, our employees, and the public.

The Military Services often say that people are their most important asset. It's true. It applies to the NNSA, as well. Highly-trained, experienced, and motivated scientists, engineers, technicians, and security personnel are essential to performing the highly complex and technically challenging task associated with the nuclear security enterprise. If confirmed, I will be guided by the principle of "mission first, people always". To this end, I will be an unrelenting champion for the professional development and personal welfare of everyone associated with the NNSA, including recruiting and mentoring the next generation of leaders and scientists.

The NNSA performs enormously important work each and every day. Its many successes go largely unheralded. It has made tremendous progress in helping to achieve the President's goal of securing vulnerable nuclear materials around the globe. It is delivering the life-extended W76–1 warhead to the Navy on schedule and is currently transferring work at the Kansas City plant into a new, modern facility that will greatly improve efficiency. That plant, by the way, has been constructed on time and on budget.

That said, escalating costs in several major programs are a cause for serious concern, especially as pressures mount on overall government spending. Restoring trust in the NNSA's ability to deliver on its commitment requires strong leadership focus on managing cost to deliver capability for less expense. It also requires rebuilding partnerships between the headquarters and the field, between Federal employees and the laboratories and plants, and between the NNSA and Congress and DOD.

In dealing with these priorities, I expect to draw upon recent experience as the first commander of Air Force Global Strike Command. When we established the Command in 2009, our task was to establish clear lines of authority, responsibility, and accountability. We also placed strong emphasis on strengthening the safety and security culture while, at the same time, streamlining processes and eliminating needlessly burdensome non-value-added activities that stood in the way of our people and their incentive to innovate. Finally, we continually stress that everyone in the organization, regardless of job, rank, seniority, was a valued member of the team, and that her or his work was absolutely essential to success. If confirmed, this is the leadership approach I intend to bring to the NNSA.

I, again, thank you for inviting me to appear before this committee today. It truly is an honor. I stand ready to answer any questions you may have now and, if confirmed, to address any questions you or your terrific staffs may have in the future in a very open and candid way.

Chairman LEVIN. Thank you so much, General Klotz.

Mr. Lettre.

STATEMENT OF MR. MARCEL J. LETTRE II, TO BE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE

Mr. LETTRE. Chairman Levin, Senator Inhofe, members of the committee, I'm honored to be with you here this morning as you consider my nomination as Principal Deputy Under Secretary of Defense for Intelligence.

Let me introduce to the committee, Mr. Chairman, my guests here with me today, to my left and just behind me: my wife, Simmons; my daughters, McKinley, age 11, and Amelia, age 9; my mother, Mary Lettre, a proud Army wife and teacher; and my father, Marcel Lettre, Senior, who is a retired Army colonel, airborne ranger, and Vietnam combat veteran, who, I might add, successfully and quite proudly avoided a Pentagon tour during his 26 years of service. Any opportunities I've had in life are because of this family, this team, and I'm grateful you all could be here today.

I also want to thank several tireless public servants who have served as mentors and colleagues over many years: Senator Harry Reid, Congresswoman Jane Harman, Deputy Secretary Ash Carter, former Under Secretary Michele Flournoy, and Under Secretary Jim Miller, and my good friend, Assistant Secretary of Defense Liz King.

I'm also pleased that a number of other friends and colleagues are in attendance today. Those that I saw include Lieutenant Colonel Ethan Griffin, Dave Muhlbaum, Jason Forrwester, Stuart Irvin, and some others that I probably didn't get a chance to say hello to. Thank you for being here.

I'm deeply humbled that President Obama has nominated me as Principal Deputy Under Secretary of Defense for Intelligence. Since 2009, I've been honored and privileged to serve three Secretaries of Defense: Chuck Hagel, Leon Panetta, and Bob Gates. If confirmed, I'll be proud to serve Secretary of Defense Chuck Hagel and Under Secretary Mike Vickers as they lead the Department of Defense and the Defense Intelligence Community through a critical

period of challenge and opportunity. But, most of all, I'll be proud to serve and support the men and women of the U.S. military. Their interests will be my interests, if confirmed.

Mr. Chairman, I believe we're facing the most consequential period for defense intelligence in perhaps a generation. The choices we make now as we draw down from 10 years of war and reshape our enterprise to meet new strategic and budgetary challenges will set us on a multi-decade trajectory for our defense intelligence capabilities. If confirmed, I will keep in mind three major priorities as I support Secretary Hagel, Under Secretary Vickers, and the Defense Intelligence Community:

First, to provide the best intelligence possible to those who are fighting in current operations, operations we're in today and possible contingencies in the near future. The Defense Intelligence Community must maintain its focus on the needs of our deployed men and women, conducting an incredible range of intelligence-driven, precision operations, and the needs of the President and the senior national security team, for the best intelligence possible to address today's threats.

Second, to prepare for a challenging period of budget uncertainty. This will require us to become leaner, to trim overhead, reduce duplication, and shed underperforming activities. It will not be painless or pretty, but we must make tough choices and become stronger and better even as we become smaller.

Third, to push vigorously to innovate and invest. Even as resources fall, we must sharpen the impressive capabilities that keep America's superior technological edge and protect its advantages over its adversaries. That means strengthening capabilities in counterterrorism, cyber security, and countering weapons of mass destruction. We must ensure we maintain global reach and global understanding. These priorities will require a close partnership and strong and regular dialogue between defense intelligence leaders and this committee. I look forward to contributing to that partnership.

We must implement our priorities in defense intelligence while also being ever vigilant about the need for vigorous protection of the principles, rights, and freedoms from which America gains its strength. Those of us privileged to serve in these positions of responsibility recognize that we owe our citizens and our families our full focus and our full energy on keeping the Nation safe and secure.

Thank you.

Chairman LEVIN. Thank you very much, Mr. Lettre.

Mr. Ohlson.

STATEMENT OF MR. KEVIN A. OHLSON, TO BE A JUDGE OF THE U.S. COURT OF APPEALS FOR THE ARMED SERVICES

Mr. OHLSON. Mr. Chairman, it's a great privilege to appear before this committee as a nominee to be a judge on the U.S. Court of Appeals for the Armed Forces. I would like to thank you and the members of this committee for considering me for this important post.

I would also like to thank the President for nominating me for this position. If confirmed, I will do my level best to vindicate his trust.

Of course, I would like to thank my wife, Carolyn, who is here today, behind me to my left, as well as our two children, Matthew and Katherine, who are in school. I would not be sitting here today if it were not for their enduring love and support.

Mr. Chairman, if I am confirmed for a position on the Court of Appeals for the Armed Forces, I pledge to this committee that I will bring to bear on every case I handle all of my military and criminal justice experiences so that I may be the best judge that I can possibly be. For example, I will be mindful of when I stood shoulder-to-shoulder with some of the finest people I've ever known and rappelled out of helicopters, parachuted out of airplanes, deployed to four foreign countries, and served in the Persian Gulf War. Those experiences taught me indispensable lessons about the men, women, mission, and ethos of our exceptional Armed Forces.

Further, I will be mindful of my service as a trial counsel prosecuting cases at Fort Bragg, as the Article 32 investigating officer in a case involving a serial rapist and murderer who was ultimately sentenced to death, as a Federal prosecutor for many years here in the Nation's capital, and now as the head of the office that punishes prosecutors who have engaged in professional misconduct. These experiences have taught me about the vital importance of the strength, fairness, and integrity of our criminal justice system.

Finally, if I am confirmed, I will be mindful of the men and women in uniform who so proudly and effectively serve our Nation today, such as my nephew, who just returned from a tour of duty as an infantryman in Afghanistan, as well as the many commanders I have known over the years. These experiences have taught me of the importance of striking the right balance between the need to ensure good order and discipline and the need to protect the rights of individual members of our Armed Forces.

In sum, if I am confirmed, I pledge that I will be mindful of all these factors and that I will approach every case with an open mind, guided solely by the facts and the law and by the interests of our U.S. Armed Forces and all those who serve in it.

Thank you for your consideration.

Chairman LEVIN. Thank you all.

We'll have a 7-minute first round of questions. We have timers in front of us in this room.

Let me ask you, Mr. Lettre, we've had the adequacy of our security clearance procedures raised, with tragic impact, in recent days. In your new position, if you're confirmed, there's going to be some real responsibility for DOD facility clearances in your job.

The National Defense Authorization Act (NDAA) for Fiscal Year 2014 that we approved in committee a few months ago requires the Secretary of Defense and the Director of National Intelligence to reform the personnel security clearance investigation, adjudication, and transfer processes to improve security as well as to reduce cost. I'm wondering whether you are familiar with the language in that bill.

Mr. LETTRE. Senator, I'm generally familiar with it. I haven't had a chance to study it or give it deep thought yet.

Chairman LEVIN. All right. Do you have any views on the need for improved security process reform, greater cost transparency in this area?

Mr. LETTRE. I do, Senator. There have been a number of episodes over the last several years that have pointed to a need to take a hard look at our security clearance and security processes. Just this week, as we all know, 12 families are grieving and dealing with a tragedy that occurred at the Washington Navy Yard. Secretary Hagel directed, yesterday, that Deputy Secretary Carter would undertake an immediate review of both facility security, as well as security clearances, as well as standing up an independent panel to look at those issues. I strongly support both of those.

It would be my view, going into the position, if confirmed, Senator, that I would want to take a strong role in doing what I can to be of support to those reviews while also taking into account the direction of the committee to look at those issues as part of the bill. I look forward to doing so.

Chairman LEVIN. All right. Obviously, we thought it was extremely important, even before these recent events, so I think you can take that as a challenge and a charge.

Secretary Wright, you have served in the military for 35 years before retiring as a major general in the Pennsylvania National Guard. I think you're familiar with the major effort which we're making to end sexual assault and sexual harassment, and the provisions that are in our bill as they come to the floor, and the added emphasis that we are placing on ending this scourge. One of the issues that we did not agree upon was the question of transferring responsibility to a prosecutor outside of the chain of command to determine whether or not allegations of sexual assault should be prosecuted. I'm wondering whether you have a view on the role of commanders in changing the military culture in which sexual assaults take place, and also whether we should remove those commanders from the decisionmaking process as to whether or not to charge someone with an offense that would go to a general court-martial.

Ms. WRIGHT. Sir, I do have an opinion. Clearly, the Department has an opinion, and that is to hold the commander——

Chairman LEVIN. You give us your personal opinion, though.

Ms. WRIGHT. My opinion is that the command needs to be clearly involved, and the disposition of the sexual assault needs to stay within the command, which is exactly the same position as the Department's.

Chairman LEVIN. What is the reason for your opinion?

Ms. WRIGHT. Sir, I have served as a commander, and I have also served in the position here as an Acting, and I have worked diligently to expunge sexual assault from our organization. Secretary Hagel has also made this is a top priority of the Department.

The reason I believe it should stay in the command is because the command does have the responsibility for the discipline, the accountability, and the management of their command. Saying that, the commanders also have to be held accountable for what happens in their command.

Secretary Hagel has put a multitude of changes in place that will increase the commanders' accountability. The one thing he has

done is, he has raised the disposition authority to a colonel. The second thing he has done is, when a sexual assault occurs and a victim comes forward—it's not a high probability that a victim comes to the commander. The victim normally comes to the sexual assault coordinator, the medic, the chaplain, and then they take it from there, based upon the restricted or unrestricted report.

But, another thing that he has done is, if there is a sexual assault filing within a command, the first general officer in that chain of command must be aware or told that this is happening and to have oversight of what is going on with the case.

Chairman LEVIN. Thank you.

Now, Ms. James, you mentioned that you have been on the advisory board for the DACOWITS. I'm wondering if you, there in that position, but also as an Assistant Secretary of Defense for Reserve Affairs in the 1990s, whether you have a view on that question, about whether we should take away from the chain of command that decision as to whether or not to prosecute a sexual assault offense or other offenses.

Ms. JAMES. I do have a view, Senator. My personal view is identical to that of Secretary Wright. I concur that it is extremely important to keep that authority with the commanders, but equally important to hold those commanders accountable for the climate and what goes on in their units. Command is an honor and a privilege in this country; it's not an entitlement. Those who do not live up to our values simply need to be removed from that command.

It has also been my observation, just as someone who has watched the military for my entire professional life—and part of it, at times, as a civilian—is that the military has been extraordinarily effective through the chain of command when there is persistent and constant focus, unrelenting focus. I give you the examples of racial integration and drug use in the Vietnam era. When "Don't Ask, Don't Tell" was repealed, and the implementation of the new rules and expectations, the military chain of command was very, very effective. I think the reason why it hasn't been as effective on this particular matter over the decades is because that consistency of focus has been lacking.

I believe it was Chairman Dempsey who said, before this committee, some months ago at a hearing, that—and I'm paraphrasing—"We took our eye off the ball." I think that means we lost focus. There were wars, there were other things that captured that focus.

If I am fortunate enough to actually get this job and become the Secretary of the Air Force, that will be a top job that I will carry forward, is to keep that focus strong, as it will be for the person who would succeed me. It has to be kept up, and I do believe the chain of command has to be responsible.

Chairman LEVIN. Thank you very much.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

I would ask General Klotz and Mr. Ohlson—you've heard the comments by Secretary Wright and Ms. James concerning the integrity of the role of the commander. Would either of you want to comment on that, or do you agree with them?

Mr. KLOTZ. Senator, I left the military 2½ years ago, so my comments are based on those experiences. I think the fundamental responsibility of the commander is to maintain good order and discipline of her or his organization and enforcement of the UCMJ. Investigating and prosecuting those people who have violated or are suspected of having violated the UCMJ is one of the paramount duties that any commander must have.

Senator INHOFE. Yes, all right, that's a good answer.

Mr. OHLSON. Senator Inhofe, if I were to be confirmed, serving in my role as a judge, it would be my responsibility to apply whatever law all of you come up with. I'm not sure it would be appropriate for me to opine on any specific legislative changes.

Senator INHOFE. That may be true. I have a bias in this area, in having, many, many years ago, served as a court reporter in that system. It never occurred to me, during that time, that the commander would not be supreme in that process.

Secretary Wright, first of all, I appreciate the time you spent with our staff and had a chance to visit. When I first saw the Department of Defense sexual assault survey, I had a lot of things going through my mind. Those of us who are in elective office are pretty familiar with what surveys are, and the integrity of surveys. I looked at that, and when I saw the 26,000 unwanted sexual contacts—the turnout or those who are responding to a survey, are those the ones that actually represent the thinking of the entire population? Do you have any comments to make about that? Because if we're going to do surveys, let's do a better one than we already have behind us. What do you think?

Ms. WRIGHT. First, I will tell you that we do have qualified statisticians that work in the personnel and readiness field that do the surveys. But, saying that, there are a couple of other things that I would like the committee to know.

One, I think our force is about surveyed out. There are at least 400 surveys, I know, that go out to the field, and I'm convinced that there are some that the Department does that don't go through——

Senator INHOFE. Do you know what the response ratio was of this particular survey?

You're saying something I was not aware of, now.

Ms. WRIGHT. No, sir, not off the top of my head. But, I will get back to you what the response was.

Senator INHOFE. Yes, do that.

[The information referred to follows:]

The 2012 Workplace and Gender Relations Survey of Active Duty Members (2012 WGRA) was sent to 108,478 Department of Defense (DOD) Active Duty members and received completed surveys from 22,792 eligible respondents, for an overall weighted response rate of 24 percent. In contrast, the 2010 WGRA was sent to 85,614 DOD Active Duty members and received completed surveys from 24,029 eligible respondents, for a weighted response rate of 31 percent. This does represent a decline in response rates since 2010. While similar declines in response rates have been seen across military surveys, The Defense Manpower Data Center continues to obtain some of the highest response rates for surveys on military populations. Despite this, the response rate obtained in the 2012 WGRA does not diminish the statistical accuracy of the survey estimates.

Ms. WRIGHT. Also, I know the surveys go out in an email force portion. So, if you get three surveys that day, and two of them

don't apply to you, and one does, and you have a few minutes, you're going to do the one that applies to you.

Senator INHOFE. Okay, that's a good answer. That did answer the question that I have. I think that does kind of single out individuals.

One of the statements you had made—and this is a quote—is, "The Department's policy is to treat all military personnel equally and to make the same benefits available to all qualified members." That was a quote by you. The memorandum then goes on to authorize the administrative absence of servicemembers, offering a different opportunity for same-sex marriage as other marriage. Is that an inconsistency, or where are you on that?

Ms. WRIGHT. I believe, sir, you're referring to the 4 September memo where I talk about, if you're going to get married, and you are not able to get married with a 100-mile radius, that the command can grant you an administrative absence to a place where you can get married, and that would apply to both same-sex couples and heterosexual couples.

Senator INHOFE. Yes.

Ms. WRIGHT. I will be very honest with you. The times that it would apply to heterosexual couples will be probably few and far between. But, in a meeting that the Secretary called—he was away, he revisited the policy when he was away, he called me, and the next day that he got back, he called a meeting with the Service Chiefs and with the Service Secretaries and with the Chairman, and we discussed this, and we discussed this at great lengths. He believes—they believe—we developed that policy then, and they believe that the policy is fair and equitable to all. Granted that there is a slimmer possibility for a heterosexual couple to run up against this issue.

Senator INHOFE. That is the perception.

Ms. WRIGHT. Yes.

Senator INHOFE. I don't want to spend any more time on that issue, because we're running out of time, here.

Ms. James, I think we should give serious consideration to having a Senate Strategic Choices and Management Review hearing. I think a lot came from that, where we're trying to get a hearing from the Chiefs as to how the sequestration's going to directly affect them. We might give some consideration to have a similar hearing here in the Senate.

Ms. James, General Welsh made this statement yesterday, saying, "The damage will be insidious, but, should we face a high-end threat in the future, the impact of not modernizing will be blatant and deadly. While failing to achieve national objectives in the next counterinsurgency fight would be distressing, losing a major full-spectrum fight would be catastrophic."

Are you sure you want to get into this? There are some real problems. Having a background and knowing a little bit about flying airplanes, back on April 9, when they made the decision to ground—approximately 16 squadrons, is it your agreement with some I have talked to and who have testified here that the cost savings of that 2- or 3-month period were not—it's going to cost a lot more than the savings that they achieve from that. Have you given any thought to that?

Ms. JAMES. My understanding, Senator, is, digging out from under the readiness hole, if you will, actually will cost us more money than had we funded it the way it was originally intended to be funded from the beginning. Yes, I agree with that, and I would like to concur with the spirit of what you're saying. I, too, am troubled by the readiness profile. Of course, hard decisions had to be made. As some of you have already pointed out, combat fighter squadrons were not able to fly for a period of time, depot maintenance was deferred, there were many civilians furloughed. It's very troubling that those actions had to be taken, and I am hopeful, still, though it is sometimes discouraging to wake up and read your morning newspaper, that there can be some agreement reached so that the entirety of our Government can get beyond sequestration and that we can get to some figure for spending, albeit a lesser figure—we know we all have to be much more affordable for our taxpayers—but to know what that figure will be so that we can execute and we can plan to a single number and have a certain degree of certainty. That is my hope.

Senator INHOFE. I appreciate it.

My time has expired, but I'm going to send a question for the record, General Klotz, concerning the B–61 and the difference in treatment between the House position and our position. I'm inclined to agree more with the House. I have some questions I'd like to send for the record to both of you who we didn't get a chance to visit.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

Senator Reed.

Senator REED. Thank you very much, Mr. Chairman.

I want to thank all of the nominees, not only for their willingness to serve, but their already distinguished public service. Thank you all very much.

Secretary Wright, one of the areas that is directly under your responsibility is the cost of all the personnel programs, and not just pay and wages, but also, particularly, TRICARE and other benefits. Every year, in the last few years, the Secretary has sent over some suggestions, along with the Chairman of the Joint Chiefs. Sometimes we follow them, many times we don't. But, the question still looms out there: As this costs increase as a percentage of your budget going forward, it gets larger and larger each year, cutting back, in terms of operations, training, maintenance, investment in new technologies. Just a very general question is, one, I presume this is going to be one of your highest priorities, to try to deal with these issues of accelerating costs, and, two, how do you propose to go about setting up a constructive dialogue with all the stakeholders—Active, retires, beneficiaries, the people that have to train, plan, and deploy the forces? Can you comment on those two points?

Ms. WRIGHT. In reference to TRICARE, sir?

Senator REED. TRICARE and other issues under the personnel costs. The generic sort of issue of the personnel costs.

Ms. WRIGHT. Oftentimes—and we have done this already three times since I have been in the acting role—the Veteran Service Organizations (VSO) and the Military Service Organizations (MSO)—and our family council that we have—is a venue that I use to get

the word out about what we're doing in the Department. I have met with the VSOs three times since I have been the acting, and that is a very good venue to relate the changes that we're doing and also the issues that we're facing, and to hear them out about their issues and the things that we want the Department to do.

On the family side of the house, we have a Military Family Readiness Council that is made up of the Services, but it's also made up of spouses and members of all components. I use that as another venue.

We also use public affairs—George Little and I work diligently together to get our message out, no matter what the issue is within personnel and readiness, of the change of policy.

Senator REED. Can I just follow up on a quick point? I appreciate those efforts, and they're designed to communicate what you propose to do. But, there's another level here, and that is trying to build a consensus upon changes that have to be at least accepted or tolerated by many of the different groups. Are you in the active consensus-building or simply saying, "This is what we're proposing?"

Ms. WRIGHT. Sir, sometimes we have to direct things to happen.

Senator REED. I understand that.

Ms. WRIGHT. But, it's much easier to direct something to happen if you have explained why you're doing it and you take their opinions and see if you can mitigate some of the concerns that they have as you are writing the policy. That is what we do.

The meetings with all of these people are not me being dictatorial in nature and flowing one way. I am gathering their opinion, because they're really the boots on the ground out in the population that we serve.

Senator REED. Thank you very much, Madam Secretary.

Mr. Lettre, you will be Principal Deputy to the Under Secretary of Defense for Intelligence, and obviously this issue of contracting, with respect to intelligence services, has come up, with huge implications—Mr. Snowden, and now the tragedy at the Washington Navy Yard. The first question is that the concept of contractors is the purest—is that they do things in the military are not essentially military. A lot of the intelligence efforts are, really, military. Is there any thought that you've given and advice you're prepared to give with respect to redefining what roles would be appropriate for intelligence contractors versus what roles will be necessary to be filled by direct employees—military, civilian, or the Government?

Mr. LETTRE. Senator, the role of contractors, particularly in the Intelligence Community, but also across the Department, is something that the leadership team needs to put a lot of focus on in the next couple of years as we go through budget uncertainty and the budget trajectory that we're looking at.

Within the Intelligence Community, there are jobs performed by Active Duty military, jobs by career civilians, and then by contractors. I do think there are instances where contractors bring in quite unique capabilities, from a technology and an innovation perspective, that make it hard to see us being able to get that capability through any other way than through a contractor, because of the rapid-changing nature of technology.

I think in the Intelligence Community, one of the guiding principles we need to look at all of the use of contractors through as we work our way through this in the next year or 2 is exactly that: How can we ensure that anything that can only be uniquely done through a nongovernmental sector or expertise is really driving our use of contractors? As we make tough choices about how to deal with the budget challenges of the next couple of years, we keep that principle in mind.

Senator REED. Let me follow up. These incidents have also raised the issue of how we screen these contractors, to speak generally. It raises a question, one, who is responsible for what? Is it purely the responsibility of the Department of Defense to ensure the reliability and the stability of the contractor, or are the companies that employ these individuals responsible, contractually or otherwise? It would seem to me that both cases should apply, but it also seems to me, now, there's some confusion as to who really is the ultimate validator of the reliability, competence, and dependability of these individuals who have access to secrets and to facilities. Can you comment very briefly?

Mr. LETTRE. Senator, I do think it's time to take another look at the accountability of contractors and the executives who lead contracting firms in the private sector with respect to the responsibilities they may have on security clearances. Secretary Hagel's announcement, yesterday, that he's directing Deputy Secretary Carter to take a look at security clearances, as well as establishing an independent panel to look at this issue, I think provides a good opportunity to do that.

Senator REED. Thank you all very much, and, again, thank you for your service to the Nation, and good luck.

Chairman LEVIN. Thank you very much, Senator Reed.

Senator Wicker.

Senator WICKER. Thank you, Mr. Chairman. Thank you, ladies and gentlemen.

Ms. James, we had a great visit last week. Thank you for that. At that meeting, I briefly mentioned my concerns regarding the concept and implementation of the Air Force's Total Force Plan (TFP). As I mentioned to Secretary Donley and General Welsh during the Air Force posture hearing earlier this year, I believe that some elements of the TFP were shortsighted and may adversely impact our intra-theater airlift capability at a time when our Services are evolving toward more rotational deployment model. As ranking member of the Airland Subcommittee, I am very pleased that your answers to our committee's advance policy questions acknowledge that the decisions made last year regarding the TFP were made without adequate consultation of the various stakeholders who are now feeling the negative impacts of the plan's implementation. Ms. James, this is a very important answer, and I appreciate your acknowledging that fact.

Let me just ask you, there will be a national commission on the structure of the Air Force. It's scheduled to report back to Congress with findings and recommendations next year. Would the Air Force, under your leadership, consider modifications to the TFP based on the commission's findings and recommendations?

Ms. JAMES. Senator, if I may begin by saying, based on my time, both on the committee staff on the House side as well as when I served as the Assistant Secretary of Defense for Reserve Affairs, I'm a deep, deep believer in the value of the total force. I would just like to say that up front.

I would also like to say that, in some ways, it's painful to me to see some of the frictions that have been happening between the air components. Back in the 1990s, I used to refer to the air components, with respect to their utilization of the Guard and Reserve, as the superstars of the Guard and Reserve, and I still think that's so. But, clearly, there are fences to be mended, and we need to do some work here.

I absolutely welcome the work of the commission. I'm fortunate that I consider myself to be a good friend of some of the commissioners. I know General McCarthy, I know Ms. Conaton. I know several of them. I think we'll have a good working relationship. I look forward to hearing their ideas. Again, if I am confirmed into this job, I would like to think a hallmark of what I will bring to the table will be very close consultations, bringing in all of the components, talking to adjutants generals, talking to Members of Congress, and trying to come up with a go-forward proposal which will basically meet the country's needs as well as the States' needs for the very real desirability of being able to respond when disaster strikes.

With that said, I'm equally sure that we will have to take reductions. We've talked about this budget situation that we're facing, so it won't be easy. But, we need everybody's input and best efforts, and that will certainly be what I will work toward.

Senator WICKER. Thank you. Should the committee recommend modifications, you would consider those recommendations?

Ms. JAMES. I'm completely openminded and will welcome their report.

Senator WICKER. Thank you. If confirmed, will you commit to working with our committee to ensure that future Air Force manning and force-structure decisions are fully considered within the broader national strategic context?

Ms. JAMES. I do give you that commitment.

Senator WICKER. Thank you. As we discussed last week, I'm very proud of all of our installations in Mississippi. I particularly would call to your attention Keesler Air Force Base, which won the Air Force Installation Excellence Award, the leading Air Force Base in the entire Air Force.

I'm committed to ensuring that Keesler, which is a training base, maintain a flying mission. If confirmed, will you work with me to ensure that Keesler maintains an enduring flying mission?

Ms. JAMES. What I know of Keesler is all topnotch, and I look forward to visiting Keesler—with you, I hope.

Senator WICKER. Very soon, perhaps.

Ms. JAMES. You said perhaps that we should do that, could do that, so I welcome that opportunity.

Senator WICKER. Thank you very much.

Now, let me shift, then, Ms. James, to unmanned aerial systems (UAS), such as the very successful RQ–4 Global Hawk. These UASs are providing critical support to deployed forces around the world.

Combatant commanders continue to stress the importance of intelligence, surveillance, and reconnaissance (ISR), and have identified ISR shortfalls in key areas around the world. Many, if not all, members of the committee view UAVs as "the" cost-effective future of airborne ISR.

In Mississippi, we not only have the Global Hawk, but we have the Orion UAS. Orion just completed its first test flight last month at China Lake. It is designed to stay aloft for up to 5 days while carrying a 1,000-pound payload of sensors. If confirmed, I urge you and your team to be briefed on what I consider to be a very promising program in the Air Force.

What is your assessment of the potential for long-endurance unmanned systems to help meet combatant commander ISR requirements? If confirmed, would you provide to this committee, say, within 30 days, a briefing and written report of the Air Force's investment strategy to provide unmanned long-endurance airborne ISR capability to our combatant commanders?

Ms. JAMES. First, Senator, I would say yes, I certainly will get back to you in 30 days after confirmation, if I am confirmed, to give you my best assessment that I can after that 30-day period, even if it may be incomplete still at that juncture.

Senator WICKER. Thank you.

Ms. JAMES. I do recall our discussion about Orion, and I would very much welcome learning more about that in a briefing.

As to the overall issue of unmanned systems versus manned systems, I have some familiarity with that. It's an area that I need to look into and study more deeply to understand the costs and benefits of both. My initial take is that we certainly need both in our force. We need a complement of both, and we need to ensure that we're looking at costs and capability and survivability. Because my understanding is, it's somewhat different, depending on which system you're looking at.

But, it's an important area, and I believe in it, and I will look into it further.

Senator WICKER. Thank you. Let me just ask, real briefly, about the common support helicopter to replace our aging UH–1N fleet. As reflected in our committee-reported text, the 2014 DOD authorization bill, this committee believes that the UH–1N is critical to the nuclear security and continuity-of-government missions, and can be achieved by leveraging existing DOD production capacity.

I would commend to you, Ms. James, and to you, General Klotz, the American Eurocopter Global Strike aircraft. If confirmed, will you provide to this committee and my office, within 30 days, a briefing and written answers to the questions of, why is the Air Force not funding a UH–1N replacement program, when the Air Force states that protection of the U.S. nuclear enterprise is a top priority? How will the Air Force and the NNSA ensure that resource allocations accurately reflect our stated commitment to protect the U.S. nuclear enterprise?

Ms. James?

Ms. JAMES. Yes, I will absolutely come back to you in 30 days and give you my best answer to that, Senator.

Senator WICKER. Thank you.

General Klotz?

Mr. KLOTZ. Senator, I will, as well.
Chairman LEVIN. Okay?
Senator WICKER. Thank you very much.
Thanks for your indulgence, Mr. Chairman.
Chairman LEVIN. Thank you, Senator Wicker.
Senator McCaskill.
Senator MCCASKILL. Thank you, Mr. Chairman.

One of the distressing things that has occurred in the honest disagreement and debate around how we work on the problem of sexual assault in the military is a narrative that has developed, unfortunately, that somehow this is about whose side you're taking, the victims or the commanders. I want to try to clarify that that is not an accurate description of discussions in the policy changes that are being debated. Rather, this is an honest disagreement over which reforms will better protect the victims and which reforms will result in more prosecutions.

I hope I have time to get back to some of the additional work we want to do. You all are aware of the body of work that Senator Gillibrand and I, together, have accomplished in this bill, along with the help of a lot of others, including the Chairman, that are going to remove commanders from in any way having authority to change the outcome of a military trial. You're aware of the fact that all victims, like the Air Force has role-modeled, are going to have their own lawyers. I won't go through all the changes we've made.

The Chairman and I continue to work on ways that we can hold the commanders accountable. If I get time to get back to that, I would like you to give, now or later, your specific recommendations on how we can hold commanders accountable for this important problem that they have to get after.

Also Article 32 and reforms that I think need to occur within Article 32. It became a weird amalgamation of a preliminary hearing, discovery, trial-run trial, it's evolved of this just over the last decade, and would like your input on that.

But, I really want to focus now on the two problems that we're all trying to get at, and that's retaliation and reporting. I know you all are aware that all of our allies that have removed commanders entirely from this decision have not seen an increase in reporting. None of them have. We know that is not the key, just doing that, in terms of increasing reporting. We know that they do not have to report to the commanders now, and they certainly won't over the reforms that are embedded in the NDAA that is going to be debated on the floor.

But, retaliation is one I would like you to address. Any of you—and if you have had experience as a JAG, and, Secretary Wright, as you've had experience as a commander—I'm trying to assess, if a victim is going back into a unit, when is the likelihood of retaliation higher, when a JAG lawyer a half a continent away has signed off on pursuing charges or when the commander of that unit has signed off, in terms of pursuing charges? Which would create an environment that would be more likely for there to be retaliation?

Secretary Wright?

Ms. WRIGHT. Ma'am, honestly, at first blush, I couldn't tell you. What I can tell you is, the victim can ask for—if the victim files an unrestricted report, and it is public—even with a restricted re-

port—they can ask for a transfer out of that particular unit. That is one right that we have for the victim. We even now if the alleged perpetrator is in that unit, we can transfer the alleged perpetrator out of the unit.

Retaliation is real. I agree with you 100 percent. Maybe not in every case, but if it's in one case, that's one too many. I believe what we need to work at, and I think that our commanders, from Secretary Hagel on down, is working at, is what I call "social courage". I put it into the aspect that, if you're in combat with someone, and your battle buddy in combat is doing something that will get you killed, you immediately will say something to that person, no matter what. You won't think about it twice.

If you are in a social situation with that same person, and that person is either drinking too much or not acting up to the values that our system wants you to act up to, and looks like something may go sour, if you will, with someone else, that social courage is there to say to that person, "Let's go home. You're drinking too much, you're being foolish."

I think that our commanders, our people, our lowest grades of enlisted, need to learn that social courage to hold that them, themselves, responsible and also hold their battle buddy responsible.

It's prosecution, and it's also holding people responsible for their actions.

Senator MCCASKILL. Ms. James, I know that there have been a number of changes already enacted in the Air Force—is there anything about a lawyer making a decision to go forward that would provide an extra level of protection, as opposed to a commander deciding to go forward?

Ms. JAMES. I, personally, don't think so. I, if I may, wanted to offer up the core, I think, of your question is, we have to instill more confidence in members of the force, that if they are victimized, we want them to come forward.

Senator MCCASKILL. Correct.

Ms. JAMES. We want them to report. All reports are good, but unrestricted reports are better, because then followup can occur.

Based on my DACOWITS experience—and DACOWITS does installation visits, we do focus groups with men and women—the sampling of people that I have talked to, some of whom have been victims, others of whom know those who have been victims—they tell me they don't come forward for a number of reasons. They feel personally ashamed, they feel that they may be blamed for what has happened. They do fear retaliation, sometimes from chain of command, sometimes from their buddies in the unit, and they just simply don't want people to know, and they're not sure that anything will be done, or at least not enough will be done.

I agree with Secretary Wright, to have the option of either transferring the alleged perpetrator or transferring the victim, to be able to go either way with that, I think, is a good thing.

I'd like to offer a specific couple of ideas. These are ideas that the DACOWITS has recommended. It goes to the issue of accountability of commanders. I believe, from every job I have ever held, either in government or in the private sector, that aligning a person's incentives and looking at what they are measured on, getting all of that into alignment, is terribly, terribly important.

The DACOWITS has recommended that it be put into the performance reviews of commanders how well or poorly they are doing in the area of the climate within their unit, and how well or poorly they are doing with respect to being a leader against sexual harassment. To the degree that each and every commander understands that his or her career is on the line to do well in this regard, people pay attention to what they're measured on. That is one idea.

Senator MCCASKILL. I thank you for that. I know my time is up, but I would look to all of you, and especially, Mr. Lettre, with your experiences as doing Article 32s and—did you say that you were one of the investigators—did I hear that in your introductory remarks? Or was that you, Mr. Ohlson?

Mr. OHLSON. Actually, that was me, Senator.

Senator MCCASKILL. Oh, well, you can't do this, then, because of the position you're nominated to. Thank goodness, though, we have civilian courts of appeals now that will be the sole arbiter of whether or not due process has been achieved within the UCMJ, instead of having these weird situation where judges could overturn jury verdicts. I'm glad that that is definitely going to get fixed.

But, any specific ideas you have about Article 32 and how we can make some reforms there.

I would mention, as I close, Mr. Chairman, that we have given victims the choice of expressing that they would prefer the charges to be done in the civilian system. Once again, giving the victim more power, empowering the victims so they do not feel like that they are being swept up in a system that nothing's going to happen and they have no control over. That also is part of our reform that I think is essential.

I thank you all and look forward to your specific suggestions.

Thank you, Mr. Chairman.

Chairman LEVIN. Two quick comments on that.

One is, for the first time, retaliation is a crime, if we can get our bill passed, because, in our bill, we would make retaliation a crime, for the first time.

Second, that suggestion of DACOWITS, about the performance review containing a review of a commander who's being reviewed as to the climate in that command, is now, by a number of us, being looked at for inclusion in our bill, when it gets to the floor, as an amendment. There's a number of us who have looked at that recommendation and feel that it's a very important recommendation, and are working on language so that it can be incorporated, hopefully, in our bill when we get to the floor.

Senator Blunt is next.

Thank you, Senator McCaskill.

Senator Blunt.

Senator BLUNT. Thank you, Mr. Chairman.

Ms. James, I didn't get a chance to visit with you before today, and I'm assuming that's probably my fault, but I look forward to talking to you more as this process goes on. I just have a couple of questions, basically, their future asset and equipment questions. We have Whiteman Air Force Base in the State that Senator McCaskill and I represent, and clearly important in our overall strategy.

The only new aircraft, I believe, out there is the long-range stealth bomber that's being considered right now. Obviously, that's an important part of our projection, maybe an important platform that other equipment can look to, to be built around. But, are you concerned that, in the decade in front of us, that's the only plane we're talking about right now as a new addition to the Air Force?

Ms. JAMES. Senator Blunt, there's really three top modernization programs that are very important to the Air Force. One is the F–35, the other is the new tanker, and the third, as you said, is the new long-range bomber. Of the three, the new long-range bomber is in the earliest phases of development.

Senator BLUNT. Right. That's what I meant, the one that is the newest thing we're launching. There's nothing that follows that in the line of talking about new—well, go ahead.

Ms. JAMES. As far as I know, those are the three top priorities. Based on what I know about those three top priorities, it seems right to me—based on the strategy that we are pursuing, based on the thrust of the rebalance toward the Pacific. You need longer range, we need more bomber forces. It's important for the triad, and so forth. These seem like the correct programs, to me, at this point.

Senator BLUNT. Now, as those are being developed, there's some discussion, of course, of taking some of the workhorse equipment, like the A–10s, and just totally eliminating entire groups of planes as we look at the money available. I think when General Welch was up here, before the House Armed Services Committee, he said that the Air Force may be forced to eliminate entire fleets that have less relevance in contested airspace, including the A–10. This would be one of the planes—I don't know, until we have something that fully meets that need, we can make that decision. That's a decision that eventually would come up to you. Do you have anything to say about that?

Ms. JAMES. I do. I am not privy to any of the predecisional work, at this point, but, as you point out, I, too, have read accounts that everything essentially is on the table. I don't know specifically about that, but I read it in my morning newspaper, as well, that this was commented upon yesterday by the chief. My understanding is that these are part of the hard decisions that are being looked at as options, but that there are no final decisions.

I do agree with you, though; if we're going to eliminate an entire aircraft which is currently serving a particular mission, we'd better be sure that we have something else that will serve that mission in the interim until one of the futuristic programs comes online.

These are all areas that I will need to delve into much more deeply if I'm confirmed, but I think this points out some of the very difficult challenges that we're going to have to work through together of how to make ends meet with the budget figures that we may be faced with.

Senator BLUNT. All right. It's going to be a big job, and these questions will get to your desk, assuming you're at that desk. I believe you will be. But, thanks for those answers.

General Klotz, we talked yesterday about the NNSA facility in Kansas City. You mentioned it again today. I think one of the things you're going to have to deal with there is, What do you do

with the property that you're leaving that goes back to World War II airplane production? Do you want to get some thoughts on how that move is going to occur, when it'll be finished, and then what happens to the property that you leave behind?

Mr. KLOTZ. Yes, Senator. The move into the new facility is currently underway and will very soon be completed, and it is an exciting facility that will not only reduce the overall footprint, or the amount of space, it takes to do the work that's been done at the Kansas City plant, but will do it much more efficiently.

You're right, there will be a facility that we will be vacating, along with the General Services Administration (GSA), in the same location on Bannister Road. The Kansas City plant has been a part of the nuclear weapons enterprise for decades. The NNSA and the people who work in the Kansas City plant consider themselves part of the social fabric of that part of the State of Missouri. As I committed to you when we met, we will be good stewards in making sure that facility is turned over as quickly as possible so that it can be reused by the citizens who live in that particular part of the State.

Senator BLUNT. Yes. Not to comment on, but just for me to say, I think, at some point, those two pieces of property that really are part of the same complex are going to, in order to allow something to happen there, probably one of the two of you needs to become the lead agency and the controlling agency. I think that'll be an early decision that you may be asked to make, whether you want to be the lead agency or whether you want the GSA to be.

I don't believe you had a chance to comment on Senator Reed's question about contractors. One, are there a lot of contractors? Two, after these recent incidents that we've seen with contractors—Edward Snowden and now the contractor at the Navy Yard—what are your thoughts about the necessity of contractors and how to better deal with this overall issue?

Mr. KLOTZ. Senator, the NNSA relies extensively on contractors, and has for a number of years. There are roughly 1,800 Federal employees in the NNSA, but there are nearly 30,000 contractor employees that work in the National Security Laboratories, in the plants, and on various other facilities, doing on it a Government-owned contractor-operated basis. They are indispensable, integral members of the team, in terms of delivering the product and the capabilities that the NNSA has to have.

The security, particularly personal security and cyber security, is an extraordinarily serious concern with respect to the NNSA, given the very sensitive nature of the information it handles, as well as the intellectual material that it also must deal with.

I have said, on several occasions, that security and safety are going to be my top priorities, if confirmed, and we need to take a very close look, given the events of the past few months, whether it's a failure in terms of security of individuals or failures in terms of securing facilities, to ensure that we have the right organization and the right tools to protect against any breaches of security.

Senator BLUNT. Okay, thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Blunt.

Senator Hagan.

Senator HAGAN. Thank you, Mr. Chairman.

I want to thank all of you for being here and for your commitment to public service. I know that your individual commitment to public service means your families, also. I want to certainly welcome the families that are behind you today.

I want to follow it up on Senator McCaskill's question on sexual assault, Ms. James. In your response to questions from the committee regarding sexual assault, you stated that, "Senior military and civilian leaders, beginning with the Secretary and Air staff, must focus on promoting an environment that does not tolerate sexual assault." Obviously. We appreciate that. But, you are aware that, twice in the past 6 months, uniformed military officials, whose job it was to prevent sexual assault, were arrested for committing sexual assault, themselves, including the head of the Air Force's program. The screening process in this area certainly needs to be discussed.

If confirmed, how do you intend to ensure that the best-qualified and appropriately screened individuals are placed in these positions and billets, not only at the top, but within all levels of the Department?

Ms. JAMES. With respect to the people who are serving in those very critical positions for the area of sexual assault, I will look forward to reviewing what the current criteria is for selection and training and so forth. I have not delved into that particular aspect deeply at this juncture.

Senator HAGAN. Obviously, it's a critical position.

Let me talk about pivoting to the Pacific, as far as the military. In the fall of 2011, the administration outlined a long-term strategy for expanding our role in the Asia-Pacific region. There's been some speculation that this pivot would require a shift of some military assets from the east to the west coast.

Ms. James, from your understanding of the President's initiatives, do you believe that the Air Force will need to physically shift assets to support the strategy? Would such a shift perhaps leave us less ready to respond to contingencies outside of the Asia-Pacific region, or even in parts of the United States?

Ms. JAMES. On that latter point, I certainly hope not, and it would be part of my job to ensure that that was not the case. That is, in terms of leaving other parts of the world or other parts of the country at greater risk. I certainly would not wish to see that happen, and I would be an advocate to not let that happen.

In terms of the overall strategy of rebalance to the Pacific—of course, we're military witnesses, we talk about a great deal about the military programs, but it really is comprehensive—it's economic, it's diplomatic, it's military, it's all of that, that our Government would be focused on for that rebalance. I think that's a recognition of the importance of the Pacific, economically and from a threat perspective, and so forth.

We'll have to be looking at all of that, and I certainly will do that, on behalf of the Air Force, if confirmed.

Senator HAGAN. This committee's markup of the NDAA for Fiscal Year 2014 prohibits authorization of a future Base Realignment and Closure round until, at the very least, DOD completes and submits to Congress a formal review of the overseas military facilities

structure. The committee is signaling, and I firmly believe, that the Department does need to prioritize domestic military bases over foreign bases, especially when you look at the fiscally constrained environment that we're in.

Once again, Ms. James, and the last question for you, what are your thoughts on this issue? Do you agree that we should continue to take a hard look at our overseas military facilities before considering looking at similar actions back home?

Ms. JAMES. I do agree we need to take a very strong look at the overseas bases, and I believe that that review is ongoing. I'll have to look into the due date of that review, but that is happening.

With respect to the overall base-closure issue, I will say that I have been briefed and I do believe that there is excess capacity in all of the Military Services. I believe the Air Force has put that excess capacity at about 20 to 24 percent.

Senator HAGAN. Does that include overseas, or are you talking now just specifically on U.S. soil?

Ms. JAMES. I believe that is the entirety, U.S. Air Force bases worldwide. As you point out, the overseas piece is important, and that part is getting a very big scrub at this point.

But, I do believe it's part and parcel of our being able to reduce overhead functions, consolidate facilities, free up money so that we can plow that money back into other resources over time. I do think it is something that we need, and we need to reduce infrastructure as best as possible across the board.

Senator HAGAN. Tell me that number one more time, you said 24 percent?

Ms. JAMES. I believe it's between 20 and 24 percent excess capacity that the Air Force has talked about.

Senator HAGAN. Oh.

Secretary Wright, the Department of Defense and the defense industry are facing challenges seeking new graduates with advanced degrees in scientific and technical fields to help develop the complex military systems. Some of these challenges include a lack of interest in traditional defense sectors by our new graduates: Federal hiring issues, budget pressure, the length that typical defense programs take to execute, and then, obviously, the competition for talent with other, not only government agencies, but the corporate sector, too. If confirmed, what would you do to ensure that the Department of Defense has access to the best and the brightest future scientific and technical talent? How would you measure the effectiveness of these efforts?

Ms. WRIGHT. Ma'am, part of the issue that we're dealing right now is, with the budgetary constraints that we're under, we are under a hiring freeze. There is, in the Department, the ability to waive some of those very important positions, and some of them would fall in the categories that you just talked about.

It is our responsibility to screen the applicants, and it's our responsibility to kind of market the positions that we have to make sure that we get the best applicants to apply.

The Science, Technology, Engineering, and Math (STEM) program starts from the bottom up and works from the bottom up for people to realize how important science, technology, engineering, and math is. That's a program that I think is worth its weight in

gold as we continue to move people through the system, through graduate degrees and applications in to the Department of Defense.

Senator HAGAN. I think we can all understand that we're not doing enough in the STEM fields in our public education schools around the country now, and I think we have to have a greater emphasis, especially beginning in middle school. It seems we lose many of the young girls in middle school.

But, this is a critical problem, and, I think, from corporate America to the national security issues, that the individuals that we must have in DOD, that we really take a very keen and strong interest to be sure that we are competing worldwide for this talent. I know how important it is, from the national security aspect, that we do get the best and the brightest, and that we keep them. I think that's an issue that I know you'll be giving it a lot of study and action.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Hagan.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

I want to thank all of you for being here, and your families, for your service to our country, and for the important positions you're about to take on.

Ms. James, you and I had a chance to meet the other day and talk in person, and first of all, I want to reiterate what I told you, which is, I look forward to working with you on the basing of the KC–46A tanker at Pease Air Force Base. We're very proud of the work done by our 157th Refueling Unit. I look forward to being a partner with you on that. As we mentioned in our meeting, Senator Shaheen and I would love to have you up to New Hampshire to see that unit and also to see what is a great association between an Active Duty and a Guard unit, which I think, is a model for the country. Thank you, and I look forward to working with you on that.

I wanted to also follow up in the discussion we had—I know that Senator Blunt had asked you about the A–10s, and you said that there had not yet been a decision on A–10s. One of the concerns that I have is, I was given a slide, I believe, that came from Air Combat Command, that actually says that the A–10 fleet would be divested by fiscal year 2015, on this slide. Why that makes me concerned is that there already has been a decision made on the A–10. As you and I talked about in our meeting, the A–10 has a very important function, in terms of close air support. In fact, most recently in July, 60 soldiers were saved in Afghanistan because of the important close air support provided by the A–10.

I'm going to submit this article for the record. I hope that you will look at that.

[The information referred to follows:]

Bagram Pilots Save 60 Soldiers in Convoy Ambush

Aug 06, 2013

Air Force News| by Staff Sgt. Stephenie Wade



BAGRAM AIRFIELD, Afghanistan -- Two A-10 Thunderbolt II pilots assigned to the 74th Expeditionary Fighter Squadron, provided close-air support to 60 U.S. Soldiers July 24.

The Soldiers were part of a routine clearance patrol that was ambushed after their lead vehicle in a convoy of 12 turned over during a patrol of an Afghanistan highway. The situation forced the Soldiers to establish an overnight base while they pulled the vehicle out of a ravine. As the sun rose, the unit began to receive heavy fire from a nearby tree line. The members were pinned behind their vehicles and three of the Soldiers suffered injuries. The unit was under fire and the wounded members needed a casualty evacuation so they called for close-air support.

However, there was one problem; the ground unit didn't have a way to confirm the enemy's position. The unit did have a joint fire observer who was able to communicate an estimated location to the A-10 pilots who arrived on scene shortly after receiving the call from a local base's joint terminal air controller responsible for coordinating aerial engagements.

"I flew over to provide a show of force while my wingman was looking for gunfire below," said the flight lead of the two-ship A-10 mission. "Our goal with the show of force was to break the contact and let the enemy know we were there, but they didn't stop. I think that day the enemy knew they were going to die, so they pushed even harder and began moving closer to our ground forces."

When the enemy combatants didn't flee after the show of force, the A-10 pilots decided to deliver air-to-surface munitions to protect the friendly ground forces.

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"Even with all our (top-of-the-line) tools today, we still rely on visual references," said the lead pilot, who is on his first deployment from Moody Air Force Base, Ga. "Once we received general location of the enemy's position, I rolled in as lead aircraft and fired two rockets to mark the area with smoke. Then my wingman rolled in to shoot the enemy with his 30 millimeter rounds."

According to the pilots, that really stirred up the attacking force. The enemy moved even closer to the friendlies in an attempt to prevent the A-10 from attacking again. The ground forces were now taking on a large amount of fire from the trees and surrounding high terrain.

"We just kept putting down more 30 mm rounds," said the second A-10 pilot, also deployed from Moody AFB. "The bad guys were closing in and according to the muzzle flashes there were a lot of them, but because people were shooting all over the place, the JTAC didn't feel safe bringing in helicopters in to evacuate the wounded personnel."

The pilots said usually after the first or second pass, the enemy runs away, but this enemy force was large and willing to fight. The pilots continued to fire 30 mm rounds, but the enemy force refused to fall back. Now, the enemy force was close enough to engage the unit with grenades, so the convoy's commander approved the pilots to engage "danger-close." The term is meant to clearly communicate to the ground and air forces that the need for support is so grave the ground commander is willing to accept the potential risk to the friendly unit for the life-saving employment from the air.

"We train for this, but shooting danger-close is uncomfortable, because now the friendlies are at risk," the second A-10 pilot said. "We came in for a low-angle strafe, 75 feet above the enemy's position and used the 30-mm gun -- 50 meters parallel to ground forces -- ensuring our fire was accurate so we didn't hurt the friendlies.

The engagement lasted two hours that day, and in that time, the A-10s completed 15 gun passes, fired nearly all their 2,300, 30-mm rounds, and dropped three 500-pound bombs on the enemy force.

"That last gun runs must have made them give up," the two pilots agreed "because the firing stopped."

Shortly after the engagement was complete, an MC-12 aircraft specializing in intelligence, surveillance and reconnaissance arrived and began scanning the area for enemy forces that might be regrouping. Sometimes when close-air support leaves, enemy forces will attack again, so the A-10s remained on-station until all the Soldiers were safe.

"We wanted to make sure the area was safe because we had the pararescuemen from the 83rd Expeditionary Rescue Squadron coming to transport the injured to Bagram's hospital," said the second pilot. "The flight doctor assigned to our squadron treated the wounded in the emergency room. It was an example of a successful mission with contributions from all assets of our base."

After the pilots landed and debriefed, they went to the hospital to see the wounded Soldier.

"He was laying there and next to him was a picture of his high-school girlfriend," the lead pilot said. "We were glad knowing we helped get him home alive. He said, 'Thank you for shooting those bad guys'. Luckily we were only a few minutes away and all the friendlies made it out that day."

Providing close-air support is the squadron's main mission here, and is the specialty of the aircraft they fly, the A-10 Thunderbolt II nicknamed the "Warthog."

"This was one of the most intense sorties our squadron has come into contact with in the last four months in theater," the lead pilot said. "Afterward the Afghan National Army said they found 18 enemy dead, so I can only imagine how many were out there. This was close-air support and this is what we train for."

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Senator AYOTTE. I will ask you again: To your knowledge, has there been any decision made to divest the A–10? Because I'm not sure why these types of slides would be put out there by Air Combat Command if this decision hadn't already been made.

Ms. JAMES. Senator, first of all, I, too, look forward to visiting Pease and working with you on the base, the KC–46, and all of the other important issues that you and I talked about.

To the best of my knowledge, there is no decision on divesting A–10s or anything else, for that matter, because all of this is predecisional. However, it is my belief that planners and people who are looking at budget and possible scenarios are looking at options, and everything, including complete divestitures of aircraft fleet, these things are possibilities, they are on the table.

Senator AYOTTE. One of the issues that you and I talked about which I think is very important—I'm certainly a strong supporter of the F–35 and our fifth-generation fighter, but, until the F–35 is operational, we can't be giving up our capacity, particularly important capacity that protects our troops. What I would ask for you, as a nominee of this important position, will you agree to come and speak to Congress and brief us when the decisions are made, if there is a decision made to divest from the A–10 or any other airframe, so that we can weigh in on this important decision? Then we'll have the opportunity, of course, to ask you questions and for us to have a very important dialogue about this on all of the airframes.

Ms. JAMES. Yes, I will.

Senator AYOTTE. Thank you, I appreciate that.

I appreciated the meeting that we had, Mr. Klotz, in terms of the important positions that you've held for our country. One of the issues that is very important to me is the modernization of our nuclear deterrent. Certainly as part of the New Strategic Arms Reduction Treaty (START), many of the individuals—I wasn't here at the time—who agreed to endorse that treaty were very concerned about modernizing our nuclear deterrent.

In your position, when you're confirmed, will you be an advocate for making sure that we modernize our nuclear deterrent? How important do you believe that is, to make sure that we have a strong triad?

Mr. KLOTZ. Senator, I think it's absolutely essential that we modernize and extend the life and maintain the nuclear weapons that are currently in our arsenal for a triad of forces. We currently have the oldest stockpile, in terms of average age, that we've ever had as a Nation, and there needs to be scientific work and an awful lot of touch labor to ensure that those nuclear weapons that we retain are still fully safe, fully secure, and fully effective.

I will be an ardent champion for getting the resources, whether that's funding or people or facilities in our laboratories and in our plants, in order to carry out that most important mission, and hopefully will be persuasive with the administration and with the committees of Congress.

Senator AYOTTE. I appreciate that very much.

I also wanted to follow up, based on your prior experience in the important positions that you've held in the past that are so critical to our nuclear deterrent, you and I talked about this—there's been

some discussion of the potential for further reducing our nuclear deterrent. Certainly, the President has given some speeches that suggest that that may be a possibility. Would you recommend that we do that unilaterally?

Mr. KLOTZ. Senator, my view has always been, throughout my military career, that the best way to pursue any sort of arms control agreement is part of a negotiated treaty.

Senator AYOTTE. A treaty that would come before Congress so that Congress could weigh in on this important issue?

Mr. KLOTZ. Yes, Senator, a treaty that would come before the Senate for consent to ratification.

Senator AYOTTE. Absolutely. I appreciate that, and I think that's important, that we weigh in on it, but also that, if there's going to be any further efforts to reduce our nuclear arsenal, that certainly it not be done unilaterally, particularly with what we see happening right now around the world with some of the individuals and rogue actors who are also seeking to have their own nuclear capability. I appreciate that. You're taking on a very important position for the Nation. Thank you for your prior experience in this area, as well.

I want to thank all of you for being here.

Let me just reiterate, Mr. Lettre, that I very much look forward to the important work that I know that you are going to do in reviewing the security clearances. All of us on this committee are very troubled by what appears to be some significant lapses, in terms of a contractor getting access who had a fairly significant history of misconduct and other flags that worry us, in terms of the security clearances of our contractors and the safety of our personnel. I look forward to working with you on that, and this is a very important review that I know that you'll be a big part of. Thank you.

Mr. LETTRE. Thank you, Senator. I look forward to working with the committee on that.

Senator AYOTTE. Great.

Thank you all.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Donnelly.

Senator DONNELLY. Thank you, Mr. Chairman.

I want to give my sympathies, and that of everyone in Indiana, to the families and victims of those killed and injured at the Navy Yard. We owe a debt of gratitude to these patriots for their work on behalf of the United States and for sacrificing their lives in the service of our country.

To all the members of our panel, we want to thank you for the sacrifice you have made, and to your families for everything you have done for this Nation.

Secretary Wright, I thank you for taking the time for visiting with me earlier in this week to discuss the importance identifying servicemembers and veterans in need of mental health care. I have introduced the Jacob Saxton Military Suicide Prevention Act, and it seeks to improve identification of servicemembers at risk, and creates a career-long mental health history to help professionals provide the best possible care.

I just want to make sure of your commitment to work forward on this legislation, and to really dig deep in this area to make sure that we can end this scourge.

Ms. WRIGHT. Sir, you have my full commitment. It is not only the Department's job, but to work hand-in-glove with Congress and, truly, everyone. It's everyone's responsibility to work towards solving the suicide problem.

Senator DONNELLY. You've heard questions from my colleagues about the A–10s and about the Reserve Force. In fiscal year 2013, the Air Force submitted a budget in which 17 percent of the cuts came from the Active component, despite the fact that 67 percent of Air Force personnel is the Active component. We went through, in Indiana, as many of my colleagues have, a situation where we were providing services at 28 cents on the dollar, and were notified that there was going to be an effort to try to remove all of those services from what we were doing.

What we're looking for is, for want of a better way of putting it, a fair shake, that when a judgment is made, it is made on the numbers, it is made on who can provide the best service at the lowest cost. Obviously, I'm talking in reference to the Air Guard and others. I'm wondering what efforts you have undertaken and what you will do to ensure that DOD finds a balance between the Active Duty and the Air Guard.

Ms. WRIGHT. Sir, we are in on all the meetings that discuss the force structure as it relates to the budget and the balance and the mission prosecution that we have to do. Not only my office, but also the office that falls within my purview as in Reserve Affairs.

One of the other things that the Secretary has done is, he meets with the Council of Governors that represents the National Guard and, in turn, represents the Reserve components—the title 10 Reserve components within their State, and he has assured them that we will be transparent in what we decide to do, and he has personally met with them, and the Deputy has met with them, for the balance of the Reserve components, as it applies to the force structure and how we structure both the Reserve and the Active.

Senator DONNELLY. Ms. James, I'd like to hear your thoughts on this, as well.

Ms. JAMES. I certainly concur with what Ms. Wright just explained. I hope I, too, will get to meet with the Council of Governors. I think this kind of crosstalk is important, work with Members of Congress, and, very importantly, pull in the Guard, the Reserve, along with the Active, to include some of the adjutants general, so that we can put together a go-forward plan, which makes sense, both from the standpoint of the national mission that the Air Force has as well as responding when disaster strikes here at home. Both are very important.

Senator DONNELLY. I can tell you that, before, when this happened, it basically was just dropped in our laps and told us, "This is what's going to happen," and, "Good luck with it." Obviously, we were not willing to sit still for that kind of thing.

What I would like to also see, and I know my other colleagues have asked you this, as well, so you're going to have an active travel schedule, but we'd love to have you both come to Indiana and see the quality of the installations that we have so when you make

these judgments, that you're not just making it from a piece of paper, but you're making it from actual knowledge of what you're looking at.

Ms. WRIGHT. I would love to, sir.

Ms. JAMES. Me, too.

Senator DONNELLY. Thank you very much.

Mr.—and I apologize, I wasn't here at the start—"LaTray"?

Mr. LETTRE. "Leh'-truh," Senator.

Senator DONNELLY. "Leh'-truh," okay. I didn't know how French you are——[Laughter.]

Senator DONNELLY. Something of very significant concern to me is counterfeit microelectronics. A lot of work is done in our State, at Crane, on that. But, I think they're a troubling problem for the military supply chain. The committee has done a very comprehensive investigation of this, but one of the difficulties we face is in identifying manufacturing facilities or foundries that produce the counterfeit parts and then put them into the DOD supply chain. I'm wondering what efforts, that you can talk about here, that the Intelligence Community has taken to gather information on this, because one of our fighter planes is only as good as its worst part that is in the plane. I'd be interested in your comments on that.

Mr. LETTRE. Senator, the sourcing of counterfeit microelectronic parts and our intelligence assessments on that is not something I've had a chance to really dig deeply into. If confirmed, I would like to do so. I'm familiar with the committee's work on counterfeit parts over the last couple of years. It's been a serious contribution to shedding light on this important security risk. What I would like to do is continue the dialogue with the committee to make sure that we are putting the right capabilities to bear within the Intelligence Community to address this challenge.

Senator DONNELLY. Okay. Any efforts and emphasis you can put on this, I think, is critical to our national security.

Mr. Klotz, I was wondering what efforts you can talk to us about in regards to the partnering, for instance, that's undertaken at Crane between the Air Force and the Navy to reduce recapitalization costs as it modernizes strategic ballistic systems, working to make sure we have a stronger nuclear effort. How important do you think that is to be able to combine efforts, not only cost-saving, but also possibly having a stronger product, a stronger result, at the end of the day?

Mr. KLOTZ. Senator, I think that all options ought to be on the table, particularly as we begin the process of modernizing the warheads which are associated with both the Air Force and the Navy. I am aware that considerable work is already being done under the auspices of the Nuclear Weapons Council, which combines the efforts of both the Department of Defense and the Department of Energy and between the Air Force and the Navy, looking for ways in which they can achieve greater commonality and, in the process, perhaps make for more efficient use of our facilities and, at the same time, reduce costs of the life extension program.

I think this is an area which is ripe for a lot of work.

Senator DONNELLY. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you.

Just to follow up on the commitment you made, Mr. Lettre, to Senator Donnelly on the counterfeit parts. The law, as we wrote it, has certain requirements. First of all, it holds the contractors responsible for replacing parts. It can't be passed along to the Government to pay for those replacements. Second, we require that the parts have to be purchased from the original manufacturer. We're talking, here, about these microelectronic parts, but it applies broadly. You have to buy it from the original manufacturer or their certified suppliers and representatives or trusted vendors.

Now, there's an effort being made to weaken this provision. It has been, the provision that Senator Donnelly is referring to that we wrote into the law. We're going to need you to tell us, in the next—within a month after you're confirmed—as to whether or not those provisions in our law to address this issue are being implemented. As part of your response to Senator Donnelly's question for the record, we'd appreciate that.

Mr. LETTRE. Yes, Mr. Chairman, I will.

Chairman LEVIN. Senator Lee.

Senator LEE. Thank you very much, Mr. Chairman.

Thanks, to all of you, for being here today.

Ms. James, why don't we start with you. Thank you, first of all, for stopping by my office earlier this week. I enjoyed our visit a great deal.

I want to follow up on some of the conversations that we had. First, let's talk about the F–35 for a minute. I think the acquisition of this system, of this aircraft, is really important for the Nation's security and for the Air Force. I know that I and a lot of other people are looking forward to seeing it roll out. It has, of course, been a project that has been plagued with a lot of cost overruns and schedule delays. These things do happen, especially with a big long-term project, a very complex weapon system like this one. But, I'm really afraid that it could threaten the program, especially during a time like this, where we're dealing with a lot of really thorny budgetary issues. Those things tend to make everything much worse in this kind of economic climate than they might otherwise.

Can you just give me your assessment of where we are with this program, and what you could do, if confirmed, to make sure that everything proceeds as smoothly as possible within the cost parameters and the timeframes contemplated?

Ms. JAMES. Senator, this is, of course, one of the top three most important modernization programs that the U.S. Air Force has today. It's critical that we maintain the air superiority and the capability that we have had for the last 50 years. This particular program is an integral part of all of that.

First of all, one thing I'll do, if confirmed, is, I'll continue to advocate for this program, the importance of it, and be a spokesman for the fact that the threats out there are real and that we need this program to help us counter those threats.

As far as the cost growth, the schedule slips and whatnot, I agree with you, it's been a long time, it's an enormously expensive program, and we owe the taxpayers our very best.

What I know so far about recent times with this program is that things are trending in the right direction. That is to say that the program manager, General Bogdan, has reported that the costs are

coming down. Can more be done? I hope so. I don't know yet. But, it's at least trending in the right direction. We're starting to come up on some important, I'll call it, "developmental decisions," I think, particularly software. There's a software decision that will have to be made soon. Software is critically important. It can make or break a program. Ensuring that that is done correctly is another important facet.

If confirmed, in addition to advocating for this program, I will do my best, from my perspective as the Secretary of the Air Force, to work with the Under Secretary for Acquisition, Technology, and Logistics, to work with the program manager of the program, and with the Secretary of Defense, to make sure that we give value back to the taxpayer, that we watch those costs, that we birddog it every single day, have dialogue with industry—that's another important thing that's been happening lately—so that industry takes on its fair share of the risk, going forward.

Senator LEE. Thank you. Following up on that, with the F–35—we talked a little bit the other day about the F–35 basing decision; specifically, the record of decision pertaining to basing of the F–35 OPS–1. As I mentioned the other day, I was disappointed in the multiple delays in the decision. I was told, in January, that we would have a decision by March. Then I was told, a month or 2 after that, that we would have a decision either sometime this summer or, at the latest, I was told, by October. Recently, there was some indication that it might not happen in October.

I was encouraged to hear General Welsh state, yesterday, that we can still expect a decision sometime this fall. It still makes me a little bit nervous. There's still a fair amount of wiggle room in that.

Can you just tell me, as best you understand of the situation, what the reason is for the multiple delays and when, specifically, you anticipate the record of decision might be announced?

Ms. JAMES. I, too, Senator, believe that it is the fall, so that's October-November timeframe, I would say. That's based on my best understanding.

I don't know why there have been so many delays, other than, of course, it is a complex decision, there's input from a variety of sources, a lot of data has to be reviewed. But, I know it's been a frustration, and I hope it won't be too much longer.

Senator LEE. Okay. Thank you. Given your experience both within Government and outside of government, this does have all kinds of ramifications, especially for the warfighter community, as a result of the uncertainty all of this creates. I'm also worried about all of the related decisions, the military construction actions that have to be taken, all of which turn on the record of decision issuing, with regard to the basing decision.

My time's running short. Let's turn to General Klotz. Thank you, as well, for coming by my office recently. I enjoyed my visit with you, as well, General.

Congress continues to have some serious concerns with regard to cost growth and delays, as well as planning issues, at the NNSA. I assume you're familiar with the recent Government Accountability Office report that said that the NNSA has $16 billion in cost overruns across 10 major projects, and that that could result in a

combined 38-year backlog. I assume you don't intend to be in this job for 38 years. But, a Member of Congress should never accuse an agency of doing that, because, by some measures, we're more like 1,000 or 1,500 years behind what we need to do in Congress. I just want to ask: If confirmed, how will you address some of these issues related to backlog and cost overrun?

Mr. KLOTZ. Senator, I, too, have read a number of different reports that have been written over the past 10–12 years that have taken to task the NNSA for shortcomings in program management, cost estimation, and large capital construction. I've been encouraged, as I have been preparing for the possibility of being confirmed, to learn that some significant steps have been taken in the past year or so, and since Secretary Moniz has been confirmed and entered into office as the Secretary of Energy, that are designed to enhance the internal skills of the NNSA to do cost estimation and program management, to include bringing in a lot of people who have had experience in the past with large capital construction, say, in the Navy or with the Corps of Engineers, into its own workforce.

There have also been efforts to work more closely with the Department of Defense, particularly in the area of cost estimation, to share best practices and to get an independent review of what the NNSA is anticipating will be the case with costs and as well as the scope of what the Department of Defense expects, in terms of its own requirements and the requirements of our military.

My objective will be to continue this process that has begun, to drill down even further into the processes by which we do cost estimation, project managing, and capital construction, to ensure that all alternatives are laid out and carefully vetted, and that we hold both Federal employees and contractors responsible and ensure that there are clear lines of authority and responsibility for them doing their task.

Senator LEE. Thank you very much. Thanks, to all of you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Lee.

Senator King.

Senator KING. Thank you, Mr. Chairman.

I'd like to address a general question to—I guess it would be the right side of the panel: Ms. Wright, Ms. James, and Mr. Klotz.

Is the budgetary chaos around here threatening the national security of the United States?

Ms. James?

Ms. JAMES. I think it's a very, very serious concern. If I may echo something I said earlier, it is extremely time-consuming and unsettling to be executing the way that we are executing. We're not making as good a judgments as we otherwise could if we had a fixed number to work with and the flexibility to implement. That's number one: execution is not what it could or should be.

Then, trying to plan for the future is incredibly difficult and enormously time-consuming when you are trying to plan for different scenarios.

To get beyond this point, to come to an agreement for the entirety of our Government, which I would hope could lift sequestration, give each of our Departments a new number—I'll speak for

the Air Force; I hope to be able to speak for the Air Force—we would like to know what we are really executing for and planning for, and have a greater degree of certainty than what has been the case.

Senator KING. Ms. Wright?

Ms. WRIGHT. Yes, sir, I will add to what Ms. James has said. Frankly, yesterday, the Service Chiefs testified, and, really, what they said was that they all voiced their grave concern over the readiness of our force, based upon the sequestration, the potential Continuing Resolution (CR), and the budget, that we——

Senator KING. Does that make the answer to my question "yes"?

Ms. WRIGHT. Yes, sir, it does. We clearly focus on those individuals that we are sending into harm's way. We make sure they're trained, we make sure they're the best-equipped, and that they have what they need. But, we have a very unready force, because of the sequestration that we have just gone through, and because of the potential sequestration and the CR in 2014.

Senator KING. "An unready force" is a term that should strike fear into everyone that is listening to us today and everyone in this enterprise around here. "An unready force."

Ms. WRIGHT. Yes, sir. Readiness is just not training; readiness is equipment modernization, readiness is equipment repair, readiness is collective and individual training, readiness is personnel risk reduction—the suicides, the family programs. That whole ball of readiness is affected because of the uncertainty of the budget.

Senator KING. Lack of readiness, lack of training, lack of all those things that you just listed, put American lives at risk, do they not?

Ms. WRIGHT. I would agree. Yes, sir.

Senator KING. General Klotz, you've been in this business for a long time. Have you ever seen anything like what we're in right now?

Mr. KLOTZ. No, Senator, I don't believe I have, except perhaps for the immediate years after the end of the Vietnam war, when there was a significant drawdown; there was a lot of pressure.

I would concur with what my two colleagues said. I also think there is an important personal dimension to that; and that is, the civilian employees of the Department of Defense, who are stalwart patriots and have given, in many cases, their entire adult lives to serving our Nation through service as civilian employees. To the extent that they were adversely affected, both in terms of the number of days they had to take furlough, but, more importantly, the hit that they took in terms of their morale and sense of importance to the mission, I think is something that we ought to bend over backwards never to repeat again, and to continuously remind them of the extraordinary contribution that they and their families make to the Department of Defense and to our national security.

Senator KING. Would you concur that the current chaos threatens national security?

Mr. KLOTZ. It certainly makes it extraordinarily difficult for those people who are responsible for carrying it out to do the work that they need to do, whether it's operations and maintenance day-to-day on a flight line, or whether it's developing the plans and pro-

grams that are going to position our Services and the NNSA for contributing to the national security in the future.

Senator KING. I think, Ms. James, you said something very important, and that is, it's not only the number, it's the uncertainty; it's the not knowing what the number is. I used to be in business. If we know what the rules are, you can manage to those rules. If the rules are unclear or change or uncertain, that's as much of a problem as whatever the number turns out to be.

Ms. JAMES. Absolutely, Senator. In direct answer to your question, I think this current uncertainty and, as you said, chaos does threaten our national security, because, again, I will say what I believe about the Air Force. We have the best air force in the world, and I have complete confidence in them that they will step up to the plate and do whatever we ask of them. But, in situations where you have not been able to put the resources into readiness that otherwise should have been put, it means that there's increased risk.

Senator KING. I think what's going on around here is an insult to the word "chaos". Chaos is too mild a term.

Ms. Wright, one quick, not really a question, but a suggestion. A lot of effort is put into recruiting people into the armed services; not as much effort, in my judgment, is put into helping them get out. We have a huge problem, in Maine and across the country, of veterans who are unable to navigate the system, the kind of outplacement counseling, if you will, that would be equivalent to the recruiting. I hope you'll pay some attention to that. I know that there are programs, but I think that's a place where we can improve, because the system is complex. A young man or young woman leaves the Service at the age of 22 or 23, how to navigate that and the interplay with the Veterans Administration, I hope is something you'll pay some close attention to.

Ms. WRIGHT. Sir, may I answer?

Senator KING. Yes, ma'am.

Ms. WRIGHT. We've worked diligently on it, and I agree with you, that is something that we really needed to do. We have 206 transition sites across the Nation where servicemembers are required to go through a Transition Assistance Program. As they go through that program, we have married up with the Department of Labor and Department of Veterans Affairs (VA), to the point where we make the servicemembers fill out—it's mandatory that they fill out a financial sheet so we know what their finances will be when they transition, we know if they have an education, we know if they have a job lined up. If they are in that at-risk category of not having those things that would create a livelihood, the Veterans Affairs community does a warm handoff.

The example of that is, if they get out at Fort Hood, but they're going back to Maine, we do a warm handoff to the veterans community that is in Maine, so they can get the benefits that they have worked hard for and that they deserve.

We have started this program, and we are in the process of making very positive changes, and have, now, some classes that will be effective, 1 October, for them to be involved with, should they need to learn how to write a resume, should they need to get a job. Again, sir, we're doing it with the Department of Labor and VA.

Senator KING. Excellent, thank you very much.

I know I'm out of time, Mr. Chairman. I'd like to submit a question for the record to Mr. Lettre involving better coordination between the military intelligence and the rest of the Intelligence Community. We're spending $75 billion in 2012 on intelligence, over $20 billion in the military, over $50 billion in the rest of the Intelligence Community. I would hope that there will be opportunities for working together, cooperation, coordination, and maybe saving a little of that money.

I'll submit the question for the record.

Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator King.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

I thank the witnesses.

Ms. James, I share your concern, and that of the other witnesses, about the chaos that my friend and colleague from Maine just pointed out. It makes it a little harder for me to make that argument when the F–35 is now the first trillion-dollar weapon system in history, a consistent series of cost overruns that have made it worse than a disgrace. It's hard for me, when a aircraft carrier, the USS *Gerald R. Ford*, is $2 billion over the estimated cost, and no end in sight.

I keep hearing that we have reduced the F–35, and the next batch we have will have significant controls. It's still one of the great national scandals that we have ever had, as far as the expenditure of taxpayers' dollars are concerned.

I hope that you will stay on top of these cost overruns. They're throughout the Services, and I can tell you, my constituents, when they hear about the fact that the F–35 has consistently, over many years, exceeded any cost estimate that was ever begun, it's a little hard for me to get the kind of support and concern that the Senator from Maine and I share. It is still not under control.

I'm sure you know, we still have not had an audit of the Department of Defense. Yet, time after time, we mandate it here in our Defense authorizations bills, and yet, that audit is never able to be completed. The American people at least deserve an audit of what the U.S. military is doing.

Now, I want to say, one of your major tasks, as has probably already been mentioned in the hearing—I'm sorry I had to bounce back and forth—is the whole issue of sexual assaults. Can this committee have confidence that this is one of your highest priorities and that you can come to this committee and present to all of us a plan and a policy that will put this issue on a sharp decline and lead to a renewed confidence in the American people that young women who join the U.S. Air Force will have confidence that they will not be subject to a sexual assault?

Ms. JAMES. This will be one of my top priorities. I intend to work on it very, very hard, and I absolutely welcome the opportunity for that.

Senator MCCAIN. Got any ideas?

Ms. JAMES. One I put forth, and the Chairman says that you all are actively considering it, and that is to hold commanders more accountable, to include in their performance assessments a meas-

ure of the climate within their unit and how well they're doing. Because, sir, being a commander, it's not an entitlement, it's an honor and a privilege; and if they're not living up to the measure, they need to go. That is an idea that the DACOWITS has put forth, and I'm a member of that DACOWITS, so I offered that up as one suggestion.

Senator MCCAIN. Thank you. There was a time in the military where we had severe racial problems, and we embarked on a very long and exhaustive period of indoctrination of the men and women who were serving in the military. Not only that, that if there was racism exhibited, the punishment was swift and sure. That has to be part of any program that you will propose in order to cure this terrible situation which dishonors all of us.

Ms. JAMES. I absolutely agree with you.

Senator MCCAIN. Secretary Wright, in 2010, then-Defense Secretary Robert Gates said the Pentagon needed to cut staff sizes. He made this part of his efficiency initiatives. That was August 9, 2010. In 2010, the Joint Staff was 1,286 people. That was in 2010. Now we have 4,244 in 2012, a 230-percent increase. Now Secretary Hagel, I understand, is ordering a 20-percent cut in uniform and civilian personnel, officers on military command staffs. Now, where's the credibility, here, Secretary Wright?

Ms. WRIGHT. Sir, I will tell you that Secretary Hagel was very serious about cutting 20 percent of his force.

Senator MCCAIN. What's your plan?

Ms. WRIGHT. What is my personal plan for personnel and readiness?

Senator MCCAIN. What will be your plan—not your personal plan—what will be the plan that will be implemented by the Department of Defense to achieve the 20-percent cut that Secretary Hagel is advocating?

Ms. WRIGHT. Each one in the Department has the responsibility to turn in to the Deputy Secretary, Secretary Carter, an understanding and specific methods of where we are cutting. The cut comes from dollars, so we have a dollar account, it will be cut 20 percent, and we will match full-time equivalents, we will match military to that cut, by name, of positions that we will cut that will equal 20 percent. In our other items, in our travel account, in our other accounts——

Senator MCCAIN. What would be the time target for when this 20-percent cut would be completed?

Ms. WRIGHT. Sir, I have to give Secretary Carter, by the end of the month, this 20-percent cut. I believe the 20-percent cut will go into effect 2015 to 2019.

Senator MCCAIN. We can plan on this taking until 2019 to enact a 20-percent cut in a increase that is a 230-percent increase between 2010 and 2012?

Ms. WRIGHT. Sir, I would like to get back to you on the specific timeline. I don't want to say something that is incorrect, so I will make sure——

Senator MCCAIN. You're waiting until 2019 before completing a 20-percent cut. That is totally unsatisfactory, Madam Secretary. What I would like to hear from you is a plan and a date certain for when this plan would be executed. If there's skepticism on the

part of members of this committee, it goes back to 2010, when the Secretary of Defense said that there would be a 20-percent cut; in fact, we have had a dramatic increase. The Joint Staff is just one small example. I can show you—U.S. Africa Command, 15-percent increase; U.S. Central Command, 19-percent increase; the Office of the Secretary of Defense, 9.5. Not a single decrease has taken place in any of the major commands. One of the great charades, of course, was when the Joint Forces Command in Norfolk was closed; they just shifted everybody over to another command. That wasn't reduction in staffs, that was a movement in staffs.

I would appreciate it if you would submit to this committee a plan that we can count on that doesn't take until 2019 to implement.

Ms. WRIGHT. Yes, sir, I understand.

[The information referred to follows:]

The Secretary of Defense recently directed a 20 percent reduction in funding for certain headquarters (HQ) activities (Office of the Secretary of Defense, Joint Staff, Service Secretariats, and military staffs, and most 3/4-star commands). This HQ reduction is to be taken in addition to civilian reductions already reflected in the fiscal year 2014 President's budget. This 20 percent HQ reduction will be implemented beginning in fiscal year 2015 and completed by fiscal year 2019; it will be reflected in the Department's submission to the fiscal year 2015 President's budget.

Senator MCCAIN. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator Vitter.

Senator VITTER. Thank you, Mr. Chairman.

Thanks to all of the nominees, for your commitment to service.

Ms. James, I have a question for you. A lot of us are very concerned about what, in our opinion, is political correctness run amuck on steroids, quashing legitimate exercise and expression of religion in the military. Things like: not quashing active proselytizing, but telling somebody they can't have a Bible on their desk; that's a documented case. Telling a Christian chaplain he can't end a prayer, "In Jesus' name": that's a documented case.

Do you think these sort of issues are a problem? If so, what would you do about it?

Ms. JAMES. Senator, actually, Senator Lee talked to me about this, as well.

Senator VITTER. I apologize. I wasn't here.

Ms. JAMES. No, no, I mean in the office call.

Senator VITTER. Yes.

Ms. JAMES. I've heard about this in the last few days. Here's what I know. I have actually read the policy of the Department of Defense, and I know what that policy says. It says that the open ability to worship, there shall be freedom of all religions, as long as within good order and discipline. I know that the chaplains, the whole point that they put forth is that there shall be dignity and respect for everyone in the force.

He mentioned the same point that you mentioned—I'm not familiar with those cases. Of course, it's a question of—you have a policy, the policy seems good, to me, but then you have some people who don't follow the policy. These individual cases, we'll have to look into.

Senator VITTER. To take my two examples, let's say they're hypotheticals, not specific cases. Do you think those actions should be barred in the military?

Ms. JAMES. Having a Bible on your desk? That doesn't seem like it should be barred, to me, no.

Senator VITTER. A Christian chaplain ending a prayer, "In Christ's name"?

Ms. JAMES. It does not seem bad, to me, and if you'll allow me to consult with the Chaplaincy Corps to find out if there is some reason I'm not thinking about—but, no, it certainly does not trouble me.

Senator VITTER. Okay. We're going to give you about 42 specific examples as a followup, and I'd really urge you to look into these, because many of us, a majority on this committee, according to a vote we had recently, think this is a real issue. Thank you.

Mr. Klotz, I just have a couple of questions for you. I appreciate your experience with Global Strike Command, and I think that's very valuable. I am concerned that DOD may be weighing some major realignment and the possible restructuring of smaller commands, like Global Strike. Have you seen anything to indicate that current or future threats would not require the benefits of a strong Global Strike Command?

Mr. KLOTZ. Senator, I have to admit a fair degree of bias on this issue, as one of the individuals who helped stand up that command, and had the great privilege and honor of being the first commander. The reason we stood up the command in the first place was, at the end of the Cold War, we had divested responsibility for the Air Force's nuclear delivery systems between two different commands, commands which had an extraordinary workload and were not able to provide dedicated, focused attention to the nuclear enterprise. As a result of that, we lost focus.

As I indicated earlier, we're going to have nuclear weapons for a very long time. They must be safe, secure, and effective, and it requires focused, dedicated leadership to ensuring that is being done. That is the role of Air Force Global Strike Command.

Senator VITTER. Great, thank you.

Also, as part of the discussions about the New START treaty, the President made a very specific commitment to modernize or replace our strategic triad, and a specific dollar commitment. Unfortunately, that dollar commitment has not come close to being met, where he, in his proposals, is at least a third short. Is that a problem for our nuclear structure?

Mr. KLOTZ. If confirmed, Senator, my role will be to be the principal advocate for taking those steps that are necessary to ensure that the stockpile that we have is, as I said, safe, secure, and effective, and that we're taking all the steps, in terms of modernizing and extending the life of the nuclear weapons that we currently have.

I will certainly be a champion for every dollar, every person, every capability with a facility to make that happen, and hopefully, as I said earlier, will be persuasive with other agencies of the administration, as well as with committees of Congress, in making that case.

Senator VITTER. Great. Again, just for the record, I want to underscore—this was a clear commitment made as part of the New START treaty passage through the Senate discussions, and it just hasn't been kept. There are no big surprises. Everybody who was part of that discussion knew the budget climate. That isn't something that came up in the last 6 months; everybody knew it was a tough budget climate. But, the commitment was made for these dollars for modernization, which is essential to keep the nuclear arms we do retain safe and effective as a deterrent. We're 34 percent short of that. That really, really concerns me. I urge you to help rectify that.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Vitter.

On one of the questions which Senator Vitter raised about the allegation that somebody was not allowed to have a Bible on their desk, we've tried to get that information, and it's important that it be found so that it can be corrected if it's accurate. Ms. James, as part of your commitment to Senator Vitter, I hope that, on that one, in particular, you would see if you can identify the event and see what action was taken to correct it, because we've had difficulty confirming it. That doesn't mean it didn't happen; our staff has been unable to get that done.

In terms of the reference to, in a prayer, I think, depending on where a prayer is made—if it's made to a general audience, it could be a different responsibility on a chaplain than if it's made to an audience of his own religion, for instance. But, this is a very sensitive area, because we want to protect freedom of religion for chaplains and for our troops, but we also want to protect the freedom of religion for people who are listening to chaplains.

Ms. JAMES. Right.

Chairman LEVIN. It's a very serious subject which has been raised, and it's deserving of all of our attentions. It's gotten a lot of attention from some of us. Hopefully you'll look into the issue that Senator Vitter has raised in his—I think he said there'll be—what?—40 examples or 42 examples. If you'll get back to the full committee on what you find in that regard, we would appreciate it.

Ms. JAMES. I absolutely will, Senator.

Senator Vitter, if you have a specific example, please, give it to me, and I will ask the Air Force, as well, for information.

With respect to the other point, Senator, I totally agree with you that something that may or may not be troubling to me, personally, may be to others, and the idea of dignity and respect for all religions, to include those who have no religion at all, it's all equally important. I agree with you very much.

Chairman LEVIN. Thank you.

[The information referred to follows:]

While I am unfamiliar with the specific cases you have cited, to my knowledge there is no Air Force Instruction or policy prohibiting military members from displaying a Bible on their desk. Additionally, for Federal employees, the U.S. Equal Opportunity Commission Compliance Manual explicitly allows for the display of religious texts for use during breaks. By itself, this act would not be considered religious harassment and would not create an impermissible or hostile work environment. With regard to public prayer, I do not have a problem with chaplains ending prayer's with "in Jesus' name" and I understand chaplains are trained to respect others while leading prayer. If confirmed, I will work with the Chaplain Corps re-

garding these issues to ensure all Air Force members are abiding by and are afforded freedom of religion under all applicable laws, regulations, and policies.

Chairman LEVIN. Now, you've been asked about force structure of the Air Force and the problem which occurred here when there was just a proposal that was dropped on us and the rest of the country on the restructuring and on force structure changes. We've been hearing the Air Force from time to time, or at least members, say that this was a "messaging problem," and that a better rollout strategy would have avoided the problems that they had in presenting or selling their proposals.

Now, this was not a problem of messaging, it was a problem with the substance of the Air Force decision in addition to the problem with the process, the decisionmaking process, where most of the stakeholders are just left out of the decisionmaking process.

You've indicated that you're going to take steps to restore confidence within Congress about the quality of Air Force decisions and decisionmaking process. I just want to add my voice to that issue, because it had a huge effect, I think, on almost all of our States, the way it was done and the substance of what was done.

Now, there's a national commission on the structure of the Air Force. A report is due in February 2014. Would you let us know, as soon as you're confirmed, which we hope will be prompt for you and all of our nominees today, whether or not, in your judgment, that date is going to be met? I'm not asking for you now; I'm saying, after you're confirmed, if you would let us know that.

Do you have a question, Senator Vitter? Senator King?

Secretary Wright, just a question on the Integrated Disability Evaluation System (IDES) and the transition of wounded warriors. We, in our wounded warrior legislation, really took some major steps to integrate the DOD and the VA disability systems. The processing time under the integrated program was established in order to reduce the processing time, but also to get the right standard applied, which would be the more liberal standard from the perspective of the veteran, in our judgment. That was the VA standard. We wanted that to be uniform between DOD and the VA.

There were some additional encouraging reports about processing time, but now our servicemembers and our veterans are mired in long VA disability rating and case disposition wait times, and the VA's portion of the system now appears to be overloaded.

Have you gotten into this, as Acting Secretary? What are you going to do to ensure that the collaboration between DOD and the VA takes place to achieve the objective of providing a timely transition of wounded, ill, and injured servicemembers? Not only that, but also the most favorable standard to our vets?

Ms. WRIGHT. Yes, sir, absolutely, I have gotten into it. We have about 33,000 members within the entire IDES, presently. The Army is our biggest customer. The Army had a large group of individuals going through IDES that they worked diligently to make sure that they got the benefit they deserved and also the medical treatment that they deserved. They processed them through the system of the Medical Evaluation Board and the Physical Evaluation Board. The next step after that is the VA, and the way the VA is set up, all Army records go to a Seattle site, where they are processed in the VA section of the IDES.

Yes, there is a backlog within the VA, and I will tell you, the VA is working diligently to work through this backlog. But, one of the things that we, DOD, has done to help the VA is, we have sent soldiers, at their request, up to the Seattle VA site. Now, the soldiers cannot process the disability claims, but they can work to do the administrative work that, if the claim adjusters were not doing the disability claims, they had to do all of the administrative work, too. What we have done is take that burden, if you will, off of the claim adjusters so they can focus in on the disability claims that the Army is sending to the Seattle site.

In addition, the VA has recognized that the Seattle site is overwhelmed and cannot necessarily handle all of them in a timely manner, so they are now sending these claims out to other sites that can adjudicate the claims on a quicker, faster timeframe for the individual that is getting out of the system.

Chairman LEVIN. Okay, thank you.

Senator King.

Senator KING. Just one quick fact you might pass on to the VA, in terms of their backlog. Eisenhower retook Europe in 9 months. I don't see any reason that this shouldn't be cleared up in 9 months.

Thank you.

Chairman LEVIN. Thank you, Senator King.

Now, Senator Gillibrand was here for a long time, but she had to leave. She's going to be submitting her questions for the record. A number of us will be submitting questions for the record. Whoever takes that opportunity, I think we should express the hope that they would get questions for the record in by, let's say, next Monday—close of business, Monday. If that doesn't work for somebody, let our staff know.

If there are no further questions, we want to thank our witnesses. We hope that the committee can take up your nominations very promptly and that you would all be promptly confirmed. That's always a chairman's dream. Let's hope it takes place.

Thanks to you, your families, and your friends who are all here today, and those who aren't here because they had to go to school. [Laughter.]

We'll stand adjourned.

[Whereupon, at 12:10 p.m., the committee adjourned.]

[Prepared questions submitted to Hon. Deborah Lee James by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and the chain of command by clearly delineating the combatant commanders' responsibilities and authorities and the role of the Chairman of the Joint Chiefs of Staff. These reforms have also vastly improved cooperation between the Services and the combatant commanders, among other things, in joint training and education and in the execution of military operations.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. I agree with the goals of these defense reforms; indeed they have yielded a demonstrated improvement in the joint warfighting capabilities of the U.S. military. I do not currently see the need for any modifications.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. None at this time.

Question. Do you believe that the role of the Service Chiefs under the Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

Answer. Yes.

Question. Do you see a need for any change in those roles, with regard to the resource allocation process or otherwise?

Answer. No.

RELATIONSHIPS

Question. Section 8013 of title 10, U.S.C., discusses the responsibilities and authority of the Secretary of the Air Force. Other sections of law and traditional practice, also establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Secretary of the Air Force to the following officials:

The Secretary of Defense.

Answer. The Secretary of Defense is responsible for all matters within the Department of Defense (DOD). The Secretary of the Air Force is subject to the authority, direction, and control of the Secretary of Defense. If confirmed, I look forward to working closely with the Secretary of Defense.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense assists the Secretary of Defense in carrying out his duties and responsibilities and performs those duties assigned by the Secretary of Defense or by law. If confirmed, I will work closely with the Deputy Secretary of Defense on all matters.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics.

Answer. The Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) is DOD's most senior acquisition official. If confirmed, I look forward to working with this official on all matters related to acquisition, technology, and logistics programs impacting the Department of the Air Force.

Question. Chief of Staff of the Air Force.

Answer. The Chief of Staff of the Air Force is subject to the authority, direction, and control of the Secretary of the Air Force, presides over the Air Staff, and is a principal advisor to the Secretary. In addition, as a member of the Joint Chiefs of Staff he is a military adviser to the President, the National Security Council, and the Secretary of Defense. The relationship between the Secretary and the Chief of Staff is extremely important. If confirmed, I would foster a close working relationship with the Chief of Staff to ensure that policies and resources are appropriate to meet the needs of the Air Force and respect his additional responsibilities as a member of the Joint Chiefs of Staff.

Question. The Under Secretary of the Air Force.

Answer. The Under Secretary of the Air Force is authorized, subject to the Secretary of the Air Force's direction and control, to act for and with the authority of the Secretary of the Air Force on all matters for which the Secretary is responsible; that is, to conduct the affairs of the Department of the Air Force.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman of the Joint Chiefs of Staff is the principal military adviser to the President, the National Security Council, and the Secretary of Defense. If confirmed, I will work closely with the Chairman through the Chief of Staff of the Air Force on all joint matters affecting the Air Force.

Question. The Combatant Commanders.

Answer. I will work with the Chief of Staff to ensure that the Air Force is properly organized, trained, and equipped to provide the capabilities the combatant commanders need to execute their missions. This goal can be achieved through forthright dialogue which I will encourage.

Question. The Chief of the National Guard Bureau.

Answer. The Chief of the National Guard Bureau is a member of the Joint Chiefs of Staff and in this capacity serves as a military advisor to the President, Secretary of Defense, National Security Council, and is the DOD's official channel of communication to the Governors and State Adjutants General on all matters pertaining to the National Guard. He is responsible for ensuring that Army and Air National Guard personnel are accessible, capable, and ready to protect the homeland and to provide combat resources to the Army and Air Force. If confirmed, I will work with the Chief of the National Guard Bureau to find ways for the Air Force to capitalize

on the talent available in the Reserve components in order to strengthen the Total Force.

Question. The Director the Air National Guard.

Answer. The Director of the Air National Guard serves as the principal advisor on guard matters to the Secretary of the Air Force and the Air Force Chief of Staff and is responsible for formulating, developing, and coordinating all policies, plans, and programs affecting more than 108,000 Guard members and civilians in more than 88 flying wings and 175 geographically separated units across 213 locations throughout the 50 States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands. If confirmed, I will work with the Director of the Air National Guard to find ways for the Air Force to capitalize on the talent available in the Reserve components in order to strengthen the Total Force.

Question. The Director of the Air Force Reserve.

Answer. The Chief of the Air Force Reserve serves as the principal advisor on Reserve matters to the Secretary of the Air Force and the Air Force Chief of Staff. As commander of Air Force Reserve Command, he has responsibility for the supervision of all U.S. Air Force Reserve units around the world. If confirmed, I look forward to working with the Chief of the Air Force Reserve in a continued effort to maximize the effectiveness and efficiency of the Total Force.

Question. The Assistant Secretary of the Air Force for Acquisition.

Answer. The Assistant Secretary of the Air Force for Acquisition is the Service Acquisition Executive (SAE) for the Air Force. However, the position is currently vacant and the former Secretary of the Air Force, Michael Donley, delegated SAE authority to the Principal Deputy, Assistant Secretary of the Air Force (Acquisition). If confirmed, I will work closely with the Principal Deputy on acquisition matters until the Assistant Secretary position is filled.

Question. The General Counsel of the Air Force.

Answer. The General Counsel is the chief legal officer and chief ethics official of the Department of the Air Force and serves as the senior legal advisor to Air Force leaders. He is responsible, on behalf of the Secretary of the Air Force, for the effective and efficient provision of legal services in the Air Force. If confirmed, I would look forward to developing a good working relationship with the General Counsel.

Question. The Judge Advocate General of the Air Force.

Answer. The Judge Advocate General (TJAG), per title 10 U.S.C. § 8037, is the legal advisor of the Secretary of the Air Force and of all officers and agencies of the Department of the Air Force. He is also responsible for directing judge advocates in the performance of their duties. If confirmed, I will endeavor to maintain the close working relationship the Secretary of the Air Force has historically enjoyed with the Judge Advocate General.

Question. The Superintendent of the U.S. Air Force Academy.

Answer. The Academy functions as a separate field operating agency, reporting through the Chief of Staff to the Secretary of the Air Force. If confirmed, I will work closely with the Superintendent to address issues faced by the Academy and to promote the Academy's sustained commitment to excellence and fulfillment of its mission to train and educate future Air Force leaders.

Question. The Director of the National Reconnaissance Office.

Answer. Under current organizational relationships, the Under Secretary of the Air Force is no longer dual-hatted as the Director, National Reconnaissance Office (NRO). However, a strong collaborative relationship between the Air Force and the NRO remains essential to facilitate continuing Air Force technical and personnel support for the NRO's mission. If confirmed, I would be dual hatted as the Executive Agent for Space and I would chair the Defense Space Council where I would have the responsibility of achieving unity of effort across the DOD space enterprise. I would use these and other forums to maintain a close relationship with the Director, NRO, to increase cooperation on space matters.

Question. The Director of National Intelligence.

Answer. It is also vital that a strong collaborative working relationship exist between the Air Force and the Director of National Intelligence. If confirmed, I will work with the Director of National Intelligence to foster that relationship, particularly in coordination of national security space matters.

DUTIES

Question. What is your understanding of the duties and functions of the Secretary of the Air Force?

Answer. Pursuant to title 10 U.S.C. § 8013 and subject to the authority, direction, and control of the Secretary of Defense, the Secretary of the Air Force is responsible for and has the authority necessary to conduct all affairs of the Department of the

Air Force. These functions include organizing, supplying, equipping, training, maintaining, and administering the Air Force.

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of Defense would prescribe for you?

Answer. If confirmed as the Secretary of the Air Force, I would expect the Secretary of Defense to assign duties to me consistent with the responsibilities outlined above.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Secretary of the Air Force?

Answer. Title 10 provides for two staffs in the same headquarters, a predominantly military Air Staff and a predominantly civilian Secretariat. My intention is that these two staffs will function effectively together as a single headquarters team supporting the needs of both the Chief of Staff and the Secretary, while protecting the Chief of Staff's independent advisory role as a member of the Joint Chiefs of Staff. I will foster close working relationships between the civilian and military staffs and work with them on matters within their areas of responsibility in order to more effectively lead and manage the Department of the Air Force.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. I have worked for more than 3 decades as a civilian in support of our military—from the executive branch, to Capitol Hill, to the world of think tanks, to the defense industry, and as a volunteer in some of the wonderful non-profits which help our military, veterans and their families in ways that government cannot.

Specifically, I served 17 years in the Government, first for the Department of the Army, followed by service on the House Armed Services Committee Staff, and then in the Pentagon as the Assistant Secretary of Defense for Reserve Affairs. Subsequently, I worked for 15 years in the private sector with United Technologies Corporation, the Business Executives for National Security and, Science Applications International Corporation (SAIC). Throughout this time, I served on boards as a volunteer with the USO, the Tragedy Assistance Program for Survivors, the Pentagon Federal Credit Union Foundation, and other military charities, as well as serving on the Defense Advisory Committee on Women in the Services (DACOWITS), an advisory body to the Secretary of Defense on matters affecting our women in uniform.

I am absolutely committed to keeping the U.S. Air Force the very best Air Force in the world.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the Secretary of the Air Force?

Answer. The top challenges for the next Secretary of the Air Force are near-term readiness and building the most capable, affordable Air Force for 2023. The Air Force must always be prepared to answer the Nation's call, and that means we need airmen with the right training and the right equipment that can complete the difficult tasks and missions they are asked to do when they are asked to do them. If confirmed, I will do everything in my power to ensure our Air Force is ready to take on near-term missions as well as build toward the challenges of the future.

The next Secretary of the Air Force will also face challenges with regard to strategy and execution in today's difficult fiscal reality. If confirmed, I will work to ensure Air Force strategy is focused on supporting the President's National Security Strategy, the Defense Strategic Guidance, and within budgets provided, I will work to ensure the ability to execute the strategy. At this time in our country's history—when airmen have been in the fight for more than 2 decades, as aging aircraft and other critical equipment have reached or will soon reach the point of needing modernization or replacement, and as Federal budget resources decline—program and budget decisions and tradeoffs cannot be avoided.

No matter what challenges confront us, our force must be confident that leaders are focused on taking care of our airmen and their families. If confirmed, my approach to decisionmaking will always keep an eye toward taking care of our airmen.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I will work with the Chief of Staff of the Air Force, the commanders of the Service's major commands, and the Headquarters Air Force staff to identify the most urgent readiness concerns in the short- , medium-, and long-term. We must address these concerns in tandem with a realistic assessment of the Service's ability to execute the defense strategy, coupled with a realistic assessment of

the current fiscal environment. We must take these issues into account during future program and budget planning.

Question. What do you consider to be the most serious problems in the performance of the functions of the Secretary of the Air Force?

Answer. I am impressed with the professionalism and expertise of the men and women who serve in the U.S. Air Force. If confirmed, I will gather data to understand priorities and work with leaders to determine solutions. Additionally, I will strive to foster an environment that encourages communication within the Air Force and DOD, across the interagency, and with the legislative branch. Good communication is an important part of any effort to addressing issues that affect our airmen and our Nation.

Question. If confirmed, what management actions and timelines would you establish to address these problems?

Answer. If confirmed, I will begin an extensive internal Air Force communication effort on my first day. From that point on, I will seek to establish a stronger communications foundation that builds on existing relationships with external stakeholders, including Congress, national security experts, and airpower advocates.

PRIORITIES

Question. If confirmed, what broad priorities will you establish?

Answer. If confirmed, I will focus on three broad priorities. First, I will be committed to taking care of people. This priority includes: recruiting and training a quality force; focusing on ending the blight of sexual assault in the Air Force; finding the right balance between the Active Duty, Reserve component, and civilian airmen who make up the Total Force; and taking care of airmen and military families.

Second, if confirmed, I will make it a priority to balance today's readiness with tomorrow's modernization needs, while supporting the requirements of combatant commanders. The nuclear enterprise will receive special attention as will increasing confidence in the acquisition process.

Third, if confirmed, I will work to ensure that the world's best Air Force is the most capable and at the lowest possible cost to the taxpayer.

READINESS LEVELS

Question. What is your assessment of the current readiness of the Air Force to execute its assigned missions?

Answer. It is my understanding that readiness has suffered, particularly under sequester. Reductions to the fiscal year 2014 President's budget would further harm readiness.

Question. How do you believe sequestration may have affected readiness?

Answer. I am aware the Air Force stood down 13 Active Duty combat squadron equivalents and 18 institutional squadrons in fiscal year 2013. I have been briefed that recovering the readiness levels of these units will take well into fiscal year 2014. The Air Force cancelled one of two Weapon Instructor Courses and curtailed or cancelled three of six Red Flag exercises. This advanced training is critical to gain and maintain readiness at the high-end of training requirements.

Curtailing and or cancelling this advanced training results in a readiness deficit "bathtub"—the Air Force cannot make up these events.

Question. Can the Air Force meet all combatant command requirements with its current readiness status?

Answer. Air Force leadership has said no, the Air Force cannot currently meet all combatant command requirements. Air Force leadership has also stated the Air Force can meet current combatant commander requirements only with the use of rotational forces. In doing so, the Air Force has few if any ready forces for emergent combatant command requirements.

Question. What do you view as the other major readiness challenges that will have to be addressed by the Air Force over the next 5 years, and, if confirmed, how will you approach all of these issues?

Answer. In addition to working toward a restoration of full spectrum training levels, the next 5 years will be critical for building the readiness and capabilities of tomorrow. Capability includes the requisite technology and weapons necessary to prevail in a highly-contested, anti-access/area-denial environment. If confirmed, I will focus on the critical and unique capabilities the Air Force provides to our Nation and the joint warfighters.

ANNUAL INCREASE IN RATES OF BASIC PAY BELOW THE EMPLOYMENT COST INDEX

Question. The Department has requested an across-the-board pay raise for 2014 for military personnel of 1 percent, versus a 1.8 percent rise in the Employment

Cost Index (ECI) benchmark, and has indicated that in order to restrain the growth of personnel costs, similar below-ECI pay raises may be necessary over the next several years.

What is your assessment of the impact a 1 percent pay raise would have on recruiting and retention in the Air Force for 2014? What would be the impact of a 1 percent pay raise in 2015 through 2017?

Answer. I believe military compensation is, and must remain, competitive to sustain the recruitment and retention of high caliber men and women to meet readiness requirements and accomplish the national security mission; however, in light of the current economic crisis and overall reductions in defense spending, the Air Force must look at balancing personnel costs to avoid reductions to force structure and modernization efforts critical to support the warfighter and national defense.

In the short term, I am hopeful that a 1 percent pay raise will have a negligible impact upon overall recruiting and retention. I believe that sustained pay raises below ECI warrant close monitoring of the force, given the expected improvements in the economy.

FORCE STRUCTURE CHANGES

Question. For fiscal year 2013, the Air Force proposed major changes in the force structure, with the cuts falling more heavily in the Air National Guard. These proposals were soundly rejected by Congress, based on both the content of the decisions and the way the decisions were made.

If you are confirmed as Secretary of the Air Force, what steps would you propose to take to restore confidence within Congress about the quality of the Air Force's decisions and decisionmaking process?

Answer. If confirmed, I will work closely with Congress on all issues relating to the Total Force. I believe the Air Force is committed to the Total Force (Active, Guard, Reserve) and, through efforts like the Total Force Task Force and a detailed, analytically rigorous Force Composition Analysis process, the Service will strengthen its decisionmaking in this area.

If confirmed, I plan to ensure that the decisionmaking process is highly collaborative and involves all key stakeholders from the Active component, the Air National Guard, and the Air Force Reserve. The components are key participants throughout the development, integration, and defense of the Air Force Program Objective Memorandum and implementation of the congressionally-approved budget. Additionally, a newly established consultative process involving DOD, Council of Governors, and individual States promises an even more enhanced, interactive relationship. Taken collectively, I believe these efforts will help the Air Force continue to improve the quality and transparency in its' decisionmaking process and will help restore Congress's confidence in the Air Force's firm commitment to the Total Force. Finally, I look forward to working with the National Commission on the Structure of the Air Force to provide a Total Force solution.

Question. If sequestration continues through 2018, what would be the impact, in your view, on the Active Duty and Reserve end strengths of the Air Force and how would the mix between the Active and Reserve Forces be affected?

Answer. I cannot make an assessment at this time on the future mix between Active and Reserve Forces, but if confirmed, I will work closely with Congress, State Governors, and the Reserve components to determine the right balance between Active and Reserve Forces to most efficiently satisfy force structure requirements. If sequestration continues, I would expect the end strength of both the Active Duty and the Reserve to decrease.

RESERVE DEPLOYMENT AND MOBILIZATION

Question. We understand that the Air Force may be implementing a policy of filling deployments assigned to Air Guard and Air Reserve units by ordering those units to Active Duty while specifically excluding the use of volunteers from outside those units.

What effect do you believe this policy will have on the ability of the Air Force Reserve and Air Guard to meet deployment commitments and fulfill combat missions?

Answer. I have been briefed that this new construct does not impact the ability of the Reserve component to meet their deployment commitments. If confirmed, I will dig more deeply in to this approach.

Question. Do you support assigning any support missions exclusively to the Reserve?

Answer. At this time I cannot definitively answer this question.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. In 2012, for the fourth year in a row, there were more than 3000 reported cases of sexual assault in the military, including 2558 unrestricted reports, and an additional 816 restricted reports. Moreover, a recent survey conducted by DOD indicates that the actual number of sexual offenses could be considerably higher, as 6.1 percent of Active Duty women and 1.2 percent of Active Duty men surveyed reported having experienced an incident of unwanted sexual contact in the previous 12 months. This survey has been criticized by some because its conclusions are extrapolated from an unscientific sample set and the questions asked in the survey were too imprecise. The Air Force recently addressed numerous allegations of sexual misconduct by Military Training Instructors at Basic Military Training at Joint Base San Antonio-Lackland. The Air Force addressed similar allegations of sexual misconduct at the Air Force Academy nearly a decade ago.

What is your assessment of the Air Force response to the allegations of sexual assault at Basic Military Training at Joint Base San Antonio-Lackland?

Answer. Sexual assault is an egregious and horrific crime wherever and whenever it occurs. The instances and allegations of sexual assault, unprofessional relationships, and other misconduct at Basic Military Training have been particularly troubling to me.

My assessment is that the Air Force acted aggressively to investigate, prosecute, punish perpetrators; and hold leaders accountable for the incidents at Lackland. Although we were able to take decisive action once senior leaders became aware of the crimes, I am concerned about that many victims did not feel comfortable reporting and there was a substantial delay in reporting many of the incidents at Lackland.

Over the past year, there appears to have been steady and positive progress. To the best of my knowledge, there has not been an allegation of recent Military Training Instructor sexual misconduct for more than 13 months. If confirmed, I look forward to working with Air Force leadership to ensure that Basic Military Training is a safe, secure environment and the most professionally executed training program in the world for Air Force trainees. I am committed to ensuring that the Air Force training environments foster a culture of respect where this behavior is not tolerated and victims are empowered to report any crime.

Question. What is your assessment of the Air Force's implementation of the Secretary's new policies?

Answer. It is my understanding of the Secretary's 6 May initiatives, the Air Force has implemented a legal advocacy program for victims, required that judge advocate general officers conduct pre-trial investigations and provide commanders the option to temporarily remove members accused of sexual assault from the unit. The Air Force is on track to complete the remaining three additional reforms in the next year. These include standardizing processes by which sexual assault allegations are elevated to a general or flag officer, ensure consistent standards prohibiting inappropriate conduct by trainers and recruiters, and submit to regular audits to ensure military investigations of sexual assault cases meet DOD-wide standards. I will work with the other Services and the Secretary of Defense to ensure we implement these coordinated efforts as soon as possible. One of these key reforms, the Special Victims Counsel program, was an Air Force program and illustrates the innovative and progressive efforts to enhance victim advocacy and protection. The Air Force established this as a pilot program in January 2013 and the 14 August Executive Action memo directed its adoption across DOD.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults have occurred?

Answer. In my view, the chain of command has, and should retain, ultimate responsibility for the morale, welfare, good order, discipline, and effectiveness of military units. In the past the chain of command has been effective in dealing with issues such as racial integration, drug use during the Vietnam war, and the "Don't Ask/Don't Tell" policy. We need to ensure they place the same focus and emphasis on sexual assault. The chain of command must be held directly responsible for the climate and behavior of their airmen and women. They must be given both the incentives and the tools to ensure a climate of respect permeates their command.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. I have not found sufficient evidence to support the proposal that removing commanders from the Uniform Code of Military Justice (UCMJ) process and replacing them with judge advocates outside the chain of command will improve the sexual assault response or accountability processes.

Judge advocates are already a huge part of the process. I have been briefed that in nearly every case in the last 3 years Air Force commanders agreed with their staff judge advocates' recommendations to send allegations of sexual assault to court-martial. Therefore, it does not appear that removing commanders from their UCMJ disposition role will result in a large increase in prosecutions.

Additionally, I do not believe we can solve the sexual assault problem by reducing commanders' authority to hold airmen accountable. The challenge we face regarding sexual assault in the military is complex and requires commanders be fully involved in its solution. Rather than remove commanders' authority to send airmen to a court-martial for committing sexual assault, I believe commanders must be held more accountable for failing to adequately respond to sexual assaults in their units or for failing to maintain a healthy unit climate necessary to safeguard against the rise of sexual assault. Commanders must be fostering an environment in which victims are encouraged to report any crimes and feel safeguarded from any risk of reprisal or career consequences.

Question. What is your view of the protections afforded to victims who are required to testify at Article 32, UCMJ, investigations that are required before charges can be referred to a General Court-Martial?

Answer. I am not satisfied. I have been disturbed by recent press reports from the Article 32 process in the Naval Academy sexual assault case and I feel the Article 32 process needs to be improved to ensure better protection of victims' rights.

I would note that one improvement to the Article 32 hearing process is already being undertaken. Secretary Hagel has directed that all Article 32 Investigating Officers for sexual assault charges must be judge advocates. This has long been the practice in the Air Force. I believe we could enhance the effectiveness of judge advocates by ensuring they receive better training specifically tailored to the host of challenging issues in sexual assault cases.

Question. What is your understanding of the resources and programs the Air Force has in place to provide victims of sexual assaults the medical, psychological, and legal help that they need?

Answer. As I learned about the programs the Air Force provides for victims of sexual assault, I was impressed with the whole-person concept employed for healing. The Air Force recognizes resiliency is built through having a strong physical, mental, spiritual, and social core. In response to both restricted and unrestricted reports, the Air Force provides physical, psychological, spiritual, legal, and social support to victims. This support continues until the victim feels stronger in the healing process and decides they no longer require those services. The Air Force recognizes healing is unique to every person and provides victims the necessary time and resources to recover. Air Force medical personnel, lawyers, sexual assault response coordinators (SARC) and victim advocates (VA) are dedicated to victim well-being and returning the victim to a healthy state. This care is provided both in garrison and deployed.

Question. What is your view of the steps the Air Force has taken to prevent additional sexual assaults? In your view, are these steps adequate?

Answer. I believe the Air Force is absolutely committed to fighting sexual assault in its ranks. It has a new directorate-level sexual assault prevention and response (SAPR) office led by a two-star general with a team of cross-functional dedicated experts and is dedicating other resources to attack this crime. If confirmed, a top priority for me will be to focus on institutionalizing the changes passed by Congress and ordered by Secretary Hagel as well as any new tools Congress gives along the way. I will:

- Make sure victims know it's not their fault—report if it happens
- Take care of victims with compassion and without retaliation
- Aggressively weed out, investigate and prosecute offenders
- Hold commanders more accountable for what goes on in their units
- Make clear there are consequences for individuals who engage in violence and disrespect of other airmen. We don't want them in the Air Force
- Work with DOD and Air Force leaders, Congress, and the Panel on Military Justice to review other ideas

The Air Force implemented the Special Victims Counsel program which has proven to be a benchmark for all of DOD. The Air Force implemented new administrative discharge provisions in July 2013, under which commanders must initiate involuntary administrative discharge processing for any airman, officer or enlisted, who commits sexual assault, sexual assault of a child, or attempts to commit these crimes. Additionally, an Air Force member who engages in an unprofessional relationship while serving in a special position of trust (i.e., recruiter, faculty member, or staff member) is specifically subject to administrative discharge for misconduct. The Air Force is currently developing a Basic Military Training Transition Program

which will reinforce Air Force core values and emphasizes appropriate behavior. The Air Force developed the bill of rights for all airmen, ensuring they understand how they should be treated and how to treat others. The National Organization of Victim Assistance provides credentialing for Air Force counselors. Its continuing education requirements ensure ongoing support from diverse civilian as well as military institutions which will give our SARC and victim advocates (VA) expanded resources to stay abreast of best practices emerging in prevention and care.

Question. What is your view of the adequacy of the training and resources the Air Force has in place to investigate and respond to allegations of sexual assault?

Answer. It is my understanding every Air Force Office of Special Investigation (AFOSI) special agent is trained and credentialed at the Federal Law Enforcement Training Center to handle myriad felony investigations, including sexual assaults. In addition, the Air Force added 24 civilian AFOSI sexual assault trained special agents at high threat installations and designated 9 senior trial counsels with advanced training to prosecute these cases. The Air Force developed training in fiscal year 2013 that JAGs now attend jointly with AFOSI. These training courses are the Sex Crimes Investigation Training Program at the Federal Law Enforcement Training Center and the Advanced Sexual Assault Litigation Course at the Air Force JAG School.

AFOSI and JAGs attend both courses, focusing on the investigation and prosecution stages.

Question. Do you consider the Air Force's current sexual assault policies and procedures, particularly those on confidential reporting, to be effective?

Answer. The policies are broad and appear comprehensive yet not enough victim's report—so more needs to be done to ensure victims understand that if a crime occurs, the Air Force will hold those responsible accountable for their crime. The Air Force also needs to make clear that it is never the victim's fault and that in addition to prosecution, the Air Force is committed to providing compassionate care for victims and protecting them against any risk of retaliation.

Question. What is your view of the adequacy of resources in the Air Force to investigate allegations of sexual misconduct and to hold perpetrators accountable for their actions?

Answer. I am aware the Air Force has dedicated additional resources over the last few years; if confirmed, I will make a more complete assessment of adequacy.

Question. What problems, if any, are you aware of in the manner in which the confidential reporting procedures have been put into effect?

Answer. Not enough victims report—this is obviously a problem. I will need to dig more deeply into "why", if I am confirmed. My experience says that victims fear they will not be believed, they feel ashamed and they may be worried that they will be ostracized or retaliated against by leadership and peers.

Question. What is your view of the appropriate role for senior military and civilian leaders in the Secretariat and the Air staff in overseeing the effectiveness of implementation of new policies relating to sexual assault?

Answer. Senior military and civilian leaders, beginning with the Secretariat and Air Staff, must focus on promoting an environment that does not tolerate sexual assault. Eliminating the stigma of reporting this crime is essential. Senior leaders must instill the belief that if an assault occurs, reporting is necessary and expected, whether unrestricted or restricted. Airmen need to believe their chain will support them through the legal and healing processes, while holding perpetrators appropriately accountable.

Currently, the Air Force's SAPR Council joins the most senior members from across the Service for monthly discussion of program initiatives, issues, and best practices. If confirmed, I will expect all leaders to be personally engaged in Sexual Assault Prevention and Response.

Question. Do you believe that sexual assault continues to be an underreported crime within the Department for the Air Force?

Answer. Sexual assault is likely a highly underreported violent crime in American society, and yes I believe it continues to be an underreported crime within the Air Force as well. The sexual assault prevalence survey performed by Gallup in 2010 also confirmed this view. The Air Force remains committed to improved reporting and will administer a follow-up prevalence survey this spring.

Question. If so, what are the barriers that discourage or prevent victims from coming forward?

Answer. Based on my experience from DACOWITS working groups and briefings, victims not wanting fellow airmen to know and victims not wanting their families to know are significant barriers to reporting. Victims may also fear for impact on their career if they report at about a fellow servicemember.

Question. If confirmed, what additional steps would you take to remove these barriers to reporting sexual assaults?

Answer. If confirmed, I will build on the core values of the Air Force by demanding an environment that identifies perpetrators and holds them appropriately accountable, a climate where victims feel empowered to come forward to report this crime.

Additionally, I believe commanders should be "graded" on their performance reports for the sexual assault reporting climate in their unit.

I think we can affect change; we have to stay on it each and every day. One of the greatest challenges will be helping airmen of all ranks assess personal roles in preventing this crime and understand how to improve decisionmaking. This will take time, but I will work closely with the Air Force team to focus on this complex issue.

AIR FORCE POLICIES REGARDING DRUG AND ALCOHOL ABUSE

Question. What is your understanding of the Air Force's policy with respect to disciplinary action and administrative separation of soldiers who have been determined to have used illegal drugs? Do you agree with this policy?

Answer. Air Force policy states that drug abuse is incompatible with Military Service and airmen who abuse drugs one or more times are subject to administrative separation for misconduct. In fact, administrative separation processing is mandatory for drug abuse unless a waiver is granted. This seems to be the appropriate policy to me. The Air Force recently adopted the same discharge policy for sexual assault, which I also believe will help deter and combat sexual assault in the Air Force.

Question. What is your understanding of the Air Force's policy with respect to rehabilitation and retention on active duty of soldiers who have been determined to have used illegal drugs or abused alcohol or prescription drugs? Do you agree with this policy?

Answer. It is my understanding that only in very limited circumstances does the Air Force retain airmen who we determine have used illegal drugs, including illegal use of prescription drugs. In order to be retained, airmen have the burden of proving that retention is warranted by meeting a number of criteria, to include such drug use was a departure from the airman's usual behavior and is not likely to recur, does not involve recurring incidents, and does not involve distribution.

I would like to ensure that the Air Force has a robust Alcohol and Drug Abuse Prevention and Treatment (ADAPT) Program. If confirmed, I look forward to reviewing this program to determine its adequacy.

Question. Do you believe that the Air Force has devoted sufficient resources to implementation of its rehabilitation policies and objectives since 2001? If not, in what ways?

Answer. I cannot say at this time, but look forward to reviewing this program, if confirmed.

SUICIDE PREVENTION

Question. The number of suicides in the total Air Force continues to be of concern to the committee.

If confirmed, what role would you play in shaping suicide prevention programs and policies for the Air Force, the Air National Guard, and the Air Force Reserve, to prevent suicides and increase the resiliency of airmen and their families?

Answer. I believe that effective suicide prevention programs start at the top and require engaged leaders and communities to be effective. If confirmed I will champion the Air Force's continuing efforts in building a strong wingman culture where leaders at every level establish a command climate where airmen know that they should seek help early, before problems become unmanageable.

Of the airmen lost to suicide over the last year, causes included relationship difficulties, legal and financial problems. These very personal factors highlight the need for continuing vigilance and an effective culture of airmen looking out for one another. When required, I will ensure that all of our airmen have access to the counseling and support services they need to help them through any difficult times.

If confirmed, I will work with Air Force and DOD leaders to ensure that we look for and adopt best practices in suicide prevention for all components of the Air Force, always emphasizing that concerned, engaged leaders and communities are the solution.

RELIGIOUS GUIDELINES

Question. In your view, do policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. I believe so. The policies are intended to protect both the free exercise of religion for all airmen and avoid the appearance of an official endorsement of any particular religion. Air Force policy presently communicates that all airmen have the freedom to choose to practice their particular religion or subscribe to no religious belief at all.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact good order and discipline?

Answer. This is certainly my understanding. Current law and policies allow for accommodation of individual airmen's expressions of belief so long as such expressions do not adversely impact good order and discipline.

Question. In your view, do existing policies and practices regarding public prayers offered by military chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious beliefs?

Answer. It is my understanding Air Force chaplains are well trained to provide prayers offered in pluralistic settings. This requires sensitivity to their audience which includes individuals from various religious traditions as well as those who profess no religious belief at all. The guidance provided by Air Force leaders also makes clear that supervisors respect each chaplains' right to adhere to the tenets of his or her faith and thus not require chaplains to participate in religious activities, including public prayer, which are inconsistent with their faith tradition.

FAMILY READINESS AND SUPPORT

Question. Military members and their families in both the Active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of concerns among military families as a result of the stress of deployments and the separations that go with them.

What do you consider to be the most important family readiness issues for Air Force personnel and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced?

Answer. I understand that a primary concern for airmen and their family members is their ability to do the mission and simultaneously support their families. Specific areas of concern include access to quality specialized child care and education. Also, for those transitioning to the civilian sector, military members are concerned about being prepared for employment and/or continuing their education. Families are concerned about the civilian spouse finding employment as they relocate from installation to installation. Finally, I believe the work/life balance is a major issue. If confirmed, I will ensure a thorough review of all available resources to support valuable family programs.

Question. How would you address these family readiness needs in light of global rebasing, deployments, and future reductions in end strength?

Answer. I understand the Airman and Family Readiness Centers serve as a resource hub for Air Force families prior-to, during, and following deployments. The deployment programs the Airman and Family Readiness Center have in place for the airmen and family members are crucial in supporting the Mission. If confirmed, I will seek input from a variety of sources including from family members themselves and will work to ensure the Air Force programs adequately support Air Force families.

Question. If confirmed, how would you ensure support is provided to Reserve component families related to mobilization, deployment and family readiness, as well as to Active Duty families who do not reside near a military installation?

Answer. The Air Force is a Total Force, and provides resources and support to all components through various Airman and Family and Child and Youth programs. Geographically separated servicemembers (and their families) have immediate access to many resources online that enable them to remain connected to their units and support services. I look forward to exploring the adequacy of existing programs in this area.

Question. If confirmed, what steps will you take to sustain Air Force family support, given current fiscal constraints?

Answer. If confirmed, I will work with the Chief of Staff and Chief Master Sergeant of the Air Force to engage Air Force families on the support they feel is most needed.

I will review current manpower and staffing for family programs and support programs that enhance Mission Readiness. I would like to see sufficient staffing and training for family readiness staff as we partner with community organizations to continue building support for airmen and their families.

MORALE, WELFARE, AND RECREATION

Question. Morale, Welfare, and Recreation (MWR) programs are critical to enhancement of military life for members and their families, especially in light of frequent and sometimes lengthy deployments. These programs must be relevant and attractive to all eligible users, including Active Duty and Reserve personnel, retirees, and families.

What challenges do you foresee in sustaining Air Force MWR programs, particularly in view of the current fiscal environment, and if confirmed, are there any improvements you would seek to achieve?

Answer. MWR programs help the Air Force to maintain ready, resilient airmen and families, and sustained reductions to these programs may negatively impact future readiness and unit cohesion. If confirmed, my goal would be to determine how best to provide the most critical family and MWR programs and base-level support services possible in today's budget-constrained environment.

Regardless of constrained budgets, I am committed to supporting our airmen and their families and will make adjustments based on available funding in an effort to focus our resources where they are needed most.

MANAGEMENT AND DEVELOPMENT OF THE SENIOR EXECUTIVE SERVICE (SES)

Question. The transformation of the Armed Forces has brought with it an increasing realization of the importance of efficient and forward thinking management of senior executives.

What is your vision for the management and development of the Air Force's senior executive workforce, especially in the critically important areas of acquisition, financial management, and the scientific and technical fields?

Answer. I believe that the members of the Senior Executive Service are an integral and critical component to the continued success of these vital career fields.

Question. Over the last 10 years, the Air Force budget has almost doubled, but the number of senior executives in the Department of the Air Force has remained almost unchanged.

Do you believe that the Air Force has the number of senior executives it needs, with the proper skills to manage the Department in the future?

Answer. I have not yet had the opportunity to review the number of Air Force senior executives and their associated proficiency levels in critical competencies. If confirmed, I will look into the issue.

BALANCE BETWEEN CIVILIAN EMPLOYEES AND CONTRACTOR EMPLOYEES

Question. In recent years, the Air Force and DOD have become increasingly reliant on services provided by contractors. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as Federal employees.

Do you believe that the current balance between civilian employees and contractor employees is in the best interests of the Air Force and DOD?

Answer. It is difficult to make a macro-level statement about this issue at this time. I do believe we must continue to ensure that inherently governmental functions are not outsourced and scrutinize those areas where the distinction has been blurred. It is also important to step back and look at all work accomplished by military, civilian, and contractor to achieve the correct balance. If confirmed, I will work with leaders across the Air Force to assess this matter to ensure compliance with the law and with the President's policy.

Question. In your view, has the Air Force become too reliant on contractors to perform its basic functions?

Answer. Once again, I cannot offer a macro-level view at this time. I recognize this is an area of concern and will address it if confirmed.

Question. Do you believe that the current extensive use of personal services contracts is in the best interest of the Air Force?

Answer. The Federal Acquisition Regulation and title 10 U.S.C., section 129, restricts the use of personal services contracts. I believe these regulations best serve the interests of the Air Force. If confirmed, I would continue to work with leaders

across the Air Force to ensure compliance with applicable law and policy. I believe my experience in both the private and public sector can help in this area.

Question. Do you believe that the Air Force and DOD should undertake a comprehensive reappraisal of "inherently governmental functions" and other critical government functions, and how they are performed?

Answer. The Department's "sourcing" of functions and work between military and civilians, or through contracted services, must be consistent with workload requirements, funding availability, readiness and management needs, as well as applicable laws and statutes. The Air Force should ensure that military or Federal civilians are performing all inherently governmental jobs, and that sufficient levels of civilians are available to perform critical oversight, management, and readiness functions of the Air Force. I am not convinced a comprehensive review of "inherently governmental functions" is necessary, but I do believe more rigorous oversight where we apply contracted services is necessary across the Department.

Question. If confirmed, will you work with other appropriate officials in DOD to address these issues?

Answer. If confirmed, I will continue to collaborate with other Air Force leaders to ensure these matters are addressed in the best interest of the Air Force and DOD.

Question. Section 808 of the National Defense Authorization Act for Fiscal Year 2012 requires DOD to implement a freeze on spending for contract services, comparable to the freeze on civilian personnel required by the efficiencies initiatives.

What is your understanding of the impact that the freeze on spending for contract services has had on the Air Force?

Answer. Specific to fiscal year 2012 and fiscal year 2013, the period covered by the NDAA, my understanding is the limitation is a broad brush that puts an overall ceiling on not only management support contracts, but also other mission critical contracts such as Weapon System Sustainment, Ranges, and Critical Infrastructure. If the limitation is so broad that it encompasses all contracts, there may be unintended consequences that we will need to monitor. If confirmed, I look forward to working with Air Force leaders to balance acceptable risks and available budgets to ensure future mission capability as freezes to civilian personnel and contract services are carried out.

Question. What is your understanding of Air Force plans for spending for contract services over the next 5 years?

Answer. At this time I am unfamiliar with the specifics of Air Force plans for contract services over the next 5 years. If confirmed, I will work with Air Force leaders to properly balance contract services spending with other Air Force priorities.

Question. What is your view on the feasibility and advisability of further reductions in spending for contract services over the next 5 years?

Answer. Without an understanding of specific Air Force plans for contract services over the next 5 years, I cannot at this time assess the feasibility and advisability of further reductions. Any budget adjustments must be made carefully and with full understanding of the accepted risks and impacts to mission capability.

AIR FORCE CIVILIAN PERSONNEL WORKFORCE

Question. Section 955 of the National Defense Authorization Act for Fiscal Year 2013 required the Secretary of Defense to develop a plan to reduce the size of the civilian personnel workforce by 5 percent over the next 5 years. The plan developed by the Secretary does not meet this objective. Since the time that section 955 was enacted, the Department has implemented hiring freezes and furloughs due to sequestration.

As a result, the DOD civilian personnel workforce is substantially smaller than it was when section 955 was enacted or at the time the plan was submitted.

Do you agree that the Air Force's civilian employee workforce plays a vital role in the functioning of the Department of the Air Force?

Answer. The U.S. Air Force would not be the best in the world without the daily contributions of civilian airmen as vital members of the Air Force family and the joint team. They are integral to nearly every part of the Air Force mission, from processing recruits and running family programs, to managing budgets and developing strategy. They fix airplanes, sustain infrastructure, design and develop future systems, and deploy to support combatant commanders. The Air Force could not get by without its civilians.

Question. Do you agree that if sequestration continues through fiscal year 2014 and beyond, the Air Force will need to further reduce the size of its civilian workforce?

Answer. This seems extremely likely, in my opinion.

Question. In your view, would it be preferable for the Air Force to make planned, prioritized reductions to its civilian workforce, or to downsize using arbitrary reductions based on hiring freezes and workforce attrition?

Answer. In my view, planned and prioritized reductions always are preferable to arbitrary reductions.

ACQUISITION ISSUES

Question. Major Defense Acquisition Programs (MDAPs) in the Air Force and the other Military Services continue to be subject to funding and requirements instability.

Do you believe that instability in funding and requirements drives up program costs and leads to delays in the fielding of major weapon systems?

Answer. Yes, instability in funding and requirements contributes to increases in program cost and schedule delays. A major imperative of mine would be to improve the acquisition process.

Question. What steps, if any, do you believe the Air Force should take to address funding and requirements instability?

Answer. I believe that it is incumbent on the acquisition community to work with the requirements and resource communities to ensure programs have clear, achievable requirements and realistic funding profiles. The acquisition community must bring its technical expertise to the discussion of requirements and funding throughout the acquisition progress to enable requirements and funding profiles that are inherently stable because they are realistic and affordable.

I support USD(AT&L)'s affordability initiative to establish goals and caps to ensure funding limitations are identified early and revalidated at milestone decisions. If confirmed I would work closely with the Air Force and DOD leadership to assess root causes and sources of instability, and work to put in place measures to limit their occurrence.

Question. The Government Accountability Office (GAO) has reported that the use of insufficiently mature technologies has resulted in significant cost and schedule growth in the MDAPs of the Air Force and the other military departments. Section 2366a of title 10, U.S.C., requires the Milestone Decision Authority for an MDAP to certify that critical technologies have reached an appropriate level of maturity before Milestone B approval.

Do you believe that the use of insufficiently mature technologies drives up program costs and leads to delays in the fielding of major weapon systems?

Answer. Yes, it is my understanding that premature pursuit of insufficiently mature technologies can result in schedule and cost growth. The growth would likely occur as one works to overcome technology challenges that were not adequately budgeted for at the outset of the development or production activity.

Question. What steps will you take, if confirmed, to make sure that the Air Force complies with the requirements of section 2366a?

Answer. If confirmed, I will advocate strongly for the nomination of a qualified acquisition executive. I will work to ensure we have the right people in place to oversee and address the maturity of technologies and work closely with USD(AT&L) on other initiatives.

Question. GAO has reported that the use of unrealistically optimistic cost and schedule estimates by the Air Force and the other military departments is a major contributor to cost growth and program failure.

Do you believe that the use of unrealistically optimistic cost and schedule estimates leads to program disruptions that drive up program costs and delay the fielding of major weapon systems?

Answer. Yes, I do. Ensuring we have realistic weapon system cost and schedule estimates, to include a comprehensive understanding of total life-cycle costs, better informs decisionmakers as they manage current acquisition programs. Realistic estimates are critical to prevent pursuit of systems that are later abandoned or reduced in capabilities because of an unacceptably high cost. Cost and schedule estimating methodologies that combine historical data with the best information available on new industry and government acquisition practices produce more accurate estimates, preventing cost growth and fielding delays.

Question. What steps do you believe the Air Force should take to ensure that cost and schedule estimates are fair and independent and provide a sound basis for Air Force programs?

Answer. Since the passage of Weapon Systems Acquisition Reform Act of 2009, I believe the Air Force has made progress in improving the quality of its cost estimates and also in more rigorously budgeting to the best cost estimates. New policy guidance and procedures have been adopted that require annual, independent cost

estimates on all major acquisition programs. This has resulted in more realistic, objective cost estimates in support of the budget process and acquisition decisions.

Question. The Under Secretary of Defense for Acquisition, Technology and Logistics has issued a memorandum directing the military departments to institute new "Configuration Steering Boards" to review and approve new requirements that could add significantly to the costs of major systems.

Do you support this process?

Answer. I am not familiar with the USD(AT&L) Configuration Steering Board (CSB) policy memorandum. I understand, however, that CSBs are important to good program oversight and cost control. I also understand they are legislated requirements. If confirmed I will ensure the Air Force complies with all Federal statutes.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics has also issued a memorandum directing that the largest DOD acquisition programs undergo competitive prototyping to ensure technological maturity, reduce technical risk, validate designs, cost estimates, evaluate manufacturing processes, and refine requirements.

Do you support this requirement?

Answer. Yes, I support the requirement that the largest DOD acquisition programs undergo competitive prototyping, where practical and affordable.

Question. Numerous acquisition reviews over the last decade have identified shortcomings and gaps in the acquisition workforce of DOD. Section 852 of the National Defense Authorization Act for Fiscal Year 2008 established an Acquisition Workforce Development Fund to provide the resources needed to begin rebuilding the Department's corps of acquisition professionals.

Do you believe that a properly sized workforce of appropriately trained acquisition professionals is essential if the Air Force is going to get good value for the expenditure of public resources?

Answer. Yes, I do.

Question. How would such a priority compete within the context of implementing sequestration?

Answer. If confirmed, I will work to ensure the Air Force maintains a properly sized and well trained acquisition workforce, even in tough budgetary times.

CONTRACT MANAGEMENT

Question. By some estimates, DOD now spends more money every year for the acquisition of services than it does for the acquisition of products, including major weapon systems. Yet, the Department places far less emphasis on staffing, training, and managing the acquisition of services than it does on the acquisition of products.

What steps, if any, do you believe the Air Force should take to improve the staffing, training, and management of its acquisition of services?

Answer. I understand the Air Force is focused on improving its acquisition of services but I am not familiar with specific initiatives. If confirmed, I will work with Air Force leaders to assess the state of services acquisitions.

Question. Do you agree that the Air Force should develop processes and systems to provide managers with access to information needed to conduct comprehensive spending analyses of Services contracts on an ongoing basis?

Answer. I agree in principle, as decisionmakers must have sound metrics that guide their decisionmaking throughout the life cycle a program, but I would need to better understand the current state before offering a specific view.

Question. The last decade has seen a proliferation of new types of government-wide contracts and multi-agency contracts. DOD is by far the largest ordering agency under these contracts, accounting for 85 percent of the dollars awarded under one of the largest programs. The DOD Inspector General (IG) and others have identified a long series of problems with interagency contracts, including lack of acquisition planning, inadequate competition, excessive use of time and materials contracts, improper use of expired funds, inappropriate expenditures, and failure to monitor contractor performance.

What steps, if any, do you believe the Air Force should take to ensure that its use of interagency contracts complies with applicable DOD requirements and is in the best interests of the Department?

Answer. If confirmed, I intend to dig more deeply into the analysis performed by the DOD IG and others or the specifics of their findings. If confirmed I would work with Air Force and DOD leaders to better understand the challenges associated with the implementation of interagency contracts, as well as the role and authorities of the Air Force in implementing them. I believe it is important to first understand the root causes of the challenges and the measures being implemented before offering any proposed solutions or corrective actions.

AIR FORCE ACQUISITION SYSTEM FLAWS

Question. Over the past several years, GAO protests have resulted in the reversal of a number of significant Air Force contract award decisions, including award decisions on the KC–X tanker replacement contract; the Combat Search and Rescue Helicopter Replacement Program (CSAR–X) contract; the C–130 Avionics Modernization Program (AMP) contract; the Small-Diameter Bomb contract; the Thunderbird video contract; and a contract for F–15 training simulators.

Do you believe that significant problems remain in the Air Force acquisition system today?

Answer. These reversals certainly point to problem areas. On the other hand, it is my understanding that the Air Force has made regaining acquisition excellence a top priority. I have seen strong evidence of this in its recent successes with the KC–46 Air Refueler, C–130J aircraft, Space Launch program and its rapid fielding of wartime capabilities, but this is an area that requires constant vigilance. If confirmed, I look forward to working with the Air Force Service Acquisition Executive to address these three issues and to make the pursuit of acquisition excellence among the Service's highest priorities.

Question. If so, what are those problems and how would you propose to address them?

Answer. It is my understanding that there are three major themes coming from the GAO protests of these programs. First, resources and requirements match. Achieving a high level of technology maturity by the start of system development is an important indicator of whether this match has been made. This means that the technologies needed to meet essential product requirements have been demonstrated to work in their intended environment. In addition, the developer has completed a preliminary design of the product that shows the design is feasible. Second, product design is stable. This point occurs when a program determines that a product's design will meet customer requirements, as well as cost, schedule, and reliability targets. A best practice is to achieve design stability at the system-level critical design review, usually held midway through system development. Completion of at least 90 percent of engineering drawings at this point provides tangible evidence that the product's design is stable, and a prototype demonstration shows that the design is capable of meeting performance requirements. Third, manufacturing processes are mature. This point is achieved when it has been demonstrated that the developer can manufacture the product within cost, schedule, and quality targets. A best practice is to ensure that all critical manufacturing processes are in statistical control—that is, they are repeatable, sustainable, and capable of consistently producing parts within the product's quality tolerances and standards at the start of production. I can assure you that going forward I would apply the lessons learned from previous challenges and continue to pursue excellence within the acquisition portfolio.

Question. If not, why do you believe that the Air Force has been the subject of so many adverse bid protest decisions?

Answer. Not Applicable. See above answer.

EXPEDITIONARY COMBAT SUPPORT SYSTEM

Question. An Air Force Acquisition Incident Review (AIR) team recently completed a report on the failure of the Air Force's Expeditionary Combat Support System (ECSS). The AIR report discusses root causes for ECSS's failure and includes several recommendations.

Does the Air Force agree with the AIR team's findings?

Answer. It is my understanding that the Air Force is in agreement with the AIR Team's findings. Several root causes and contributing problems were identified spanning near-to-long-term corrective actions related to governance and how the Air Force structures its business IT programs for success. If confirmed, I would ensure that the Air Force applies the lessons learned in the findings to current and future initiatives.

Question. What is your understanding of the steps that the Air Force plans to take to implement the report's recommendations?

Answer. It is my understanding that Air Force senior leaders are following through on the recommendations of the report. This includes a review of existing major Air Force business systems based on the AIR Team's specific findings and lessons learned.

ENCROACHMENT ON MILITARY INSTALLATIONS

Question. Various Air Force Bases have encroachment issues, some of which are significant. These include population growth near military installations, environmental constraints on military training ranges, airspace restrictions to accommodate civilian airlines, and conflicts with civilian users over the use of radio frequency spectrum.

In your opinion, how serious are these problems for the Department of the Air Force?

Answer. I believe these problems are quite serious. As I understand it, the Air Force is proactively working with State and local communities to address current and potential encroachment issues.

Question. If confirmed, what policies or steps would you take to curtail the various encroachment issues?

Answer. It is my opinion that encroachment issues are best resolved at the lowest level. The Air Force instituted an Air Force Encroachment Management (AFEM) program that provides an overarching framework to address potential impacts to Air Force missions, safety, the environment and critical infrastructure. This framework is designed to identify issues at the installation-community level; elevate when appropriate through Major Commands; then to the Headquarters Air Force staff which further assesses potential impacts and recommends ways to resolve or mitigate. If confirmed, I will emphasize to our installation leaders they must continue to proactively engage with local community leaders so they are aware of Air Force mission needs and identify ways to retain or improve mission compatibility.

Question. If confirmed, what role do you expect to play in addressing these challenges?

Answer. For those issues that are identified and assessed as posing significant adverse impact to critical Air Force missions; local, State, DOD, and other agency stakeholders will be made aware and I will provide guidance as appropriate.

ENERGY CONSERVATION AND USE OF ALTERNATIVE FUELS

Question. In the past year, the Department of the Air Force has assumed a leadership role within the Federal Government for the advocacy, research, and testing of alternative fuels for use in military aircraft. In addition, the Air Force has encouraged proposals for the use of Federal property to construct refineries and power plants to include nuclear power.

In your view, which energy alternatives, to include fossil fuels, offer the greatest potential for benefit to Air Force programs and operations?

Answer. The Air Force needs to have assured access to reliable supplies of energy and the ability to protect and deliver sufficient energy to meet operational needs. Because of this, it is important for the Air Force to be flexible in the types of energy it can use and secure the quantities necessary to perform its missions, both for near-term benefits and long-term energy security. This flexibility is important for both weapon systems and installations.

Question. Do you support the goals adopted by the Air Force related to the increased use of alternative fuels? Does this include alternative fossil fuels?

Answer. In principle, I support the Air Force's goal to broadly pursue alternative fuels that are cost competitive with traditional petroleum-based jet fuels and that meet environmental and technical specifications. I look forward to digging into this area more deeply, if confirmed.

Question. In your opinion, what constraints does the Air Force face in carrying out initiatives to reduce reliance on fossil fuels?

Answer. I feel that the benefits of energy investments should be carefully weighed against the initial and recurring costs. Doing so will allow energy initiatives to be evaluated and appropriately funded along with other Air Force priorities in order to maximize the use of Air Force resources.

INVESTMENT IN FACILITIES

Question. Air Force leaders have stated in testimony, "MILCON is an essential enabler of Air Force missions; however, due to fiscal constraints, we must reduce funding and accept greater risk in facilities and infrastructure in order to continue our efforts to recapitalize and modernize our aging aircraft and equipment."

In your opinion, at what point is the reduction of funding for facilities and infrastructure too much of a risk for the Air Force?

Answer. I believe Air Force installations are the platforms from which we fly, fight, and win in air, space, and cyberspace. Therefore, it is critical to balance risk to facilities and infrastructure against mission readiness. If confirmed, I will ensure

Air Force leadership has the tools it needs to assess and mitigate risk to facilities and infrastructure, as well as airmen and mission, while ensuring we can deliver the decisive combat power this country expects.

Question. If confirmed, would you support goals established by DOD for certain levels of funding dedicated to the recapitalization and sustainment of facilities?

Answer. If confirmed, I would support DOD goals with respect to funding the recapitalization and sustainment of facilities. I fully understand, however, that in a fiscally constrained environment, the Air Force will have to continue to make challenging decisions to strike the right balance with respect to infrastructure requirements, readiness, and mission capability.

Question. What is your position on the use of public-private ventures to address critical deficiencies in family housing and utility infrastructure?

Answer. I have seen this approach work very well in some localities. If confirmed, I will evaluate any and all opportunities available to bring airmen and their families the exceptional housing and installation infrastructure they deserve.

LONG-RANGE BOMBERS

Question. The B–1s, B–2s, and B–52s will begin to be retired in the 2030 timeframe.

When do you believe that the United States needs to develop a new manned bomber?

Answer. I understand the new bomber is in the top 3 of Air Force modernization priorities. Given the aging bomber fleet and what I understand about the nature of the future threat environment it is important that the Air Force make the appropriate investments today to ensure a viable warfighting capability in the mid-2020 timeframe.

Question. Do you believe the Air Force needs to continue to manage the Long-Range Strike-Bomber Program as a special access program? If so, why?

Answer. It is my understanding that enhanced security is important to protecting critical technologies and capabilities.

Question. Do you believe that, regardless, it needs a reporting structure in content similar to the Selected Acquisition Reports?

Answer. Yes. If confirmed, I will work with Air Force and DOD leaders to ensure the Service provides information on the Long-Range Strike-Bomber consistent with Selected Acquisition Reports at the Special Access Program level.

NRO AND THE AIR FORCE

Question. The responsibilities of the Director of the National Reconnaissance Office (NRO) were once included in the responsibilities of the Under Secretary of the Air Force. Dual-hatting the Under Secretary ensured that there was close cooperation between the NRO and the Air Force.

What steps would you take, if confirmed, to ensure that DOD space programs and NRO programs are managed in a coordinated fashion?

Answer. Currently there are various relationships and mechanisms in place that ensure DOD and NRO space programs are managed in a coordinated fashion. The Deputy Director of the NRO is an Air Force General Officer who in his role as the Commander, Air Force Element, manages all Air Force personnel and resources assigned to the NRO and serves as the senior adviser to the Director of the NRO on all military matters.

If confirmed, I would be dual hatted as the Executive Agent for Space and in that role would be responsible, in coordination with USD(I), for fostering a close working relationship between DOD and the Intelligence Community with regards to space programs. In the Secretary's role as the Executive Agent for Space I would also chair the Defense Space Council (DSC) where I would have the responsibility of achieving unity of effort across the DOD space enterprise. The National Reconnaissance Office is a member of the DSC while the Office of the Director of National Intelligence is also regularly represented. Other forums which meet several times a year, such as the Air Force/NASA/NRO Summit, reconfirm the mission interrelationships and foster collaboration and synchronization in areas of mutual interest. As the Secretary of the Air Force and the DOD Executive Agent for Space I intend to continue to use these and other forums to maintain a close relationship with the NRO and the Intelligence Community.

Question. The Air Force rotates personnel through the NRO, which has proven useful in developing synergy between space programs serving both intelligence and military needs. Proposals have been given to develop a core set of personnel at the NRO which maintains core service functions and maintains a long-term institutional memory and capability.

Would you support this proposal by putting a subset of Air Force personnel on a long-term basis at the NRO?

Answer. The Air Force has historically had a close working relationship with the NRO. If confirmed, I look forward to continuing this working relationship with rotations of Air Force personnel through the NRO. Overall it is important to create a cadre of space professionals with breadth of knowledge across mission areas balanced with technical depth and focused mission expertise as required. I also look forward to working with Air Force and NRO leadership to determine the best balance of meeting mission needs while developing a robust space professional cadre.

SPACE ACQUISITION

Question. If confirmed, how would you propose to ensure that the space acquisition process is successfully revamped to deliver future systems within promised costs and schedules?

Answer. Continuing to improve the space acquisition process is a priority for the Air Force and for the DOD. If confirmed, I will continue to support space acquisition process improvement, in the spirit of the Weapon System Acquisition Reform Act and in cooperation with the USD(AT&L).

Question. Milestone decision authority for space programs currently resides with the Under Secretary of Defense for Acquisition, Technology and Logistics. If confirmed will you seek to return this authority to the Air Force or are you comfortable with this authority residing with the Under Secretary?

Answer. I am unfamiliar with the background associated with the decision to place the milestone decision authority for space programs with the USD(AT&L). I do understand many of these capabilities exist to support national security objectives. If confirmed, I look forward to working with the Under Secretary in managing and delivering space capabilities to the warfighter.

Question. The Air Force is developing a New Entrant strategy for medium and heavy launch of military and intelligence payloads. Do you support the NRO developing a separate new Entrant strategy different from what the Air Force is developing?

Answer. At this time, I am unfamiliar the specifics and current agreements associated with the Air Force and NRO new entrant strategies. If confirmed, I will make it a priority to understand the Air Force and NRO new entrant strategies, their differences and opportunities to partner together to ensure success in the Service and NRO missions.

AIR FORCE SCIENCE AND TECHNOLOGY

Question. What metrics will you use to assess the effectiveness of the Air Force science and technology programs?

Answer. I understand the Air Force Scientific Advisory Board (SAB) conducts in-depth reviews of the Air Force Research Laboratory's science and technology portfolio. If confirmed I will consult with the SAB to learn more about their ratings and seek their advice to help guide and improve the effectiveness of our Air Force science and technology programs.

Question. What metrics will you use to assess the effectiveness of the Air Force's basic research programs?

Answer. If confirmed, I would make it a priority to identify, nurture and harvest the best basic research to transform leading-edge scientific discoveries into new technologies with substantial military potential. Combined with this focus I would ensure the appropriate effectiveness metrics are in place.

Question. Do you believe the current balance between short- and long-term research is appropriate to meet current and future Air Force needs?

Answer. At this time, I am unfamiliar with the specifics of the Air Force's investment balance between short- and long-term research. If confirmed I look forward to assessing the Air Force's Science and Technology (S&T) Program investments to attain a balance between near-term quick-reaction capabilities; mid-term modernization technologies and long-term revolutionary technologies.

Question. What metrics will you use to assess the adequacy of investment levels in Air Force science and technology programs?

Answer. At this time, I am unfamiliar with the Air Force's investment levels in Air Force science and technology programs or the metrics used to assess the adequacy of those investments. If confirmed I would make it a priority to execute a balanced, integrated S&T program that supports the current fight while advancing breakthrough S&T for tomorrow's fight, ensuring adequate funding in basic research and the right level of investment to mature technologies for transition into acquisition programs.

Question. What role do investments in science and technology play in reducing costs and technical risk of acquisition programs?

Answer. It is my understanding that Air Force investments in science and technology leverage research and development efforts within academia and industry, including small businesses and government laboratories, all of which help lower risk in Air Force acquisition programs.

TEST AND EVALUATION

Question. What are your views on the effectiveness of the Air Force's test and evaluation activities?

Answer. I am not yet able to assess the effectiveness of the Air Force's Test and Evaluation (T&E) activities, but if confirmed, I would be committed to a sustaining a vibrant test and evaluation program. This capability is crucial to Air Force acquisition programs, tactics, techniques and procedures development, and assessing the combat capability of forces.

Question. What are the major weaknesses and deficiencies with the Air Force test and evaluation enterprise in meeting current and emerging Air Force testing requirements?

Answer. I am not in a position to assess major weaknesses and deficiencies in the Air Force T&E enterprise at this time. If confirmed, I will work with Air Force and DOD leadership to ensure the Air Force is prepared for current and emerging test and evaluation requirements.

Question. The Air Force has recently contemplated a number of steps to reorganize both development and operational test activities. Some of these proposals included significant government and contractor workforce reductions and potential closures of test assets.

If confirmed, what actions would you take to ensure that any reorganizations or closure of test assets or reductions in test workforce result in actual cost reductions and do not entail undue risk to Air Force or other DOD current or future acquisition programs?

Answer. If confirmed, I will work with the acquisition and T&E communities to establish a formal relationship between modernization priorities and T&E resources, so that the Air Force has a logical, defensible T&E program to fully support the needs of our highest priority acquisitions.

Question. What is your view of the role of the Director of Operational Test and Evaluation (DOT&E), the Deputy Assistant Secretary of Defense (DASD(DT&E)), Developmental Test and Evaluation and the Director of the Test Resource Management Center (TRMC) in ensuring that such reductions do not undermine the ability of the Air Force to carry out needed test programs?

Answer. It is my understanding that the DASD(DT&E) and the Director, TRMC for developmental testing, and DOT&E for operational testing, play an important role in ensuring the Air Force T&E program is responsive to the needs for Developmental and Operational Testing (DT and OT) for the Department's oversight acquisition programs. If confirmed, I will work closely with these oversight organizations to ensure the Air Force provides all of the support necessary to ensure successful DT and OT for acquisition programs.

Question. The Air Force has some unique requirements with regard to prompt global reach and affordable, responsive space lift missions.

In your view, are changes in current test range structure, operations, and mission assurance parameters required to accommodate Air Force experimentation and small launch needs?

Answer. I am not familiar with this area at this time. If confirmed, I will evaluate launch ranges with respect to the Air Force's experimentation and small launch needs.

AIR FORCE RESEARCH LABORATORIES

Question. What are the major challenges facing the Air Force Research Laboratory?

Answer. If confirmed, I look forward to learning more about specific Air Force Research Laboratory challenges and providing my leadership to help overcome them.

Question. How do you plan to address these challenges?

Answer. If confirmed, I will actively work with Science and Technology and Laboratory leadership to address challenges and encourage continued innovation.

Question. Are you supportive of efforts of the Air Force Research Laboratory to expand and enhance their unique laboratory personnel demonstration program to ensure that they can attract and retain the finest technical workforce?

Answer. Yes. While I am not aware of the specifics of the Lab Demonstration Program, from past experiences it is clear the Air Force Research Laboratory operates in a very competitive market for highly-qualified scientist, technologist, engineer, and mathematician (STEM) talent. With domestic and international competition for people with these skills intensifying, I support efforts to actively attract and retain STEM talent.

AIRBORNE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE

Question. The airborne intelligence, surveillance, and reconnaissance (ISR) assets developed and operated by the Air Force form an indispensable part of the Nation's overall intelligence architecture. These assets are often referred to as high demand, low density systems because of the extensive number of requirements and high operational tempo on their systems and crews.

In your view, does the Air Force have sufficient airborne ISR assets to meet current and projected requirements?

Answer. My understanding is there are not enough assets to meet all the requests of the combatant commanders (COCOMs). However, the Air Force meets the highest priority demands.

Question. What changes would you recommend, if confirmed, to current plans for the development and acquisition of airborne ISR platforms? Will these changes remove ISR platforms from the "high-demand, low-density" category?

Answer. In this fiscal environment, my goal would be to ensure we maintain our ISR capabilities to provide decisive advantages to COCOMs. I would also enhance, if fiscally possible, our current ISR capabilities with advanced technologies and improved interoperability between existing ISR systems, to include those in the joint arena, to ensure our ISR dominance. However, it still may not be possible to satisfy all COCOM ISR demands.

U.S. AFRICA COMMAND

Question. On numerous occasions, the committee has expressed concern that the Commander of U.S. Africa Command (AFRICOM) lacks the necessary air support to execute effectively his mission in a continent comprised of 53 countries, spanning a geographic area larger than the United States, China, and Western Europe combined. The Commander of AFRICOM recently indicated before the Air Force Defense Strategy Seminar this shortage of aircraft remains.

If confirmed, what would you do to support AFRICOM, given the demand on existing assets within other geographic combatant command AORs?

Answer. If confirmed, I look forward to working closely with AFRICOM and the other combatant commanders to ensure requirements are met.

The demands for airpower are likely to continue to exceed the resources available. The requirements of each combatant commander are adjudicated through what I understand to be a fair and consistent process based on national priorities.

NUCLEAR MATTERS

Question. Based on the 2007 Minot incident, Air Force has exhaustively studied and made strong organizational changes to its management of the nuclear weapons it is charged with maintaining and deploying.

What will you do to strengthen the nuclear programs at the Air Force Weapons School for airmen who choose a long-term career to maintain and deploy nuclear weapons beyond the few that currently attend it?

Answer. The nuclear mission is vital to the Air Force and the Nation and we cannot succeed in it without highly trained personnel. If confirmed, I will explore ways to strengthen the nuclear programs at the Air Force Weapons School. Additionally, I look forward to visiting the Intercontinental Ballistic Missile Weapons Squadron in the near future.

Question. The Air Force is the primary maintainer and implementer of the Nuclear Command, Control and Communications (NC3) System. This NC3 system is aging, yet it is vitally important to ensuring the President has direct control over nuclear weapons and their use. The cost overruns and failure in deploying the Family of Beyond Line of Sight Terminals (FAB–T) on nuclear capable airborne delivery platforms reflects poorly on the Air Force's first foray with a new generation of NC3 acquisition programs.

What actions will you take to ensure the FAB–T acquisition program corrects its cost over runs and eventually is deployed on airborne platforms?

Answer. Strengthening the Nuclear Enterprise is a top Air Force priority. I also understand that NC3 systems are important to the effectiveness of that mission. If confirmed, I look forward to working with Air Force leaders to learn more about

FAB–T and other NC3 acquisition programs and to ensure that they are properly executed in this tight fiscal environment.

Question. What actions will you take to ensure there is a long-term road map and acquisition strategy to ensure the NC3 system meets requirements consistent with the President's recent Nuclear Employment Strategy?

Answer. I understand the Air Force is currently working with DOD in support of its effort to develop an NC3 architecture to support the President's recently updated nuclear employment strategy. Once finalized, the Air Force will develop an Air Force specific roadmap that supports the new architecture. In the meantime, the Air Force is refining a NC3 Sustainment Roadmap to provide a more comprehensive approach to sustaining current Air Force NC3 systems.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Secretary of the Air Force?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic communications, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR MARK UDALL

AIR FORCE MODERNIZATION

1. Senator UDALL. Ms. James, you mentioned in your advance policy questions that one of your priorities is to balance today's readiness with tomorrow's modernization needs. Would you expand on some of the ways you'd propose to achieve that balance?

Ms. JAMES. I am concerned about today's readiness and believe we need to reinvest in this area to make up for the impacts of fiscal year 2013 sequestration. Keeping a ready force today is essential to ensure the Air Force can answer the call. At the same time, I believe the Air Force should continue its long-term recapitalization effort with an emphasis on developing the capabilities the Service uniquely provides to the Joint Force; such as, global/long-range and non-permissive capabilities, exemplified in the F–35, Long-Range Strike Bomber, and KC–46A programs.

2. Senator UDALL. Ms. James, what do you see as the Air Force's core missions—and are there any missions or systems that you believe the Air Force should divest?

Ms. JAMES. Airmen bring to the Nation's military portfolio, five interdependent and integrated core missions that have endured since President Truman originally assigned airpower roles and missions to the Air Force in 1947. These are: air and space superiority; intelligence, surveillance, and reconnaissance; rapid global mobility; global strike; and command and control. although the way the Air Force performs these mission swill constantly evolve, the Air Force will continue to perform these missions so that our military can respond quickly and appropriately o unpredictable threats and challenges. If confirmed, I will carefully review all systems.

AIR FORCE SPACE SYSTEMS

3. Senator UDALL. Ms. James, for fiscal year 2013 the administration proposed terminating the Operationally Responsive Space program, which the Senate Armed

Services Committee (SASC) rejected. In fiscal year 2014, the administration again proposed to terminate the office and once again, SASC rejected this proposal. I understand that we are in a stark fiscal crisis but I hope the Air Force takes into account that this office is the one that first proposed low cost, quick to build satellite coupled with a low cost launch. If confirmed, I want you to realize that from the SASC perspective it does not look good to terminate one of the few programs that may actually reduce the cost of space systems in a time of sequestration. Will you commit to re-examine any such proposals for fiscal year 2015?

Ms. JAMES. Yes, I give you this commitment, if confirmed.

4. Senator UDALL. Ms. James, General Shelton has mentioned previously to the Strategic Forces Subcommittee that space systems and ground systems are usually contracted for and managed separately. This has resulted in disconnects between two programs that should be fully integrated. As we look to reduce costs and redundancies, will you agree to take a hard look at how we do space acquisition in order to achieve savings and speed up delivery?

Ms. JAMES. Yes. Although I am not familiar with General Shelton's comments, I believe that continuing to improve the space acquisition process is a priority for the Air force and for the Department of Defense (DOD).

QUESTIONS SUBMITTED BY SENATOR KAY R. HAGAN

FUTURE SCIENTISTS AND ENGINEERS FOR DOD AND THE DEFENSE INDUSTRY

5. Senator HAGAN. Ms. James, DOD and the defense industry are facing challenges seeking new graduates with advanced degrees in scientific and technical fields to help develop complex military systems. Some of these challenges include a lack of interest in traditional defense sectors by new graduates, Federal hiring issues, budget pressure, the length that typical defense programs take to execute, and competition for talent with other government agencies. If confirmed, what would you do to ensure that DOD has access to the best and brightest future scientific and technical talent?

Ms. JAMES. I have been made aware of the science, technology, engineering and mathematics (STEM) workforce challenges facing our Nation and particularly the U.S. Air Force. If confirmed, I will convey to airmen the need to improve technical skills and do my best to inspire youth to pursue STEM disciplines and an Air Force career.

It's my understanding that the former Air Force Secretary and Chief signed an Air Force STEM Workforce Strategic Roadmap called Bright Horizons and that the Air Force is currently updating that document to capture progress made and new initiatives. If confirmed, I plan to review the Air Force's updated plan and ensure the Service implements a STEM Roadmap which optimizes its scientific and technical skills base.

6. Senator HAGAN. Ms. James, how would you measure the effectiveness of these efforts?

Ms. JAMES. I understand that the Air Force tracks the number of publications accomplished linked to research funding, as well as students supported by our funding outreach activities. If confirmed, I will make sure such measurements continue so as to drive business behaviors across the Air Force that are consistent with the vision and goals of the updated Air Force STEM Workforce Strategic Roadmap.

MODULAR AIRBORNE FIRE FIGHTING SYSTEM

7. Senator HAGAN. Ms. James, the Air Guard and the Air Force Reserve have been successfully flying and controlling the Modular Airborne Fire Fighting System (MAFFS) mission to combat wildfires for over 40 years. One reason this mission is so successful is the fact that Reserve component personnel have had the opportunity to volunteer in a variety of statuses, most importantly under title 32. However, the Assistant Secretary of Defense for Homeland Defense (and his deputy) are now attempting to make MAFFS a title 10 mission, not a title 32 502(f) status National Guard controlled mission, even if/when a Dual Status Commander is available for 2014. This would bring numerous negative personnel issues and command and control issues, possibly compromising the mission. All three States that fly MAFFS: North Carolina, Wyoming, and California, and the National Guard Association oppose this move as needlessly restrictive. Seeing as the National Guard has been flying and controlling this mission for 40 years and the Air Force has determined

MAFFS is best suited for the Reserve component, will you support continuing the use of title 32 as the primary duty status for the MAFFS mission?

Ms. JAMES. I am not familiar with this program. However, if confirmed I will work closely with the Assistant Secretary of Defense for Homeland Defense and America's Security Affairs to resolve the personnel and command and control issues to ensure Air Reserve component airmen have the flexibility and proper authority to support the MAFFS mission.

INFORMATION SUPPORT SQUADRONS

8. Senator HAGAN. Ms. James, with the constant threat of cyber attacks upon governmental organizations and commercial enterprises, there is a high demand for personnel with the training and experience to successfully protect our Nation's secrets and infrastructure. This demand leads to a very competitive market for such expertise, a market in which the playing field is certainly not level for Government agencies, such as DOD, in terms of matching compensation with civilian competitors. But there is one positive option for DOD in attracting and retaining such personnel, and that is with the National Guard, where its servicemembers can aspire to have a civilian career while simultaneously serving one's country. In this environment, will you support the placement of Information Support Squadrons for cyber operations within the National Guard?

Ms. JAMES. As a general principle, I believe Guard and Reserve personnel in our Total Force bring cyber expertise from private industry that is critical to our Nation's and Air Force cyber operations. The 262nd Network Warfare Squadron, a guard squadron supporting the Active 688th Cyberspace Wing, is an example of an Air National Guard (ANG) unit that is one of our Air Force's premier cyber operations squadrons made up of personnel who work in the commercial IT industry and also serve as a guardsman. I will explore the opportunity of doing more, if confirmed.

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

MENTAL HEALTH

9. Senator GILLIBRAND. Ms. James, if confirmed, what will you do to ensure the Air Force is providing appropriate mental health care to airmen and their families?

Ms. JAMES. The Air Force's focus is on provision of quality and timely mental health support for airmen and their families. This same support extends to all military servicemembers and families wherever they are supported by Air Force hospitals and clinics. Meeting the operational mental health needs of our servicemembers will be one of my top priorities. I will ensure integration of mental health support with our community partners to identify sources of stress and help reduce the impacts of stress to promote health and family wellness. I will place strong emphasis on a tightly coordinated program of mental health support between the three military medical services, the TRICARE network, and the Department of Veterans Affairs to provide a full scope of mental health services for our airmen and their families.

CYBER

10. Senator GILLIBRAND. Ms. James, the Air Force is scheduled to add more than 1,000 cyber professionals between fiscal years 2014 and 2016. In light of sequestration and current budgetary constraints do you foresee being able to meet these goals?

Ms. JAMES. I certainly hope so, as I believe this to be an important area. However, the Air Force could face significant challenges depending on the outcome of budget deliberations and whether there is a Continuing Resolution or full appropriation in fiscal year 2014.

11. Senator GILLIBRAND. Ms. James, do you see room for cost savings in using more of the National Guard and Reserves to build your cyber force?

Ms. JAMES. The cyber mission strikes me as a good one for the National Guard and Reserve. If confirmed, I will delve into this more deeply. I also would like to explore ways to better identify new recruits who may have a particular aptitude for the cyber mission. Finally, it may be appropriate to target bonuses and advertising resources to this career area.

12. Senator GILLIBRAND. Ms. James, the cyber field is a fast-paced, ever-changing arena. If confirmed, what steps will you take to ensure we are recruiting the best and the brightest to this field?

Ms. JAMES. I am aware the Air Force advocates and supports cyberspace and computer training and education programs nationwide to encourage high school and college students towards technical career fields. This strikes me as a good start. I look forward to working on this area, if confirmed.

13. Senator GILLIBRAND. Ms. James, what authorities will be needed to keep the U.S. military on the cutting edge of cyber?

Ms. JAMES. I am not aware of any current gaps in authorities; however, if confirmed, I will need to review this area fully.

QUESTIONS SUBMITTED BY SENATOR MAZIE K. HIRONO

READINESS

14. Senator HIRONO. Ms. James, what are the impacts of sequestration on recruitment and retention for the uniformed military?

Ms. JAMES. I don't have the exact figures, and it may be too early to tell, but I would expect some adverse impacts to Air Force recruiting in light of budget cuts to advertising, marketing and outreach programs.

15. Senator HIRONO. Ms. James, for our valued civil servants in DOD, the furloughs have created difficult situations for many. What are the impacts on recruitment and retention of our civil service employees?

Ms. JAMES. I believe the most significant immediate impact of furlough has been on morale of the workforce. I also understand the Air Force expects a surge in retirements that could lead to one of the largest retirement years in recent memory. Furloughs, continued pay freezes, and reductions in force could have long-term effects on the workforce and recruitment if future furloughs occur.

REBALANCE TO THE PACIFIC

16. Senator HIRONO. Ms. James, the Air Force will continue to play a significant role within the U.S. Pacific Command team as we move forward with the Pacific rebalance. What is your view of the Air Force's role in the future?

Ms. JAMES. The U.S. Air Force will rebalance toward the Asia-Pacific region in conjunction with other regional and global commitments. The Air Force will continue to play a vital role in securing U.S. economic and security interests in the Pacific region. Specifically, the preservation of peace, stability, and the free flow of commerce in the Pacific region will be a top U.S. priority.

17. Senator HIRONO. Ms. James, how important will total force integration be to continue and where possible expand the partnership between the Active Duty and Reserve components?

Ms. JAMES. Total Force Integration is essential to reinforce the interdependencies between Active and Reserve components of the Air Force. Collaboration between Air Force leadership from both the Active and Reserve components is and will remain vital to building a Total Force Air Force that delivers air, space, and cyber power that the Nation and the joint force have come to expect from our Air Force; this is especially true in an environment of decreasing resources.

COMMAND CLIMATE

18. Senator HIRONO. Ms. James, a command climate survey can go a long way in determining how effective a unit is and whether or not negative actions such as sexual harassment are tolerated and/or reported. What is your opinion of the current climate surveys?

Ms. JAMES. I understand that the Air Force Climate Survey is conducted biennially and, if confirmed, the results will be briefed to me and released to the units. Commanders with 10 or more respondents are provided survey results along with a guide containing specific recommendations and lists of resources to improve their unit climate. If confirmed, I will review the survey more fully to see if there are needed improvements.

19. Senator HIRONO. Ms. James, should climate surveys be kept to monitor potential long-term issues?

Ms. JAMES. I believe so. Unit Climate Assessments are essential to monitoring the engagement of the organization, and electronic copies of organizational climate surveys are maintained by the Equal Opportunity Office. Additionally, climate surveys should be maintained by commanders to monitor trends, to track progress on recommended actions, and to address long-term issues which cannot be promptly resolved. Commanders are encouraged to pass climate survey results to incoming commanders to ensure continuity on long-term issues.

20. Senator HIRONO. Ms. James, should climate surveys be tied to the commander's permanent personnel records so as to monitor performance as a leader? What about other assessments such as 360 evaluations?

Ms. JAMES. I am very interested in tying climate surveys to performance reviews and I am told DOD is currently evaluating the methods used to assess the performance of military commanders for establishing command climates of dignity and respect and incorporating Sexual Assault Prevention and Response into their commands to ensure standardization across the Services.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

AIR FORCE READINESS

21. Senator INHOFE. Ms. James, what are your thoughts on tiered readiness and the ability of the Air Force to meet combatant commander (COCOM) requirements, maintain overall readiness, and the impact to morale and retention of personal?

Ms. JAMES. According to the briefings I have received so far, I am told the Air Force cannot maintain a tiered-readiness posture and still meet the current defense guidance. That said, the Air Force may have reached a point where large force structure cannot be sustained at requisite readiness levels while also preserving critical modernization programs needed for the future. This is a very difficult problem to resolve going forward and one that I will need to study carefully, if confirmed.

22. Senator INHOFE. Ms. James, based on current and projected readiness levels of the Air Force, do you believe the Air Force can meet current COCOM Operational Plan requirements? You may provide a classified answer for the record if you chose.

Ms. JAMES. The Chief of Staff stated in a September 16 interview with Air Force Times, "There is not a mission that the Nation could ask that the Air Force would not be capable of doing." I believe this statement is accurate. However, I am concerned that if readiness is lessened the Air Force may have to perform missions with greater risk, and I prefer this not happen.

23. Senator INHOFE. Ms. James, depot maintenance has been delayed on our aircraft—equipment that is on average over 20 years old and worn down by over a decade of war. Based on your experience both in DOD and out in industry, how does this impact the readiness and safety of the Air Force?

Ms. JAMES. Based on my experience, I believe the impacts caused by fiscal year 2013 reduction in depot maintenance will likely impact future aircraft availability/sortie generation rates, thereby negatively affecting overall readiness recovery efforts. The depot recovery from sequestration will likely require a multi-year effort and additional funding to halt the decline in aircraft availability.

Regarding safety, I know the Air Force considers safety a top priority in all operations and strives to mitigate and manage risk.

24. Senator INHOFE. Ms. James, has DOD budgeted additional money in fiscal year 2014 to pay for delayed fiscal year 2013 Air Force depot maintenance?

Ms. JAMES. My understanding is the Air Force has not budgeted additional money in fiscal year 2014 to pay for delayed fiscal year 2013 depot maintenance requirements. The delayed requirements have been added to the overall 2014 depot maintenance program and will be prioritized against the remaining weapon system sustainment portfolio to best maximize warfighter readiness based on available fiscal resources.

25. Senator INHOFE. Ms. James, what is your assessment of the F–35 program as it is executing today based on budget and schedule?

Ms. JAMES. It is my understanding that the program went through a technical baseline review a few years ago and since then has been tracking well to its planned schedule baseline. It has been reported that the recent Low Rate Initial Production contract awards have resulted in reductions to air vehicle costs. Based upon that, it would seem the program should be executing below cost. Efforts to address technical issues and life cycle costs are encouraging, but I understand that software remains a watch-item. Additionally, I'm aware that the DOD Inspector General conducted a quality assurance assessment on the program. In their report, they assessed the Government's oversight of the contractor as inadequate and ineffective which is a concern to me. If confirmed, I look forward to reviewing the program to see firsthand how well it is executing to its cost, schedule, and technical performance baselines.

26. Senator INHOFE. Ms. James, is the F–35 needed to meet U.S. national security requirements?

Ms. JAMES. Yes. The F–35 represents the future of the Air Force fighter fleet. It will provide critical capabilities required to accomplish Air Force missions in the threat environment of the future, and enables true Joint and Coalition operations. The air superiority this Nation has enjoyed for 60 years is not an accident and gaining and maintaining it is not easy. It requires trained proficient and ready airmen and it requires credible, capable and technologically superior aircraft. The F–35 is essential to ensuring we can provide that air superiority in the future.

27. Senator INHOFE. Ms. James, what is the impact if the United States cuts the number of F–35s it plans to procure?

Ms. JAMES. It is my understanding that a cut in the procurement of F–35s will increase the per-unit cost. Therefore, the impact to the overall cost will depend upon the final number of aircraft to be procured.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

SMALL BUSINESS CONTRACTS

28. Senator CHAMBLISS. Ms. James, while I appreciate and support the objectives and intent of the Small Business Act, I am concerned that often the requirement to reach a small business percentage goal outweighs the requirement to produce the most effective products and services for our warfighters. This goal to achieve a certain percentage quota for small businesses can lead to inappropriate pressure being brought to bear on defense contracting officers to make decisions which result in the government buying a product or service at higher total procurement cost.

In some instances, these pressures are contrary to existing provisions of the Federal Acquisition Regulations (FAR) that contain specific exceptions allowing contracting officers' greater flexibility for specified contract tasks. Unfortunately, I am aware of cases in which these exceptions are not considered or are improperly excluded during the contract review process.

In particular, FAR 6.302.3 (Exception 3) applies specifically to engineering, research, or development capabilities that are provided to the Government by an educational or other nonprofit institution or a Federally Funded Research and Development Center. These contracts do not compete with large or small businesses and are well-recognized by the Air Force as providing unique capabilities at very low costs. Often, these Exception 3 contracts deliver a work product that is itself used to generate contract solicitations for small businesses.

In this climate of tight budgets, the Air Force must take full advantage of the best products or services at lower costs. University research, engineering, or development centers which are non-profit can provide these lower costs with greater continuity in expertise, unbiased analysis, along with advanced academic training. The Air Force has long acknowledged that we must improve the training available to both current and future government employees so that they will be better prepared to do their jobs. That is another reason that the Exception 3 academic component is part of the FAR provisions.

To this end, the Air Force should establish a plan in which contracts awarded under a valid FAR Exception 3 are not counted against the percentage of total awards made to small businesses when determining small business set-aside, award goals.

Furthermore, the Secretary of the Air Force, through the Small Business Programs office, should immediately direct local Air Force commands to educate, emphasize, and enforce the intent of FAR exceptions and make it clear to both local

Procurement Contracting Officers and Small Business Offices that valid FAR 6.302 Exception 3 contracts are not subject to Small Business disapproval because they are viewed as detracting from small business contracting goals.

If confirmed, do you believe that you can create a system where awards made under a FAR Subpart 6.302 Exceptions 3 will not count against Air Force small business percentage goals?

Ms. JAMES. As I understand it, the methodology for what is or is not counted in the Small Business Goaling percentage is established by the Small Business Act and its implementing regulations and policies. The type of action you propose may require a change in legislation (i.e., Small Business Act). If confirmed, I will look into the issue more closely.

29. Senator CHAMBLISS. Ms. James, if confirmed, will you and your Small Business Programs office, in the next 90 days, work directly with my staff to craft a solution that ensures the Air Force will actively enforce the intent of FAR 6.302 Exceptions 3 so that we are not excluding a valid process that results in lower total procurement costs?

Ms. JAMES. If confirmed, I will look into FAR 6.302–3 sole source exceptions to ensure processes are being followed according to all laws and regulations.

30. Senator CHAMBLISS. Ms. James, within 180 days, will you establish a Service-wide directive where awards made under FAR 6.302 Exception 3 are not subject to local Small Business office review for approval and allocation to small business contracting quotas if this valid exception is considered to be in the best interest of the Government as determined by the Government requirements and procurement personnel?

Ms. JAMES. I will certainly review the policies under the Small Business Act, Section 8, 15, and 31 and FAR 19.402 and consult with the Small Business Administration regarding their statutory and regulatory policies on this issue.

31. Senator CHAMBLISS. Ms. James, in accordance with FAR 19.702, since subcontracting plans are required for solicitations greater than $650,000 ($1.5 million for construction), and because prime contractors are required to electronically submit subcontractor reports (SF 294 and SF 295) after award, will the Air Force include dollar totals from these subcontractor reports towards the small business goals since the subcontracts are also federally funded and the data is already available?

Ms. JAMES. As I understand it, IAW FAR 19.702, they will count towards the Subcontracting Goals.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

A–10 WARTHOG

32. Senator AYOTTE. Ms. James, has the Air Force made the decision to divest A–10s from the Air Force inventory?

Ms. JAMES. To the best of my knowledge, no final decisions have been made. This question is predecisonal (and I am not privy to predecisional matters).

33. Senator AYOTTE. Ms. James, has General Welsh signed the fiscal year 2015 program objective memorandum (POM) and does it call for the divestment of A–10s by 2015?

Ms. JAMES. I don't know. However, I do know that Air Force budget decisions are not final at this point, as they have yet to go through the full process.

34. Senator AYOTTE. Ms. James, is the divestment of the A–10 primarily a budget-driven decision or does the Air Force believe the A–10 is no longer needed for the close air support mission? If the Air Force believes the A–10 is no longer needed, please provide a detailed justification.

Ms. JAMES. I have not been briefed on the fiscal year 2015 POM, but it my understanding there are other weapon systems in the Air Force inventory that provide capabilities similar to that of the A–10. If confirmed, I will explore the matter thoroughly.

35. Senator AYOTTE. Ms. James, does the Air Force believe it will need congressional authority or appropriations to divest A–10s?

Ms. JAMES. Any Air Force divestiture proposals will be forwarded as part of the President's budget for congressional consideration. If confirmed, I will take no action on fleet divestures without consulting all stakeholders.

36. Senator AYOTTE. Ms. James, have the Army and Marine Corps provided an opinion to the Air Force on any potential plan to divest the A–10s?
Ms. JAMES. I don't know. However, the normal process would be for the Air Force to brief the Army and Marine Corps as well as the other DOD components on the Air Force's fiscal year 2015 budget recommendations. Additionally, DOD leads an extensive review of each Service's budget proposals as part of the annual Program Budget Review. This process has not yet fully played out.

37. Senator AYOTTE. Ms. James, has the Army expressed a desire to maintain and operate the A–10?
Ms. JAMES. I don't know. Personally, I have not communicated with the Army about this program.

38. Senator AYOTTE. Ms. James, how does the Air Force plan to replace the capabilities that will be lost if the A–10 is divested by fiscal year 2015?
Ms. JAMES. I am told that the A–10 capabilities already exist on multi-role platforms. The evolution of targeting pods, precision-guided munitions, and the refinement of tactics, techniques, and procedures have enabled other platforms to provide the capabilities once considered unique to the A–10. I will delve into this more deeply if confirmed.

39. Senator AYOTTE. Ms. James, how does the Air Force plan to replace the A–10s role in close air support, combat search and rescue (CSAR) support, strike coordination and reconnaissance (SCAR), and as a forward air controller (airborne)?
Ms. JAMES. I am told that these missions are already accomplished using multiple aircraft in the Air Force inventory. Multi-role fighter platforms already perform most of these missions. I agree that this is a critical question to review more thoroughly if confirmed.

40. Senator AYOTTE. Ms. James, if the A–10 is divested, does the Air Force anticipate a degradation of capability in any of these areas?
Ms. JAMES. If the A–10 is divested, it will be critical that these capabilities be provided through alternate means. I would be committed to this if confirmed.

41. Senator AYOTTE. Ms. James, what would be the timeline for A–10 divestments?
Ms. JAMES. I do not have any information on this.

42. Senator AYOTTE. Ms. James, will F–35s come into the inventory at the same rate or faster than A–10s would be divested?
Ms. JAMES. I don't know.

43. Senator AYOTTE. Ms. James, are Air Force F–35 pilots receiving formal training for the following missions: close air support, CSAR support, Special Operations Forces support, air interdiction, armed reconnaissance, forward air controller (airborne), non-traditional intelligence, surveillance, and reconnaissance, and SCAR?
Ms. JAMES. My understanding is that pilots either are, or will be trained, in all these areas.

44. Senator AYOTTE. Ms. James, has the Air Force developed plans to end or curtail A–10 pilot training?
Ms. JAMES. I have not been briefed on this.

45. Senator AYOTTE. Ms. James, is the Air Force curtailing A–10 pilot training in fiscal year 2014? If so, how?
Ms. JAMES. I have not been briefed on this area.

46. Senator AYOTTE. Ms. James, would all bases that lose the A–10 receive a new airframe? If not, which bases will not receive replacement airframes?
Ms. JAMES. I have no information on this.

47. Senator AYOTTE. Ms. James, which operations plans (OPLANS) explicitly call for the use of A–10s and how will these OPLANS be supported without the A–10? (a classified response is acceptable)

Ms. JAMES. I have not been briefed on classified matters. I can provide, if confirmed.

48. Senator AYOTTE. Ms. James, has the Air Force sought the formal opinions of COCOMs regarding the potential divestment of the A–10?
Ms. JAMES. I do not know specifically, but if not, it should be part of the normal process.

49. Senator AYOTTE. Ms. James, what have COCOMs said?
Ms. JAMES. I have not been briefed on this.

50. Senator AYOTTE. Ms. James, have they expressed concerns about the ability to support OPLANs?
Ms. JAMES. I have not been briefed on classified matters.

51. Senator AYOTTE. Ms. James, will every A–10 removed from South Korea be replaced by an F–35?
Ms. JAMES. I have not been briefed on this.

52. Senator AYOTTE. Ms. James, in South Korea, would there be any gap between the removal of A–10s and their replacement with F–35s?
Ms. JAMES. I have not been briefed on this.

53. Senator AYOTTE. Ms. James, what are the strategic assumptions that are guiding the Air Force's decision to potentially divest the A–10?
Ms. JAMES. My understanding is that the Air Force is looking to achieve savings where possible in single mission aircraft when multi-mission aircraft can fulfill that mission.

54. Senator AYOTTE. Ms. James, how has the A–10 performed in Afghanistan?
Ms. JAMES. As far as I know, the A–10 performed superbly in Afghanistan.

55. Senator AYOTTE. Ms. James, how did the A–10 perform in Iraq?
Ms. JAMES. Superbly, to the best of my knowledge.

56. Senator AYOTTE. Ms. James, what is the best Air Force close air support platform in Afghanistan?
Ms. JAMES. I don't have information on this, but I have been briefed that the following additional aircraft provide close air support in Afghanistan: F–15E, F–16, B–1, B–52, AC–130.

57. Senator AYOTTE. Ms. James, how much does it cost to operate and maintain the current fleet of A–10s?
Ms. JAMES. I am told that in fiscal year 2012, the Air Force owned 346 A–10C aircraft that flew a total of 101.6K hours. The associated operational costs were $1.8 billion (based on Air Force Total Ownership Cost fiscal year 1303 data).

58. Senator AYOTTE. Ms. James, what is the potential Future Years Defense Program (FYDP) savings associated with divesting the A–10 fleet?
Ms. JAMES. I have not received any FYDP briefings.

59. Senator AYOTTE. Ms. James, what is the FYDP savings associated with divesting only the Active Duty A–10s while maintaining all the ANG/Air Force Reserves (AFRES) A–10 fleet?
Ms. JAMES. I don't know.

60. Senator AYOTTE. Ms. James, how does the planned A–10 Programmed Flying Training (PFT) for fiscal year 2014 compare to the PFT in fiscal year 2013? How does this change compare with other aircraft?
Ms. JAMES. My understanding is that the fiscal year 2014 A–10C PFT is reduced 18 percent from the fiscal year 2013 levels. The Air Force has explained to me that this is a result of the fiscal year 2013 National Oceanic and Atmospheric Administration-directed conversion of a Formal Training Unit (FTU) squadron to Air Force Reserve component and flying hour reductions associated with current fiscal challenges. Apparently, while other FTUs may have seen small flying hour reductions, no other FTUs are showing a noticeable difference in production between fiscal year 2013 and fiscal year 2014.

61. Senator AYOTTE. Ms. James, when has Headquarters (HQ) Air Combat Command (ACC) directed that the last scheduled Active Duty A–10 FTU "B Course" to occur? Please provide start and end dates.

Ms. JAMES. Based on my understanding, A–10 B-courses are still funded and planned.

62. Senator AYOTTE. Ms. James, has HQ ACC canceled any Active Duty B Courses programmed for fiscal year 2014?

Ms. JAMES. To the best of my knowledge—no.

63. Senator AYOTTE. Ms. James, is the Air Force still assigning new pilots to A–10 formal training and operational units?

Ms. JAMES. As I understand it, the Air Force is still assigning new pilots to the A–10.

64. Senator AYOTTE. Ms. James, when does the Air Force assignment system currently project the last A–10 pilots will enter formal training?

Ms. JAMES. Logically speaking, it would seem that the Air Force would only cease A–10 B-course training if the A–10 fleet is to be removed from the inventory.

65. Senator AYOTTE. Ms. James, is the Air Force maintaining the health of the A–10 fleet commensurate with other major weapons systems in terms of personnel flow, and logistics, and operations and maintenance (O&M) funding? Please include a side-by-side comparison with other major weapons systems.

Ms. JAMES. As I understand, yes. A–10 funding levels and aircraft availability (AA) rates are commensurate with other legacy fighter/attack weapon systems. However, the A–10 manning levels decreased approximately 10 percent from fiscal year 2010 to fiscal year 2012. This is partly due to the closing of the A–10 squadron at Spangdahlem AB, Germany. Overall, the health of the A–10 fleet, in terms of AA, improved from fiscal year 2010–2012. Total O&M costs less MILPERS are included in the comparison below.

	FY2010		FY2011		FY2012	
	O&M Costs	AA Rates	O&M Costs	AA Rates	O&M Costs	AA Rates
A-10	~$1.2B	53.97%	~$1.2B	58.58%	~$1.1B	66.52%
F-15E	~$1.4B	63.18%	~$1.3B	66.70%	~$1.3B	69.80%
F-16C/D*	~$3.3B	65.54%	~$3.3B	63.90%	~$3.1B	64.42%

Note: A-10, F-15E and F-16C/D figures are Total Force.

** F-16C/D fleet is approximately 3 to 4 times the size of the A-10 and F-15E fleets, respectively.*

66. Senator AYOTTE. Ms. James, in the event of A–10 fleet divestment, will the Air Force mobilize ANG/AFRES A–10 units to fulfill this gap?

Ms. JAMES. Logically speaking, it would seem that a fleet divestment would include ANG and AFRES units.

67. Senator AYOTTE. Ms. James, how long will they be mobilized?

Ms. JAMES. Divestiture, if it were to happen, would include the ANG, AFRES and the active units.

68. Senator AYOTTE. Ms. James, what was the cause of the F–15E mishap that occurred during the Libya operations? (a classified response is acceptable)

Ms. JAMES. I have not been briefed on this, but I will look in to it, if confirmed.

69. Senator AYOTTE. Ms. James, which legacy close air support (CAS) platforms have a Common Missile Warning System installed?

Ms. JAMES. My understanding is that there are no Air Force legacy CAS platforms that have this specific system installed. However, legacy Air Force platforms are equipped with a number of systems to protect against missile threats to include infrared and radar warning receivers, countermeasures, jammers and decoys. The F–35 will also have advanced warning and defensive systems.

70. Senator AYOTTE. Ms. James, which legacy CAS platforms are considered "threshold" for the ALQ–131 Pod Upgrade Program (PUP)?

Ms. JAMES. I have not been briefed on the PUP.

F–35 JOINT STRIKE FIGHTER

71. Senator AYOTTE. Ms. James, do you believe that our Nation needs the F–35 Joint Strike Fighter? If so, why?

Ms. JAMES. Yes, we need a fifth generation fighter aircraft to ensure air dominance.

72. Senator AYOTTE. Ms. James, do you believe it is important to execute the planned increase in production in fiscal year 2015 and beyond?

Ms. JAMES. I am unfamiliar with Air Force 2015 budget plans or specific F–35 production buy profiles. Intuitively an increase in production should continue to drive down unit cost, address legacy fleet recapitalization needs and provide capability sooner to help address threats. If confirmed, I look forward to reviewing the Service 2015 budget plans. From what I understand, the Air Force, like the rest of DOD, is reviewing all programs closely as it develops its future budgets against the backdrop of an uncertain fiscal environment.

AUDITABILITY

73. Senator AYOTTE. Ms. James, Secretary Hagel has said that DOD needs "auditable statements . . . to reassure the public, and Congress, that we are good stewards of public funds". Do you share Secretary Hagel's belief that we need auditable statements to ensure the Air Force is a good steward of our tax dollars—especially in this period of difficult budget cuts?

Ms. JAMES. Yes. Auditable financial statements provide Congress and the American public confidence that the Air Force is producing useful and reliable fiscal information, as well as spending taxpayer funds judiciously. Our current budget environment makes this effort even more urgent. Audit readiness will improve the efficiency and effectiveness of the funds entrusted to the Air Force.

74. Senator AYOTTE. Ms. James, do you understand that submitting an audit-ready statement of budgetary resources by September 30, 2014 is not just a goal, but it is the law?

Ms. JAMES. Yes. I fully understand that the September 30, 2014 deadline for validating the audit readiness of the statement of budgetary resources was mandated in National Defense Authorization Act (NDAA) for Fiscal Year 2013.

75. Senator AYOTTE. Ms. James, in light of the cancelation late last year of the failing Expeditionary Combat Support System, do you believe the Air Force is on track to meet the 2014 and 2017 audit deadlines?

Ms. JAMES. While I don't have detailed insight into the current Air Force audit readiness plan, I know the Air Force is committed to meeting the near- and long-term audit readiness goals. I intend on ensuring this remains a priority for the Air Force, if confirmed.

76. Senator AYOTTE. Ms. James, what are the greatest challenges in meeting the audit readiness requirement and how can Congress help?

Ms. JAMES. I look forward to becoming more knowledgeable about Air Force audit readiness plans and goals. The "longest pole in the tent" likely will be legacy systems. Without doubt, the effort is substantial and impacts the entire enterprise. I am committed to identifying the most significant challenges, as well as practical solutions to overcoming those challenges.

77. Senator AYOTTE. Ms. James, do I have a commitment from you that the Air Force will meet the 2014 statement of budgetary resources deadline, as required by the 2013 NDAA?

Ms. JAMES. You have my full commitment to work this hard. I understand this is a legal requirement and will give it full attention and priority. Once confirmed, I will look more closely into where the Air Force stands today.

SEQUESTRATION AND ITS IMPACT ON READINESS

78. Senator AYOTTE. Ms. James, General Welsh has recently said that under sequestration, the Air Force would be unable to execute the 2012 Strategic Planning Guidance that requires the military to fight one major adversary and deter another. General Welsh also told airmen stationed in Japan that the Air Force would "not

be as ready as we would like" if ordered to take action against the Syrian regime. Do you agree with General Welsh's assessments?

Ms. JAMES. I agree with General Welsh especially with respect to those forces that stopped flying due to sequestration.

79. Senator AYOTTE. Ms. James, what are your greatest readiness concerns if sequestration goes forward in 2014?

Ms. JAMES. If confirmed, I will focus on returning units stood down in fiscal year 2013 to operational levels of readiness.

80. Senator AYOTTE. Ms. James, General William Shelton, Commander of Air Force Space Command, recently said that sequestration threatens to "break every program" in the U.S. military space enterprise. Do you share his concern?

Ms. JAMES. I have not been briefed fully on space programs, but I agree in principle sequestration is very damaging.

QUESTIONS SUBMITTED BY SENATOR MIKE LEE

RELIGION IN THE MILITARY

81. Senator LEE. Ms. James, the current Air Force Instruction (AFI) 1–1, Section 2.12.1 regarding the free exercise of religion states that airmen are free to practice the religion they choose. It goes on to state that they may "confidently practice beliefs while respecting others whose viewpoints differ from their own". What action or actions by airmen would you consider show a lack of respect for the viewpoints of others?

Ms. JAMES. Ridiculing someone because of their religion or because they are nonreligious would be contrary to the AFI you reference and counter to the wingman culture the Air Force values. It would also be disrespectful to continue pressing an unwelcome religious discussion on someone.

82. Senator LEE. Ms. James, can you please describe when the practice of faith may be restricted by the viewpoints of others?

Ms. JAMES. The practice of faith should never be restricted by the personal viewpoints of others. Accommodation of particular religious practices will be granted unless a commander determines military necessity justifies limitation of the requested accommodation. Commanders and supervisors at all levels are expected to ensure that requests for religious accommodation are dealt with fairly.

83. Senator LEE. Ms. James, what do you understand to be the difference between evangelizing, which is allowed by DOD, and proselytizing, which is not allowed?

Ms. JAMES. My understanding is that the Air Force and DOD have no policy that directly addresses religious evangelizing and proselytizing. However, there is an Air Force policy on Free Exercise of Religion and Religious Accommodation. Basically, servicemembers may share their faith with other servicemembers, but may not forcibly attempt to convert others of another faith or no faith to their own beliefs. Concerns that may arise regarding these issues are handled on a case-by-case basis by the leaders of the unit involved, in consultation with chaplains and legal advisors.

84. Senator LEE. Ms. James, how are these differences explained to commanders in the military, and do you believe it is consistently applied?

Ms. JAMES. I believe that Air Force Chaplains are directly involved in the training of squadron and wing commanders. This training includes a discussion of the commander's role in ensuring the religious freedoms of airmen. It also includes a discussion of the commanders own religious practices. If confirmed, I look forward to discussing this area more with the Chief of Air Force Chaplains and to inquire about consistency.

[The nomination reference of Hon. Deborah Lee James follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
August 1, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Deborah Lee James, of Virginia, to be Secretary of the Air Force, vice Michael Bruce Donley, resigned.

[The biographical sketch of Hon. Deborah Lee James, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF DEBORAH LEE JAMES

Education:

Duke University

- 1976–1979
- Bachelor of Arts Degree, Comparative Area Studies, awarded 1979

Columbia University, School of International and Public Affairs

- 1979–1981
- Master of International Affairs Degree, awarded 1981

Employment record:

Science Applications International Corporation (SAIC)

- President for Technical and Engineering Sector
- February 2013–present
- Executive Vice President for Communications and Government Affairs
- August 2010–February 2013
- Senior Vice President/Business Unit General Manager
- February 2004–August 2010
- Senior Vice President
- January 2002–February 2004
- Senior Vice President and Director for Homeland Security
- January 2002–January 2002 (1 month)

Business Executives for National Security

- Executive Vice President and Chief Operating Officer
- May 2000–December 2001

United Technologies

- Vice President of International Operations and Marketing
- April 1998–May 2000

U.S. Department of Defense

- Assistant Secretary of Defense, Reserve Affairs
- May 1993–April 1998

U.S. House of Representatives

- Professional Staff Member
- 1983–1993

Department of the U.S. Army

- Presidential Management Intern, Army Materiel Command
- September 1981–April 1983

Honors and awards:

Profiles in Diversity Journal "Women Worth Watching" 2010 and 2012
Secretary of Defense Medal for Outstanding Public Service, 1997 and 1998
Meritorious Civilian Service Medals awarded by Army, Navy, Air Force, and Coast Guard

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[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Hon. Deborah Lee James in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Deborah Roche Lee James.
Deborah Lee James.
Deborah Roche Lee.
Deborah Lynn Roche.

2. **Position to which nominated:**
Secretary of the Air Force.

3. **Date of nomination:**
August 1, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
November 25, 1958; Long Branch, NJ.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Frank Joseph Beatty.

7. **Names and ages of children:**
Samuel Phillips Lee II, 29.
Regina Blair Lee, 27.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Rumson Fair Haven Regional High School, High School Diploma, June 1976.
Duke University, A.B. Comparative Studies, May 1979.
Columbia University, MIA (International Affairs), May 1981.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
President, Technical and Engineering Sector (SAIC), McLean, VA, February 2013–present.
Executive Vice President, Communications and Government Affairs (SAIC), McLean, VA, August 2010–February 2013.
Senior Vice President/Business Unit General Manager (SAIC), McLean, VA, February 2004–August 2010.
Senior Vice President (SAIC), McLean, VA, January 2002–February 2004.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
Member, Defense Advisory Committee on Women in the Services, 2010–Present (Special Government Employee)

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corpora-

tion, company, firm, partnership, or other business enterprise, educational, or other institution.

Trustee, Deborah R. Lee James Revocable Trust (my personal trust)

Advisory Board Member, Pentagon Federal Credit Union Foundation (2008–Present), Alexandria, VA

Advisory Board, Woman's Memorial Science, Technology, Engineering and Math (STEM) Campaign (2010–Present), Arlington, VA

Advisory Board, College of Charleston School of Language, Culture and World Affairs (2010–Present), Charleston, SC

Member, Board of Directors, Tragedy Assistance Program for Survivors (TAPS) (2011–Present), Washington, DC

Member, Advisory Board, Citadel School of Engineering Advisory Board (2010–Present), Charleston, SC

Board Member, Women in International Security (WIIS) Executive Circle (2012–Present), Washington, DC

Board Member, Atlantic Council of the United States (2012–Present), Washington, DC

Advisory Member, Business and Professional Women's Foundation—Joining Forces for Women Veterans Mentorinig Advisory Council (2011–Present), Washlngton, DC

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

Member, Executive Mosaic 4x24 Leadership Program, Potomac Officers' Club (2013–Present), McLean, VA (note: this is not a charity)

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

Debbie James Political Contributions - 4–15–13

Date	Amount	Candidate/PAC
4/16/2008	$500	SAIC Inc.-Voluntary Political Action Committee of SAIC
5/9/2008	$250	Ketner, Linda
10/21/2008	$2,300	Obama, Barack
10/31/2008	$500	Ketner, Linda
8/12/2009	$1,000	SAIC Inc.-VPAC
9/2/2010	$3,000	SAIC Inc.-VPAC
10/25/2010	$500	Skelton, Ike
9/30/2011	$250	Douglass, John
3/19/2012	$1,000	Connolly, Gerry
4/17/2012	$4,000	SAIC Inc.-VPAC

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Secretary of Defense Medal for Outstanding Public Service (1997 and 1998)

Meritorious Civilian Service Medals awarded by Army, Navy, Air Force, and Coast Guard

Profiles in Diversity Journal "Women Worth Watching," 2010 and 2012

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

N/A

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

N/A

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?
No.
(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?
Yes.
(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?
Yes.
(e) Will those witnesses be protected from reprisal for their testimony or briefings?
Yes.
(f) Do you agree, if confirmed, to appear and testify upon request before this committee?
Yes.
(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?
Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

DEBORAH L. JAMES.

This 5th day of September, 2013.

[The nomination of Hon. Deborah L. James was reported to the Senate by Chairman Levin on September 24, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 13, 2013.]

[Prepared questions submitted to Hon. Jessica G. Wright by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the military departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. I do not see the need for any modifications. I believe that the Goldwater-Nichols Act has significantly contributed to the strong framework for today's joint warfighting capabilities. It has considerably improved inter-service and joint relationships, promoting greater effectiveness of the military departments and combatant commands.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. Currently I am unaware of any areas where modifications are needed. If I am confirmed, I will continue to assess any further need to legislative modifications.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. In October 2012, I was designated as the acting Principal Deputy Under Secretary of Defense for Personnel and Readiness. Further, in December 2012, I was named the acting Under Secretary of Defense for Personnel and Readiness. In both of these roles, I supported the Secretary and Deputy Secretary of Defense in the areas of Total Force Management as it relates to readiness; National Guard and Reserve component affairs; health affairs; training; and personnel requirements and management, including equal opportunity, morale, welfare, recreation, and quality of life matter. I have been responsible for the recruitment, career development, pay and benefits of 1.4 million Active Duty military personnel, 1.3 million Guard and Reserve personnel, 680,000 DOD civilians, and was responsible for overseeing the overall state of military readiness.

In addition, I served this country in uniform for over 35 years, a large part of that time in key leadership positions as an Active Guard Reserve officer as well as a traditional Reserve component member. My last assignment for over 7 years was as The Adjutant General of the Commonwealth of Pennsylvania and Commander of the Pennsylvania National Guard where I worked with a wide variety of officials at the Federal, State, and local levels. During that time, I was responsible for a vast array of programs including the personnel, equipping, training, mobilizations, deployment and demobilizations of over 20,000 guards men and women, the management and implementation of the PA National Guard responsibility for the National Special Security Event G–20, the role the PA National Guard played in providing support to Hurricane Katrina, and several aspects of the Presidential Inauguration in January 2009, to name just a few. I was also responsible for all of the Veterans programs within the Commonwealth as well as our Family support networks, Yellow Ribbon and Employer Support of the Guard and Reserve (ESGR) Programs.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the next Under Secretary of Defense for Personnel and Readiness (P&R)?

Answer. This year marks the 40th anniversary of the All-Volunteer Force and it must remain our highest priority to maintain the quality and readiness of our Nation's Total Force. With shifting operational needs abroad and the difficult fiscal realities at home, we will need to rebalance, adapt and evolve our workforce to meet these challenges. We must do this also by providing commensurate compensation, benefits, support and medical care to our servicemembers and their families. As we face programmed reductions in military end strength, civilian workforce, and contract services, we must be vigilant in order to sustain force readiness and retain our high quality military and civilian personnel that have made our military the strongest, most capable, and respected fighting force in the history of the world.

The Department leadership is collectively focused on eliminating sexual assault from the Total Force. Even one sexual assault is one too many and out of step with the core values of the American military. Likewise, P&R must keep, at the forefront, preventing suicide and addressing mental health as we complete our mission in Afghanistan and assist our transitioning servicemembers to be successful and productive in their civilian life.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I will continue to support the force readiness and personnel risk reduction priorities of Secretary Hagel and Deputy Secretary Carter. I will further assess range of challenges and issues confronting the Department in these areas. I fully recognize this is a team effort and that significant progress cannot be made without leadership and close partnerships. I intend to continue to work closely with Congress; colleagues in the Office of Secretary of Defense, Joint Staff, and the Military Departments and Services; as well as with critical partners across the interagency and advocacy groups to make progress on these challenges.

DUTIES

Question. Section 136 of title 10, U.S.C., provides that the Under Secretary of Defense for Personnel and Readiness shall perform such duties and exercise such powers as the Secretary of Defense may prescribe in the areas of military readiness, total force management, military and civilian personnel requirements, military and civilian personnel training, military and civilian family matters, exchange, commissary, and non-appropriated fund activities, personnel requirements for weapons support, National Guard and Reserve components, and health affairs.

Assuming you are confirmed, what duties do you expect to be assigned to you?

Answer. If confirmed, I intend to carry out my responsibilities, functions, relationships, and authorities, in accordance with the law and consistent with DOD Directive 5124.2, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))." I would be the Secretary of Defense's principal staff assistant and advisor in all matters relating to the management and well-being of military and civilian personnel in the DOD Total Force and for oversight of the readiness of this force. I would develop policies and provide oversight for the direction of plans and programs governing Total Force management as it relates to manpower; force management; planning; program integration; readiness; National Guard and Reserve component affairs; health affairs; training; personnel requirements and management; and compensation. This also includes equal opportunity, morale, welfare, recreation, and quality of life matters for both civilian and military personnel and their families.

Question. In carrying out these duties, what would be your relationship with the following officials?

The Secretary of Defense.

Answer. If confirmed, I expect to serve the Secretary as his principal advisor and advocate for Total Force Management as it relates to readiness; National Guard and Reserve component affairs; health affairs; training; and personnel requirements and management, including equal opportunity, morale, welfare, recreation, and quality of life matters.

Question. The Deputy Secretary of Defense.

Answer. If confirmed, I would expect my relationship with the Deputy Secretary to be fundamentally the same as that with the Secretary of Defense.

Question. The Assistant Secretary of Defense for Health Affairs (ASD(HA)).

Answer. If confirmed, ASD(HA) will be my principal advisor for all DOD health policies, programs, and force health protection activities.

Question. The Assistant Secretary of Defense for Reserve Affairs (RA).

Answer. If confirmed, ASD(RA) will be my principal advisor for all Reserve component matters in the Department of Defense (DOD).

Question. The Department of Defense General Counsel.

Answer. If confirmed, I would anticipate regular communication, coordination of actions, and exchange of views with the General Counsel and the attorneys assigned to focus on personnel policy matters. I would expect to seek and follow the advice of the General Counsel on legal and procedural matters pertaining to the policies promulgated from the off ices of the USD(P&R) office.

Question. The Department of Defense Inspector General.

Answer. The DOD Inspector General is in charge of promoting integrity, accountability, and improvement of DOD personnel, programs and operations to support the Department's mission and serve the public interest. If confirmed, I will fully assist in any investigations or issues that relate to personnel and readiness.

Question. The Service Secretaries.

Answer. If confirmed, I would hope to work closely with the Secretaries of the Military Departments on all matters relating to the management, well-being, and readiness of military and civilian personnel in the DOD Total Force structure.

Question. The Service Chiefs.

Answer. If confirmed, I would hope to work closely with the Secretaries of the Military Departments on all matters relating to the management, well-being, and readiness of military and civilian personnel in the DOD Total Force structure.

Question. The Assistant Secretaries for Manpower and Reserve Affairs of the Army, Navy, and Air Force.

Answer. If confirmed, I would intend to further strengthen the partnership with these officials in carrying out the human resource obligations of the Services for the Total Force.

Question. The Deputy Chiefs of Staff of the Army and Air Force for Personnel, the Chief of Naval Personnel, and the Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs.

Answer. If confirmed, I intend to partner in effective working relationships with these officers to ensure that DOD attracts, motivates and retains the quality people it needs.

Question. The combatant commanders.

Answer. If confirmed, I would hope to work closely with the Combatant Commanders on all l matters relating to the management, well-being, and readiness of the DOD Total Force.

Question. The Joint Staff, particularly the Director for Manpower and Personnel (J–1).

Answer. If confirmed, I intend to partner a close coordinating relationship with the Joint Staff regarding manpower and personnel policy issues.

Question. The Chief of the National Guard Bureau.

Answer. The Chief, National Guard Bureau is a principal advisor to the Secretary of Defense, through the Chairman of the Joint Chiefs of Staff, on matters involving non-Federalized National Guard forces and on other matters as determined by the Secretary of Defense. If confirmed, I look forward to a continued strong relationship, through ASD(RA), to ensure effective integration of National Guard capabilities into a cohesive Total Force.

Question. Director, Defense Health Agency.

Answer. If confirmed, I plan to work closely with the Director of the Defense Health Agency (soon to be established), through ASD(HA), in all matter relating to the Military Health System and common medical services shared across all Services.

Question. Director, Office of Personnel Management.

If confirmed, I intend to partner a close coordinating relationship with the Director, Office of Personnel Management on matters regarding civilian personnel policies.

SYSTEMS AND SUPPORT FOR WOUNDED WARRIORS

Question. Servicemembers and civilians who are wounded or injured in combat operations deserve the highest priority from their Service and the Federal Government for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from active duty if required, and continuing support after retirement or discharge. Despite the enactment of legislation and renewed emphasis over the past several years, many challenges remain.

What is your assessment of the progress made to date by DOD and the Services to improve the care, management, and transition of seriously ill and injured servicemembers and their families?

Answer. DOD and Department of Veterans Affairs (VA) continue to make progress in this area. We have reduced the overall disability evaluation time from over 500 days to 400 days and are reducing the post-separation wait for VA disability determination. We are also actively collaborating on the establishment of joint DOD/VA policy guidance, processes, and metrics for coordination of case management and care coordination programs within the two Departments related to the delivery of care, benefits and services to wounded, ill or injured servicemembers and their families. Efficiencies we have made toward expediting the paperless transfer of medical, personnel and financial data to VA and the electronic exchange of information to the Veterans Benefits Management System have both contributed to elimination of the current backlog of disability benefit claims and will benefit future Veterans by enabling VA to process claims faster and more accurately, thereby allowing those Veterans to receive earned benefits more quickly

If confirmed, I will continue to ensure an electronic and seamless transition from recovery to reintegration for our wounded, ill or injured servicemembers. Additionally, I would continue the Department's collaborative efforts with the VA on compensation and benefits, transition assistance and care coordination.

Question. What are the strengths upon which continued progress should be based?

Answer. The greatest strength is the DOD's commitment to take care of its wounded warriors and their families. That commitment will guide continued efforts by DOD and VA. Fine tuning case management and automation of certain aspects of the process will aid in reducing processing times.

Question. What are the weaknesses that need to be corrected?

Answer. The DOD and VA have undertaken a total review and revamping of our approach to case management—policy, process and IT. For example, DOD, VA and the Military Departments Care Coordinators are piloting a case management tool in the National Capital Region and Texas. The goal is to gain insights, and use these insights; to integrate non-medical and medical case information to assist recovering wounded, ill and injured servicemembers obtain a new-normal life outcome; link data transfer between recovery care and disability evaluation; and ensure quality assurance across the continuum of care. The pilot is ongoing and will conclude by summer 2014.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase support for wounded servicemembers and their families, and to monitor their progress in returning to duty or to civilian life?

Answer. If confirmed, working closely with Congress and the military departments, I will continue to evaluate what additional support, including resources and/or authority, is necessary to address the needs of the wounded servicemembers, their families and caregivers. For example, in addition to the above pilot, we are taking first steps to expand our Operation Warfighter and Education and Employment Initiative opportunities beyond the government sector to include the private

sector. Additionally, we have a robust adaptive sports and rehabilitation program, including such activities as gardening, arts, and team and individual sports.

Question. Studies conducted as a result of the revelations at Walter Reed Army Medical Center in 2007 pointed to the need to reform the disability evaluation system. The Integrated DES (IDES) program was established to integrate the DOD and Department of Veterans Affairs (VA) disability systems to improve and expedite processing of servicemembers through the disability evaluation system. While the processing times under the IDES were initially encouraging, servicemembers are now mired in long VA disability rating and case disposition wait times, and the VA's portion of the system appears to be overloaded.

What is your assessment of the need to further streamline and improve the IDES?

Answer. DOD has made great progress in increasing staffing and improving the performance of our portions of the IDES processes. DOD is completing its IDES core processes in 148 days against a 105-day goal. Our sustained improvement has resulted in moving a large case load downstream to VA increasing their IDES backlog. As a result, VA's inventory of cases awaiting preliminary rating has increased 46 percent since January 2013, to 9,192 cases and the VA IDES core process timeliness has increased to 272 days against a 100-day goal.

We are helping VA improve service delivery by ensuring the case files presented to them are as complete as possible. DOD is piloting an electronic case file capability to eliminate mailing and accounting of paper records by the VA and the Army has stationed 20 servicemembers at VA's Seattle rating site to help fill the gaps in DOD case files when they are identified. The intended affect is to help VA have cases "ready to rate" to allow them to adjudicate IDES cases more quickly. If confirmed, I plan to continue to look at all aspects of the system to see where opportunities exist for improvement.

Question. If confirmed, how will you address any need for change?

Answer. DOD continues to work toward a more efficient IDES using senior-level work groups and leadership councils as well as capitalizing on the information presented to us by the Recovering Warrior Task Force, Government Accountability Office, and Military Department Inspector Generals. DOD is currently undertaking several congressional studies that will give us further opportunities to enhance IDES processes. Where there are efficiencies that can be achieved by changing policy, we will do so. Additionally, we will continue our work with our VA partners to align our programs and resources together to agree on the proper paperless IT system and streamlined process changes and appropriately address them across our Departmental boundaries.

Question. If confirmed, what role would you expect to play in ensuring that the Departments of Defense and Veterans Affairs achieve the administration's objectives in DOD and VA collaboration?

Answer. In my capacity as Acting Under Secretary, I have been personally involved with DOD and VA collaborative efforts to achieve the administration's objectives and all other joint efforts with VA. If confirmed, I expect to continue to take a personal role. I will continue to provide oversight and strategic guidance, and require the staff to maintain constant contact with their VA counterparts at all echelons. I will continue to personally meet with my VA counterpart on a regular and frequent basis, formally and informally, and engage with the Secretary and Congress, and the White House staff.

REPEAL OF "DON'T ASK, DON'T TELL"

Question. What is your assessment of the effect on the force of the repeal of the Don't Ask, Don't Tell policy?

Answer. The repeal of "Don't Ask, Don't Tell" has had no impact on military readiness, effectiveness, unit cohesion, recruiting, or retention of the Armed Forces. We attribute this success to our comprehensive pre-repeal training programs, combined with the discipline of our servicemembers and continued close monitoring and enforcement of standards by our military leaders at all levels.

Question. What military benefits are currently being provided to same-sex spouses and to same-sex partners?

Answer. It is the Department's policy to treat all married military personnel equally. Therefore, the same benefits are available to all military spouses, regardless of whether they are in same-sex or opposite-sex marriages. No benefits are provided to domestic partners, regardless of whether they are in same-sex or opposite-sex domestic partnerships.

Question. Are there any additional military benefits that should be considered for same-sex spouses and partners?

Answer. No, it is the Department's policy to treat all married military personnel equally. The same benefits are available to all military spouses, regardless of whether they are in same-sex or opposite-sex marriages.

Question. What is your assessment of the current and projected future impact to resourcing that will be required to provide military benefits to same-sex spouses and partners?

Answer. The costs associated with same-sex benefits are not significant from a cost perspective and will be absorbed within the existing Department budget.

Question. If confirmed, what actions, if any, would you pursue in this regard?

Answer. If confirmed, I will continue to ensure that all military personnel and their spouses are treated equally with access to the same benefits.

Question. According to press accounts, two States—Texas and Mississippi—are refusing to allow same-sex spouses to apply for Federal benefits in State-supported facilities, citing conflicts with State law.

If confirmed, what actions would you take to ensure that members of the National Guard of the United States will receive the Federal benefits to which they are entitled?

Answer. Identification cards are currently available in all Federal facilities for all military spouses, regardless of whether they are in same-sex or opposite-sex marriages. The Department is currently examining the matter of those National Guard sites that are not issuing identification cards to same-sex spouses with our legal counsel and evaluating options to address the issue. In the meantime, we are asking same sex spouses desiring cards to go to the nearest Federal facility.

Question. On September 4, 2013 you signed a policy memorandum that authorized "administrative absence to obtain a legal marriage" when a member is part of a couple that desires to get married and is assigned to a duty station located more than 100 miles from a U.S. State, the District of Columbia, or other jurisdiction that allows the couple to get married. This memorandum revoked an August 13, 2013 change to DOD Instruction 1327.06 that authorized uncharged leave for same-sex couples to travel from the area of a permanent duty station for the purpose of obtaining a legal marriage. The authority established in your September 4th memo, while neutral on its face, appears to only benefit same sex couples who want to be married and not heterosexual couples.

What is your understanding concerning whether there are any circumstances in which heterosexual members who want to obtain a legal marriage would be eligible for uncharged leave under the policy set forth in your September 4, 2013 memorandum?

Answer. We have identified several situations in which heterosexual members who want to obtain a legal marriage would be eligible for administrative absence under the current policy. The nature of military service often involves short notice deployments and temporary duty to far off or foreign locations. That Service does not always allow a member to meet the requirements necessary to obtain a marriage license in the State in which the member is assigned. Some States have age restrictions which require that one or both members of a couple be of a certain age or to obtain a parent's or guardian's permission before marrying. This permission may not be obtainable within the limited timeframe that military service sometimes allows. Finally, several States impose a waiting period to obtain a marriage license which may not be achievable for a deploying member of the Armed Forces. All of these are examples in which a commander may grant an administrative absence to facilitate a legal marriage.

Question. In your view is the use of regular leave accrued by all members of the Armed Forces at the rate of 2½ calendar days for each month of Active service, as authorized by title 10, U.S.C., section 701(a), inadequate for the purpose of allowing leave for all servicemembers who want to be married to be married?

Answer. The current accrual rate of annual leave is sufficient for most servicemembers who choose to obtain a legal marriage. This policy however, was crafted to allow flexibility for those members who cannot obtain a legal marriage within 100 miles of their assignment. Because laws differ around the globe, providing members time to ensure their relationships are recognized under law is a reasonable accommodation. In addition, the Department has committed to conduct annual reviews to determine if this policy remains necessary.

Question. What is your understanding of the authority of the Secretary of Defense to create a new category of administrative absence, for 7 to 10 days in a paid status, for members of the armed services in circumstances where the member could otherwise use earned leave?

Answer. The authority for approved absences from duty already exists under current OSD policy (DODI 1327.06), and there is longstanding precedent that commanders have discretionary authority to grant administrative absence to service-

members. Examples of similar administrative absences include house hunting, attendance at professional meetings, and time off to officiate at a retirement ceremony.

Question. How does the policy in your September 4 memorandum promote the express goal of treating all military personnel equally and making the same benefits available to all qualified members?

Answer. In an effort to treat everyone equally, and after careful consideration and consultation with the Chiefs and Secretaries of the Services, as well as the Chairman of the Joints Chiefs of Staff, our September 4th policy was expressly crafted so that it applied equally to both same sex and opposite sex couples.

RELIGIOUS GUIDELINES

Question. In your view, do DOD policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. Yes, in my view, current DOD policies appropriately accommodate the free exercise of religion for all servicemembers in the pluralistic environment that is the U.S. military. DOD does not endorse any one religion or religious organization, and provides free access of religion for all members of the Military Services. The Department respects (and supports by its policy) the rights of others to their own religious beliefs, including the right to hold no beliefs.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact good order and discipline?

Answer. Current law and policy ensure servicemembers' rights to observe the tenets of their respective religions, as well as to hold no specific religious conviction or affiliation. The Chaplaincies of the Military Departments advise and assist commanders in the discharge of their responsibilities to provide for the free exercise of religion in the context of military service as guaranteed by the Constitution, assist commanders in managing Religious Affairs and serve as the principal advisors to commanders to ensure these expressions of belief do not adversely impact mission accomplishment, including good order and discipline.

Question. In your view, do existing policies and practices regarding public prayers offered by military chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious beliefs?

Answer. Existing DOD policies provide military chaplains with sufficient guidance that allows them to balance to the extent their religious beliefs allow, in both formal and informal settings, their own faith practices with the rights of others who may hold different or no religious beliefs. The Chaplaincies of the Military Departments train and equip chaplains with the knowledge and skill to help them make this proper balance.

Question. Section 533 of the National Defense Authorization Act (NDAA) for Fiscal Year 2013 (P.L. 112–239) protects rights of conscience of members of the Armed Forces and chaplains of such members, and prohibits, so far as possible, use of such beliefs as the basis of any adverse personnel action, discrimination, or denial of promotion, schooling, training, or assignment. Members of some religious denominations have sincerely held beliefs in opposition to same-sex marriage.

In your view, may a member of the armed forces who has a sincerely held belief in opposition to same-sex marriage be subject to adverse personnel action or similar other adverse action, if he or she shares those personal views on the subject in an official capacity?

Answer. The issue—a servicemember expressing personal views when speaking in his/her official capacity, is significant. Servicemembers speaking in their official capacities are expected to express official views, especially when dealing with subordinates. Expressing personal views while speaking in an official capacity can create confusion, and may give the impression of encouraging disagreement with DOD policy or the law. Servicemembers are entitled to have personal views and to express them in personal conversations; however, servicemembers are not entitled to use their official capacity as a forum to express their personal views. Servicemembers who express personal views when speaking in an official capacity may be held accountable for what they say.

Question. Can he or she be subject to adverse personnel action if they express personal views on same sex marriage in their personal capacity?

Answer. Expressions of personal views by servicemembers in their private capacities generally are permissible because they are integral to the free speech and the

free exercise of religion. Traditionally, private conversations in the barracks have included expressions of views contrary to DOD policy. However, personal expressions which disrupt the mission or have an adverse impact on good order and discipline may cause the member to be counseled by his/her chain of command, not for the views but for the disruption to the mission.

Question. The Independent Review Related to Fort Hood observed that "DOD policy regarding religious accommodation lacks the clarity necessary to help commanders distinguish appropriate religious practices from those that might indicate a potential for violence or self-radicalization." Recommendation 2.7 of the Final Recommendations urged the Department to update policy to clarify guidelines for religious accommodation and Recommendation 2.8 urged the Department to task the Defense Science Board to "undertake a multi-disciplinary study to identify behavioral indicators of violence and self-radicalization . . . ".

What action has the Department taken with respect to these recommendations?

Answer. Ensuring appropriate accommodations for the free exercise of religions and protecting servicemembers from violence and harm are both of vital importance. Pursuant to Recommendation 2.7, the Department updated its policy on religious accommodation to ensure religious freedoms and practices are accommodated to the fullest extent possible considering mission readiness, discipline and unit cohesion. This policy is in the final stage of revision to incorporate language from the NDAA for Fiscal Year 2013, section 533, which protects the rights of conscience of members of the Armed Forces and chaplains. Regarding Recommendation 2.8, the Department did task the Defense Science Board (DSB) to undertake a study.

PREVENTION OF AND RESPONSE TO SEXUAL ASSAULTS

Question. What additional steps would you take, if confirmed, to address the problem of sexual assaults in the military?

Answer. We recognize there is no single solution to solving the problem of sexual assault and have adopted a multi-disciplinary approach that includes a variety of initiatives in prevention, investigation, accountability, victim assistance and assessments. If confirmed, I will continue to work to ensure our program prevents crimes from occurring in the first place. But, when crimes do occur, we must have comprehensive, effective, accessible and responsive investigative and victim assistance services available. I will work to ensure that our program continues to educate all servicemembers, frontline commanders and leaders and hold them accountable in establishing a culture of dignity and respect; fully implements our DOD Sexual Assault Prevention and Response Strategic Plan and the 16 recently-announced Secretary of Defense directives; and sustains our current level of attention, focus, and emphasis throughout the entire Department.

Question. In 2012, for the fourth year in a row, there were more than 3,000 reported cases of sexual assault in the military, including 2,558 unrestricted reports, and an additional 816 restricted reports. Moreover, a recent survey conducted by the DOD indicates that the actual number of sexual offenses could be considerably higher, as 6.1 percent of Active Duty women and 1.2 percent of Active Duty men surveyed reported having experienced an incident of unwanted sexual contact in the previous 12 months. This survey has been criticized by some because its conclusions are extrapolated from an unscientific sample set and the questions asked in the survey were too imprecise.

What is your assessment of the scientific accuracy of the DOD survey?

Answer. The Defense Manpower Data Center's (DMDC) survey division has conducted surveys of the military and DOD community using stratified random sampling for over 20 years, subscribing to methodological best practices promoted by the American Association for Public Opinion Research. The scientific method of stratified random sampling is the principal method used by government statistical agencies and private survey firms that conduct surveys, such as the Army Research Institute (ARI), Census Bureau, the Bureau of Labor Statistics, Gallup, RAND, WESTAT, RTI, Pew, and Roper.

For this survey, DMDC worked with DOD's legal experts here at Headquarters and in the field to ensure behaviors prohibited in the Uniform Code of Military Justice (UCMJ) were appropriately captured in the unwanted sexual contact (USC) survey question. The behaviorally-based question includes a range of physical behaviors prohibited by the UCMJ (from unwanted sexual touching of the breasts or buttocks through completed sexual intercourse), but does not include unwanted touching of non-sexual areas of the body (e.g., the shoulder, back, legs, or arms) or offensive verbal remarks or gestures (these behaviors are captured separately).

Question. What is your assessment of the scientific accuracy of the interpretation of the results of that survey in the 2012 report?

Answer. The accuracy of survey results are dependent on whether the sample used is randomly drawn and conforms to scientific "best practices" for sampling and weighting procedures. Criticism of the 2012 Workplace and Gender Relations Survey of Active Duty Members (WGRA) as "unscientific" and unreliable is uniformly false and based on a basic lack of understanding of the scientific sampling and weighting methods employed by DMDC. DMDC uses state-of-the-art scientific statistical techniques to draw conclusions from random, representative samples of the active duty population and can accurately generalize to the full active duty population using a complex, but precise, scientific weighting process that accounts for sampling error, nonresponse, and the necessary oversampling of smaller populations within the sample. In conducting this research, DMDC has a decided advantage over many public and private opinion pollsters since DMDC is the DOD repository for all military personnel data and is able to use demographic data to inform the sampling and weighting process. It also allows respondents the ability to answer sensitive questions without disclosing identifying demographic information—a strategy strongly encouraged by experts in the field, but rarely available to other polling organizations.

Question. If confirmed, what actions will you take to obtain better data on sexual assaults in the military?

Answer. DMDC is already working closely with the Sexual Assault Prevention and Response Office, the Services, and senior DOD leaders to look for ways to continue to improve the 2014 WGRA survey and refine the metrics and measures that scientifically and effectively evaluate sexual assault within DOD. DOD is also working with other agencies, such as CDC, to help increase the comparability of DOD data to other sexual assault victimization data collected about civilians across the United States.

I have also directed that DMDC and the Services coordinate their survey efforts to minimize burden on servicemembers and maximize the sharing of information from each survey effort. Coordination of survey efforts to minimize respondent burden is critical as we must recognize the adverse impact from over-surveying the same population, which has caused a decline in response rates across DOD surveys.

DMDC is also currently conducting a scientific review of non-response to these DOD surveys. This analysis will identify whether those who did not respond to the survey would have provided significantly different answers than those who did respond. Findings from this analysis may contribute to improving the sampling methodology for future WGRA surveys. If confirmed, I will continue to ensure we use the most scientific and effective survey methods to assess sexual assault in DOD.

Question. What is your assessment of the current DOD sexual assault prevention and response program?

Answer. Our Sexual Assault Prevention and Response program is dynamic and we are consistently assessing it and striving to benefit from our lessons learned, best and promising practices, and inputs from stakeholders across our Nation. When methods are identified that can advance our efforts to build trust and improve our response, we act to implement these upgrades when they are within the Department's authorities; when a best practice is identified, we work to make it a common practice throughout the Department. If confirmed, I will continue to work closely with Members of Congress to assess current policy and identify needed changes.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. When a victim makes the difficult decision to come forward and report, we need to provide multiple reporting options. I support offering victims two reporting options, based on previous studies and commissions that found that some victims choose to forgo reporting and support services for fear of automatically initiating a criminal investigation. To address this barrier, the Department instituted two reporting options: Restricted and Unrestricted Reporting. Initiated in 2005, the Restricted Reporting option allows victims to confidentially access medical care and advocacy services without initiating an official investigation or command notification. This differs from the Unrestricted Reporting option, in which when a victim makes an Unrestricted Report, it is referred for investigation, and command is notified. As with Restricted Reporting, victims may receive healthcare, counseling, and advocacy services. Since 2005, over 5,000 servicemembers have used the Unrestricted Reporting option.

Question. What is your view of the adequacy of DOD oversight of military service implementation of the DOD and Service policies for the prevention of and response to sexual assaults?

Answer. In my view, we are providing extensive oversight and accountability of this important mission, and are continuing to employ multiple accountability tools to assess the issue of sexual assault prevention and response (SAPR) in DOD. The

Department publishes two accountability reports on sexual assault each year: the DOD Annual Report on Sexual Assault in the Military and the Annual Report on Sexual Harassment and Violence at the Military Service Academies (MSA). These comprehensive reports serve as the Department's primary means for evaluating and communicating oversight of its SAPR program, and provide transparency and accountability for every report of sexual assault.

In addition, DOD Inspector General (DOD IG) reviews are a valuable tool used to ensure accountability, integrity, and efficiency. To date, the DOD IG has conducted three separate reviews to assess different aspects of how the overall system responds to and handles sexual assault cases. Additionally, in 2011, the DOD IG formed a new Violent Crime Division focused on evaluating and improving the quality of the Department's violent crime investigations, including sexual assault. This unit evaluates the sexual assault investigation training and compliance with DOD policy in the Military Criminal Investigative Organizations.

The Secretary of Defense hosts weekly meetings of the senior leaders in this Department to hold the entire prevention and response system accountable. Also, the Director of the SAPR Office chairs an Executive Integrated Product Team consisting of General and Flag Officers and members of the Senior Executive Service from OSD, the Military Departments, and the Services every other month providing detailed review and oversight of the SAPR program. Finally, OSD provides subject matter expertise and analysis to a quarterly SAPR Joint Executive Council convened by the Joint Chiefs of Staff and designed to review SAPR program performance and effectiveness across each of the Military Services.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults have occurred?

Answer. As we have seen in other recent military culture changes, culture change starts at the top with commanders and leaders leading by example and enforcing standards of conduct. The role of the chain of command in changing the military culture is paramount. Central to our approach is requiring leaders at all levels to foster a command climate where sexist behaviors, sexual harassment, and sexual assault are not condoned or ignored; where dignity and respect are core values we live by and define how we treat one another; where victims' reports are treated with the utmost seriousness, their privacy is protected, and they are treated with sensitivity; where bystanders are motivated to intervene to prevent unsafe behaviors; and where offenders know they will be held appropriately accountable by a strong and effective system of justice. Commanders and leaders at every level are the key to eliminate and enforce standards and in achieving these goals as we have seen in other culture change in the military as the repeal of "Don't Ask Don't Tell."

Question. What is your view about the role of the chain of command in providing necessary support to the victims of sexual assault?

Answer. Commanders and frontline leaders are responsible for mission accomplishment and for caring for the women and men assigned to their commands. This is a core axiom of leadership in the profession of arms. Commanders and leaders at all levels are responsible and must be held accountable for supporting victims' full range of timely and responsive care, as well as for establishing a command climate where victims are treated with the sensitivity and privacy they deserve. If confirmed, I will continue to emphasize these central elements of leadership.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. In my view, taking the disposition decision in the administration of military justice from the commander would undermine readiness and leave the chain of command without the necessary tools to develop a cohesive fighting force by enforcing good order and discipline. I agree with Secretary Hagel that this authority must remain in the command structure and that we must continue to make it more accountable. We need commanders more involved not less involved to solve the issue of sexual assault. That said, we look forward to the report of the Response Systems Panel's review of this issue.

Question. What is your view of the protections afforded to victims who are required to testify at Article 32, Uniform Code of Military Justice, investigations that are required before charges can be referred to a General Court-Martial?

Answer. In my view, we must continue to work on building victim confidence, and that includes process improvements to prevent potential revictimization during the Article 32 process. Recently, the Secretary directed a number of changes that I support, including ensuring that Judge Advocates serve as investigating officers for all Article 32 hearings on sexual assault charges and providing legal representation to victims of sexual assault in an attorney-client relationship, similar to the Air Force pilot program begun in January of this year.

SERVICE ACADEMIES

Question. What do you consider to be the policy and procedural elements that must be in place at each of the Service Academies in order to prevent and respond appropriately to sexual assaults and sexual harassment and to ensure essential oversight?

Answer. Sexual assault has no place at the Military Service Academies and is antithetical to their core values and missions. Prevention and response to sexual assault must be completely integrated into the full spectrum of Service Academy life and learning. The Department will continue to assess the Academies efforts to develop and refine prevention and response programs in order to establish a culture free of sexual harassment and assault. If confirmed, I will review those programs and partner with the Academies to continue to better educate and train the cadets and midshipmen, and to ensure the Department provides appropriate response and support for the victim if a crime does occur.

Question. What is your assessment of measures taken at the Service Academies to ensure religious tolerance and respect, and to prevent sexual assaults and sexual harassment?

Answer. The Academies continue to put considerable effort into the development and implementation of policies and procedures designed to address religious tolerance. The Academies do not endorse any one religion or religious organization, and provide free access of religion for all members of the Military Services. In the past few years, the Academies' leadership has emphasized the need for greater respect for the rights of others to their own religious beliefs, including the right to hold no beliefs.

While the Service Academies have made great efforts, more needs to be done to reduce the level of sexual harassment and sexual violence. It will require continued persistence and innovative measures at each institution. If confirmed, I will remain committed to ensuring that prevention efforts are strong, victims receive care, offenders are held appropriately accountable and proper support is offered to cadets and midshipmen throughout their academic career.

ASSIGNMENT POLICIES FOR WOMEN IN THE MILITARY

Question. The Department in January rescinded the policy restricting the assignment of women to certain units which have the primary mission of engaging in direct ground combat operations, and has given the military services until January 1, 2016, to open all positions currently closed to women, or to request an exception to policy to keep a position closed beyond that date, an exception that must be approved by the Chairman of the Joint Chiefs of Staff and the Secretary of Defense. The services are working now to develop gender-free physical and mental standards for all military occupations, presumably with the goal of allowing individuals, regardless of gender, to serve in those positions if they can meet those standards.

If confirmed, what role will you play in the development of these standards?

Answer. The Services and U.S. Special Forces Command (SOCOM) are working with various scientific and research agencies (Ex: U.S. Army Research Institute for Environmental Medicine, Center for Naval Analyses, Air Education and Training Command, and RAND) to review and validate occupational standards to ensure they are occupationally and operationally relevant and are applied gender-neutrally by September 2015.

Along with the Chairman of the Joint Chiefs of Staff and the Service Chiefs, I will monitor the progress the Services and SOCOM are making toward integration of females into previously closed occupations and positions. The Department will provide notification to Congress before opening any additional positions.

Question. If confirmed, will you ensure that the standards are realistic and preserve, or enhance, military readiness and mission capability?

Answer. DOD is aware of Public Law 103–160, section 543, which prohibits the Department from changing an occupational performance standard for the purpose of increasing or decreasing the number of women in that occupational career field. We are working with RAND to ensure physical standards are gender neutral and accurately correlate with the requirements of the position or occupation

Question. Do you believe that decisions to open positions should be based on bona fide military requirements? If so, what steps would you take to ensure that such decisions are made on this basis?

Answer. It is in the best interest of the Department to allow both men and women who meet the standards for military positions and units to compete for them. Rescission of the 1994 policy provides a way forward to fully integrate women without compromising our readiness, morale, or warfighting capacity. By removing gender

as a disqualifier for certain positions, all servicemembers will have the opportunity for assignment to positions for which they qualify.

Question. Some family members have expressed concerns about assigning women to what are currently male-only combat units.

To what extent do you believe that this will be a problem in the implementation of this policy?

Answer. I understand, and appreciate, family members may have these concerns for their loved ones. I expect our commanders to select the best qualified personnel, male or female, and create a command climate that focuses on mission accomplishment and treat each person with dignity. We have had a number of women in newly opened units since mid-2012, and have already experienced successful integration of women into formerly male-only units. We will leverage this experience moving forward.

Question. If it is a problem, what steps would you take to address it?

Answer. We require the Services to provide us feedback on their elimination of gender-restrictive policies, including the status of women in these newly opened positions. If problems are encountered, I will, if confirmed, examine the issue and address it considering all dimensions and all recommendations consistent with sustaining readiness.

RISING COSTS OF MEDICAL CARE

Question. In testimony presented to Congress in February, 2009, the Assistant Director of the Congressional Budget Office asserted that "medical funding accounts for more than one-third of the growth projected for operations and support funding between 2009 and 2026." In April 2009, Secretary Gates told an audience at Maxwell Air Force Base that "health care is eating the Department alive." In recent years, the Department has attempted to address this growth through fee increases for military retirees, while also attempting to identify and implement other means to ensure the viability of the military health system in the future.

What is your assessment of the long-term impact of rising medical costs on future DOD plans?

Answer. I realize the health care benefit contributes to the retention of our men and women in service. But the reality is that health care costs are a serious problem for the Department, consuming nearly 10 percent of the budget. Simply stated, rising health care costs pose a real threat to our readiness and modernization efforts. If confirmed, I will continue to work with beneficiaries, advocacy groups, Congress and our medical establishment to find workable solutions to sustain the benefit in a realistic and affordable way without breaking faith with our troops and their families.

Question. If confirmed, what actions will you initiate or recommend to the Secretary of Defense to mitigate the effect of such costs on the DOD top-line?

Answer. Managing health care costs is a shared responsibility among the government, providers and the beneficiary. In addition to seeking reasonable beneficiary cost share reforms, if confirmed I will work with key stakeholders to pursue promising cost saving initiatives such as emphasizing wellness and prevention and working with our medical leadership to capitalize on internal efficiency opportunities.

Question. What reforms in infrastructure, benefits, or benefit management, if any, do you think should be examined in order to control the costs of military health care?

Answer. I firmly believe that we must adopt a holistic approach to addressing the rising costs of health care. Responsible benefit reform should be one part of the solution, but not the only solution. If confirmed, I will continue to look for ways to optimize our medical infrastructure to include leveraging the work of the recent Modernization Study. I see great opportunities to reduce overhead through the implementation of the Defense Health Agency and shared services. Finally, there are numerous cost saving opportunities in such areas as logistics, provider payment reform, and anti-fraud efforts, just to name a few.

ANNUAL INCREASE IN RATES OF BASIC PAY BELOW THE EMPLOYMENT COST INDEX

Question. The Department has requested an across-the-board pay raise for 2014 for military personnel of 1 percent, versus a 1.8 percent rise in the Employment Cost Index (ECI) benchmark, and has indicated that in order to restrain the growth of personnel costs, similar below-ECI pay raises may be necessary over the next several years.

What is your assessment of the impact a 1 percent pay raise would have on recruiting and retention for 2014? What would be the impact of a 1 percent pay raise in 2015 through 2017?

Answer. I recognize the sacrifices made by the men and women in our Armed Forces. A 1.0 percent military basic pay increase ensures their pay continues to compare favorably with that of American workers. The Department does not believe a 1 percent military basic pay raise will materially affect recruiting and retention in 2014. At this time, the Department does not have sufficient data to determine the long-range impacts of a 1 percent pay raise beyond 2014 on retention and recruiting.

Question. Some have suggested that the difference between the 1 percent pay raise requested by the administration, and the 1.8 percent increase based on the ECI could be paid for by realizing efficiencies within DOD.

What is your assessment of the ability of the Department to fund the full 1.8 percent increase in basic pay through efficiencies?

Answer. The Department is continually searching for efficiencies, and the pay raise proposal was a tough decision reached by our senior leaders after carefully weighing other options and efficiencies for savings. The Department is working diligently to ensure our servicemembers receive fair compensation that recognizes the sacrifices they make for our country, while still adhering to our budgetary constraints.

Answer. Currently, military compensation compares favorably with compensation in the private sector. The Department believes a 1 percent military basic pay increase is preferable to having to reduce military end strength by thousands of additional troops on top of the drawdown already planned, or further cut funds for training and equipping our forces to achieve these savings.

Question. The Department has traditionally compared Regular Military Compensation against comparable civilian salaries to devise a percentile as a way to assess the relative attractiveness of military pay versus civilian pay.

What is the current comparable percentile of military pay versus civilian pay for officers and enlisted personnel?

Answer. The Department's most recent study, performed by the 11th Quadrennial Review of Military Compensation, compared regular military compensation for officers and enlisted members with pay for civilians with comparable education and experience levels. Its report found that, on average, regular military compensation for officers was at the 83rd percentile and for enlisted members the 90th percentile.

Question. How do these percentiles compare to the base level at which the Department feels military compensation must be to effectively recruit and retain the highest quality personnel possible for military service?

Answer. The Report of the 9th Quadrennial Review of Military Compensation evaluated military compensation levels and found that compensation at approximately the 70th percentile of comparably educated and experienced civilians was necessary to enable the military to recruit and retain the appropriate quantity and quality of personnel. Measured against that benchmark, current military compensation compares favorably with private-sector compensation.

MENTAL HEALTH CARE

Question. Senior military leaders have long recognized the need to reduce the stigma for military personnel and their families and veterans in seeking mental health care, yet we continue to hear from servicemembers that the stigma persists.

If confirmed, what actions will you take to reduce the stigma associated with seeking mental health care by military personnel and their families?

Answer. If confirmed, I would support ongoing Department efforts to combat stigma and increase help-seeking behavior among servicemembers, their families, and affected civilians. Both the Department and the Services are currently heavily engaged in this effort. I am also prepared to provide the Service Chiefs with whatever resources are necessary to expand the breadth of the outreach efforts. I fully support the Department's efforts to improve health and mental healthcare services, and reduce the stigma of mental healthcare for our men and women in uniform, their families, and affected civilians.

Question. In your view, are DOD's current mental health resources adequate to serve all active duty and eligible Reserve component members and their families, as well as retirees and their dependents?

Answer. Yes, after making significant investments in infrastructure and capacity over the last decade, DOD's current mental health resources are adequate to serve our active duty, family and veteran populations. Within DOD, strategies for hiring and retention of mental health providers resulted in a 40 percent increase in mental health providers over the last 3 years. This includes a 40 percent increase in the number of psychologists, a 26 percent increase in the number of psychiatrists, a 42 percent increase in the number of social workers, and a 27 percent increase in the

number of mental health nurses. This represents a fill rate of 99 percent of funded positions, which compares favorably to industry averages.

SUICIDE PREVENTION

Question. The numbers of suicides in each of the services continue to be of great concern to the committee, though military suicide rates appear to remain lower than suicide rates for the same age groups in the civilian sector.

If confirmed, what role would you play in shaping DOD policies to help prevent suicides both in garrison and in theater and to increase the resiliency of all servicemembers and their families?

Answer. If confirmed, I will continue to collaborate with the Services, VA, and other public and private organization and experts to further foster best practices in the prevention of suicide and build resilience within our force. During my tenure as Acting Under Secretary of Defense for Personnel and Readiness, the first DOD-wide comprehensive suicide prevention policy was issued. We recently established a Peer Crisis Hotline in Afghanistan to support our servicemembers in theater and expanded our Military Crisis line to Europe and Korea. I have ensured that the Vets4Warriors peer support program continued and was extended to all servicemembers and their families this year. I also implemented a program evaluation methodology aligning the DOD's suicide prevention strategy with the National Strategy for Suicide Prevention to ensure its effectiveness and efficiency. I will continue to work with the Department of Veterans Affairs (VA) and the Centers for Disease Control and Prevention (CDC) regarding our joint Suicide Data Repository, which now hosts mortality data on all who have served dating back to 1979.

Increasing the resiliency of all DOD Personnel—military and civilian—and their families remains one of the key factors in the prevention of suicide and one of the central tasks assigned to the newly established Defense Suicide Prevention Office under my purview.

Question. Recent media articles have raised concerns about the possible role of Servicemembers Group Life Insurance (SGLI) proceeds to survivors as a contributing factor in suicide attempts by servicemembers.

Has the Department examined whether SGLI proceeds, or other monetary benefits associated with the death of servicemember, could impact a servicemember's decision to commit suicide?

Answer. The Department has examined the issue and found that the research on the association between insurance coverage and suicide is not conclusive. The Department of Veterans Affairs, which oversees the SGLI program, adheres to a determination standard that suicide victims were not of sound mind and adjudicates insurance claims based on that policy. Hence, there should not be any restrictions on coverage to the survivors.

READINESS RESPONSIBILITIES

Question. Section 136 of title 10, U.S.C., gives the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) certain responsibilities for military readiness. Some important issues that affect military readiness, however, such as logistics and materiel readiness, have been placed under the jurisdiction of the Under Secretary for Acquisition, Technology, and Logistics.

What is your assessment of the impacts and challenges to DOD readiness as a result of sequestration?

Answer. Sequestration has significantly limited the Services' ability to generate ready forces to meet a broad range of mission requirements. We are meeting current operational requirements with well trained and equipped units, but this is getting more difficult. The brunt of the sequester effects is in our ability to generate forces to meet contingency surge requirements and this is a serious concern. Some of these effects will take considerable time and resources to reverse.

Question. What is your assessment of how the recent DOD furloughs have impacted readiness?

Answer. A ready unit is the product of myriad personnel, training, and equipment pipelines. Our DOD civilian labor force keeps these pipelines moving. They are the technicians at our depots, the support for our training ranges, and the instructors at our schools—we cannot generate ready forces without them. We know that furloughs just completed increased maintenance backlogs at our depots and reduced the quantity and quality of our training. These effects will take time to resolve. We are concerned that as the budget uncertainty persists, the most skilled of this workforce will simply leave Federal service, thereby creating permanent degradations in critical skill areas.

Question. What is your assessment of the current readiness of our Armed Forces to execute the National Military Strategy?

Answer. Today our forces are postured globally, conducting counterterrorism, stability, and deterrence operations, maintaining a stabilizing presence, conducting bilateral and multilateral training to enhance our security relationships, and providing the crisis response capabilities required to protect U.S. interests. The investments made in our Armed Forces have helped maintain our military's standing as the most formidable force in the world.

We remain able to meet the most critical ongoing operational and presence requirements that the Nation asks of us, however this is getting more difficult as the effects of sequester materialize. What is at risk is our ability to generate the surge required for a high-end emergent crisis and this is a serious concern.

Question. In your view, what are the most significant challenges to the current readiness of our Armed Forces?

Answer. The defense strategy requires that our force meet a growing number of global security concerns as it recovers from 12 years of direct combat. We are concerned that current budget constraints will thwart the Services' efforts to regain full-spectrum readiness in order to successfully meet the tenets of the defense strategy. The Services made deliberate plans to shift from counterinsurgency (COIN) focused operations to address more globalized, full spectrum warfighter requirements. Those plans are at risk if sequestration remains in effect. Specifically, training opportunities and equipment condition are our primary concerns in preserving readiness across the force.

Question. What is your understanding of the responsibilities of the USD(P&R) and relationship to the Assistant Secretary of Defense for Logistics and Materiel Readiness in ensuring military readiness, including materiel readiness?

Answer. The responsibilities of the USD(P&R) are to develop policies, plans, and programs for the Total Force to ensure efficient and effective support of wartime and peacetime operations, contingency planning, and preparedness. The Assistant Secretary of Defense for Logistics and Materiel Readiness oversees material readiness. Force readiness and materiel readiness have a symbiotic relationship, and as such, I have actively sought to sustain and strengthen this relationship in my current capacity. If confirmed, I will continue to work closely with my Department counterpart in this area.

Question. What are the most critical objectives to improve readiness reporting and monitoring of the military forces, and if confirmed, how would you work with the Military Departments as well as other Office of the Secretary of Defense offices to achieve them?

Answer. The most critical element of readiness management is the ability to monitor not just the status of unit readiness, but the health of the pipelines that support it. These downstream metrics not only provide a more complete picture of readiness, but they are also the key to forecasting problems. In my current capacity, I have overseen dramatic improvements in the Department's ability to monitor readiness along these lines.

If confirmed, I will continue partnering with the Services, the Joint Staff, the combatant commanders, and other OSD partners to systematically monitor these pipelines, articulate the likely operational consequences, and provide mitigation options.

Question. Do you believe the current readiness reporting system accurately shows if our forces are not only "ready" but "ready for what"?

Answer. Yes. The Defense Readiness Reporting System directly addresses the "ready for what" question by focusing on mission capability. It assesses the readiness of all organizations throughout the Department to perform their assigned missions.

Question. What is your understanding of the responsibilities of the USD(P&R) with respect to the Global Response Force?

Answer. The USD(P&R) provides policy guidance for monitoring the readiness levels of units assigned to the Global Response Force. USD(P&R) also collaborates with the Joint Staff to identify readiness deficiencies within the Global Response Force and recommends mitigation options for the Secretary's consideration. Finally, as the resource sponsor for the Department-wide joint training, exercise and engagement program, the USD(P&R) also facilitates the leveraging of Service or Combatant Command training events to exercise the Global Response Force.

END STRENGTH REDUCTIONS

Question. The Department last year laid out a defense strategy that proposes eventual end strengths of 490,000 for the Army and 182,000 for the Marine Corps over the next 5 years.

What is your understanding of the Army's and Marine Corps' ability to meet these goals without forcing out many soldiers and marines who have served in combat over the past 10 years with the implicit promise that they could compete for career service and retirement?

Answer. Based on the current rate of drawdown and projected losses, I am confident the Army and Marines Corps will meet their fiscal year 2018 prescribed end strengths. Unfortunately, due to many years of war, the size of our personnel reductions, and deep budget cuts, it may be difficult for the Services to properly shape their force without separating some of our combat veterans. Voluntary and involuntary separations may be necessary to ensure the military is postured correctly for mission readiness and to meet national security objectives during this time of budgetary constraints. As we become a leaner Force, it is imperative the Services have the best qualified individuals available to ensure mission success.

Question. What programs are in place to ensure that separating and retiring servicemembers are as prepared as they can be as they enter a struggling economy?

Answer. The 2011 Vow to Hire Heroes Act requires a pre-separation counseling assessment and counseling, Department of Veterans Affairs (VA) benefits briefing and Department of Labor employment workshop (with some exceptions). This has been in place since November 2012. An enhanced Transition Assistance Program (TAP), which will be completed in March 2014, provides a 2-day higher education track (complete college application); a 2-day technical track (complete technical training application); and a 2-day entrepreneurship and business plan education track.

Question. How fast can the Army and Marine Corps responsibly and fairly reduce end strength while maintaining the integrity and readiness of combat units?

Answer. The Department expects a significant drawdown in Army and Marine Corps forces over the next several years. I understand that sequestration cuts will likely force the consideration of even steeper reductions than we've previously planned. Regardless of the actual target, my concern remains the same—in making the forces leaner, the Department should take care to learn the lessons of previous drawdowns. Our military must remain able to respond to any large-scale contingency operation. This will require careful consideration by Services about their organizational structures and their ability to reconstitute and mobilize forces. These reductions must be done with an eye toward those who have already served in combat and for those with families who have experienced extended separations, by maximizing voluntary programs and using the full range of authorities provided by Congress.

Question. If sequestration continues through 2018, what will be the impact on the Active Duty and Reserve end strengths of all the Services, and how would the mix between the Active and Reserve Forces be affected?

Answer. Future rounds of sequestration will be devastating and will limit our ability to generate healthy, prepared forces especially in the near term. It is also forcing a difficult decision between a larger unready force, or a smaller ready force. Neither option is without concern. It is too soon to tell exactly how these decisions will manifest across capabilities or components.

I do know that a healthy Reserve Force is an absolutely critical element of both homeland and overseas operations. We cannot revert back to past practices of gutting the capabilities of our Reserves. If confirmed, this is a concern that I will follow closely.

Question. What is your understanding of the need for additional force shaping tools requiring legislation beyond what Congress has provided the past 2 years?

Answer. The Department has been granted the Total Force shaping tools necessary to meet the drawdown in its current plan. However, continued budget reductions may make it necessary to revisit the size of all components of the Total Force—Active Duty military, Reserve component military, DOD civilians, and contractors. Future assessment may require requesting additional congressional authorization for force shaping tools to meet reduced end strengths.

MEDICAL PERSONNEL RECRUITING AND RETENTION

Question. DOD continues to face shortages in some critically needed specialty medical personnel in both the Active and Reserve components. A recent USA Today article asserts that over 3,000 civilian medical doctors, nurses, and other health

workers decided to leave their jobs this year during the period of time when furloughs were either being threatened or being carried out.

What is your understanding of the current shortages of health care professionals in DOD, the true effects of sequestration on the retention of medical professionals, and the sufficiency of plans to meet recruiting and retention goals?

Answer. DOD is in the midst of evaluating ongoing requirements for medical professionals in the context of a military drawdown and a modernization study. Preliminary information from the Army indicates civilian losses may have increased to a rate of 2–3 times greater than expected during the period of sequestration-related furloughs. We are polling all of the Services to see whether this trend is more widespread, and plan to continue monitoring medical personnel losses as related to Military Health System needs.

Question. What legislative and policy initiatives, including bonuses and special pays, do you think may be necessary to ensure that the Military Services can continue to meet medical support requirements?

Answer. With the Authority to Consolidate Special Pay provided by the NDAA for Fiscal Year 2008, we have adequate financial tools to improve retention and recruitment of our uniformed health professions officers. We have some flexibility to improve compensation for our uniformed providers, if needed, under current authorities. For non-uniformed military civilian physicians, we have the Physicians and Dentists Pay Plan (PDPP). The PDPP allows us to compensate our physicians and dentists at rates consistent with VA because we are allowed to use their pay table under delegation agreement by OPM. The agreement is not limited to physicians and dentists. We will closely monitor health compensation trends and coordinate with other Federal agencies, to see if we must make adjustments to our future pay plans.

MILITARY ACCESSIONS VITAL TO NATIONAL INTEREST PROGRAM

Question. Under the Military Accessions Vital to National Interest (MAVNI) program, the Services may recruit non-permanent resident aliens who have certain high-demand medical or linguistic skills for service in the armed forces, and offer them an expedited path to citizenship. Although the Services have enjoyed extraordinary recruiting and retention in recent years, some specialties remain under strength. While limited in scope, the program appeared successful and worthy of expansion, but was halted after the initial quota was reached so the Department could assess its utility and perform a security review. The program was to restart last summer for 2 additional years.

What is the status of the MAVNI program?

Answer. The MAVNI program was reinstated in May 2012 following required security reviews by Office of the Under Secretary of Defense for Intelligence. The pilot will continue through fiscal year 2014.

Question. How many individuals have been recruited under the program since its restart, and in what occupations?

Answer. Since the program reopened in May 2012, Army has recruited 43 healthcare professionals and 1,024 critical language speakers.

MEDICAL MARIJUANA

Question. What is your assessment on the need for legitimate scientific study of the efficacy of medical marijuana in alleviating the symptoms of post-traumatic stress disorder (PTSD) experienced by servicemembers and veterans?

Answer. DOD does not have any plans to sponsor research on the use of marijuana to treat wounded, ill, or injured servicemembers. The Army Medical Research and Materiel Command, which leads our Defense Health Program PTSD research, has not reviewed any proposals to investigate the use of marijuana for the treatment of PTSD. However, it is important to understand that for research studies to be helpful, they must be rigorously designed, scientifically sound, and meet the requirements for the protection of human subjects. If research were proposed that met these criteria, was feasible, and was aligned with programmatic requirements, then the study would be considered. DOD is supportive of any scientifically rigorous, lawful research efforts that have the potential to help improve the lives of patients who have been adversely affected by PTSD.

MOBILIZATION AND DEMOBILIZATION OF NATIONAL GUARD AND RESERVES

Question. Over the past 12 years, the National Guard and Reserves have experienced their largest and most sustained employment since World War II. Numerous problems arose in the planning and procedures for mobilization and demobilization, e.g., inadequate health screening and medical readiness, monitoring, antiquated pay

systems, limited transition assistance programs upon demobilization, and lack of access to members of the Individual Ready Reserve. Reserve Force management policies and systems have been characterized in the past as "inefficient and rigid" and readiness levels have been adversely affected by equipment stay-behind, cross-leveling, and reset policies.

What is your assessment of advances made in improving Reserve component mobilization and demobilization procedures, and in what areas do problems still exist?

Answer. Over the past 12 years, the Department has implemented policy changes governing the utilization of the Guard and Reserves and expanded pre- and post-benefits for Active Duty periods which have served to enhance predictability and morale among servicemembers. Providing Reserve component personnel the ability to anticipate and plan for periods of utilization as well as periods of inactive duty at home contributes to readiness and improves communication among servicemembers, their families and employers.

Question. What do you consider to be the most significant enduring changes to the administration of the Reserve components aimed at ensuring their readiness for future mobilization requirements?

Answer. Significant enduring changes include the new title 10, section 12304b mobilization authority provided by Congress in the NDAA for Fiscal Year 2012, enabling continued focus on readiness and Reserve component (RC) utilization for non-named contingencies. Other enduring features include the exceptional RC performance record and support of the American people and employers. In my opinion, the readiness for future mobilization by Reserve and National Guard members has its greatest support in the actions of the American people and employers. This willingness has been borne through the long-term adoption of standardized policies and procedures governing Reserve mobilization combined with adequate dwell periods that have served to increase confidence and overall morale on the part of servicemembers and their families.

Question. Do you see a need to modify current statutory authorities for the mobilization of members of the National Guard and Reserves?

Answer. Current authorities are appropriate, and enable effective National Guard and Reserve utilization. I appreciate the authorities and support this committee has provided in this matter.

Question. What is your assessment of DOD programs to assist members of the National Guard and Reserves as they transition from a mobilized status?

Answer. Predictability and open communications are two key elements in the sustainment of readiness and morale of Reserve component servicemembers and their families. Since 2008, the Yellow Ribbon Reintegration Program (YRRP) has provided invaluable deployment and reintegration support for the Reserve components. Its efforts, in collaboration with partners like Employer Support of the Guard and Reserve, Transition GPS (Goals, Plans, Success), the Department of Veterans Affairs and the community-based network of care, provide information, access, referrals and outreach to military members, their families, employers, and immediate support network.

ENHANCED RESERVE MOBILIZATION AUTHORITIES

Question. In the NDAA for Fiscal Year 2012, Congress authorized the Service Secretaries to mobilize units and individuals in support of pre-planned combatant command missions for up to 365 consecutive days. In the current defense strategy, the President and Secretary of Defense have stated that while conventional ground forces will be reduced, Special Forces will be increased over the next 5 years, and a key component of the new strategy seems to be the establishment of a rotational presence in Europe, the Middle East, and anywhere U.S. interests are threatened. Some in the press have called this a "lily pad" approach, and it potentially dovetails with an operational view of the Reserve components.

What is your assessment of the operational reserve and how it will fit into this paradigm of smaller, more lethal forces rotating into and out of many locations of strategic interest?

Answer. The operational reserve has a role in a paradigm of smaller, more lethal rotational forces. Services should fully leverage the new authorities that allow for planned Reserve component mobilizations when making decisions on restructuring and employing their forces. Utilization of the Guard and Reserve in the rotational support to COCOMs will not only reduce the infrastructure required of a permanent presence in theater but also relieve stress on the Total Force, thereby making the Reserve component an economical and viable partner in the force mix. I consider this critical to sustaining the readiness that we have achieved in the past 12 years.

Question. What is your understanding of the appropriate size and makeup of the Reserve components in light of the defense strategy?

Answer. The Department continues to coordinate closely with the Services to determine the correct/appropriate mix. Both Active and Reserve component forces are essential to supporting the national defense strategy, and the Reserve components continue to provide trained, ready, and cost-effective forces that can be employed on a regular operational basis, while also ensuring strategic depth for large-scale contingencies or other catastrophic national crises. The Department will further examine the appropriate size and makeup over the next several months during the Quadrennial Defense Review and the fiscal year 2015 program reviews.

MILITARY QUALITY OF LIFE

Question. The committee is concerned about the sustainment of key quality of life programs for military families, such as family support, child care, education, employment support, health care, and morale, welfare, and recreation services, especially as DOD's budget declines.

How do you perceive the relationship between military recruitment and retention and quality of life programs and your own top priorities for the Armed Forces?

Answer. The emphasis and resources the Department dedicates to our quality of life programs reflect the importance we place on our most valuable resource—our people. If I am confirmed, the programs that support our people will remain one of my top priorities. If we do not care for our people, our ability to continue to recruit and retain the best America has to offer will become increasingly more challenging.

Question. If confirmed, what military qualify of life programs would you consider a priority, and how do you envision working with the Services, combatant commanders, family advocacy groups, and Congress to sustain them?

Answer. If confirmed, I will continue to focus on the well-being and resilience of our servicemembers, their families, and their survivors, including access to nonmedical counseling programs such as Military OneSource and Military and Family Life Counselors aimed at preventing the development or exacerbation of mental health conditions that detract from military and family readiness. I will also promote Morale, Welfare, and Recreation fitness opportunities and child care support to help minimize stress on the force. The Department leadership is working together with advocacy groups and Congress to efficiently close gaps and reduce overlaps in programs and to communicate effectively to ensure that families know how to access available support when they need it.

FAMILY READINESS AND SUPPORT

Question. Servicemembers and their families in both the Active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of concerns among military families as a result of the stress of deployments and the separations that go with them.

What do you consider to be the most important family readiness issues for servicemembers and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced?

Answer. The most important family readiness issue for servicemembers and their families is ensuring that we continue to deliver the support they need at the right time using the most effective method. Following 12 years of war and the impending surge of servicemembers transitioning from military to civilian life, it is critically important that servicemembers, their families, and their survivors receive information about available support services and resources, when they need it, through communication vehicles they prefer and trust. Therefore, we must leverage technology as a means to communicate and engage our families. It is imperative that the Department continues outreach, education, awareness and engagement strategies to promote servicemember and family readiness programs. If confirmed, I will continue to be a strong advocate to ensure family support programs are properly resourced and effectively managed in DOD.

Question. How would you address these family readiness needs in light of global rebasing, BRAC, deployments, and future reductions in end strength?

Answer. I will continue to work closely with the Services to identify and deliver the right balance of family readiness programs and support when and where it is needed. Our ongoing mission is to enable services, staff, and resources to be surged or evolved, as needed, to respond swiftly and effectively to the changing needs of servicemembers and their families during peacetime, war, periods of force structure change, relocation of military units, base realignment and closure, crisis, natural disaster, and other emergency situations. Sharing information with the Services on

family support needs and best practices to address them will ensure that we continue to provide timely support while finding the most effective and efficient ways of doing so.

Question. If confirmed, how would you ensure support is provided to Reserve component families related to mobilization, deployment and family readiness, as well as to Active Duty families who do not reside near a military installation?

Answer. If confirmed, I will continue to work with the Services and the National Guard Bureau to ensure that we continue to be responsive to the needs of geographically dispersed military families to include those who serve in the Reserve component. The Joint Family Support Assistance Program that began in 2007 continues to lead our support efforts to this population. While the frequency and tempo of Reserve component deployments may slow, we know that the needs of these families will continue to emerge and evolve. For that reason, part of our work through the Joint Family Support Assistance Program entails building capacity to identify and meet evolving needs at the local community level where these families live, work, and attend school, focusing on local institutions they naturally turn to for support when they need it. To augment and enable that local support, Military OneSource will continue to provide support to all military families, military leadership, and military and civilian service providers through delivery of information, referrals, and non-medical counseling.

Question. If confirmed, what steps will you take to sustain family support programs, given current fiscal constraints?

Answer. If confirmed, I will continue to encourage the implementation of flexible family support programs that communicate and coordinate with interagency and nongovernmental family services to meet the enduring needs of our servicemembers and their families whether they live on, near, or far from military installations.

Question. In your view, does the U.S. Special Operations Command have unique family readiness and support requirements? If so, in your view, are those needs adequately being met by each of the Military Services at this time? If they are not adequately being addressed, if confirmed, how would you address these unique needs?

Answer. We expect U.S. Special Operations Command's operating tempo will continue to be significant as their units continue to deploy throughout the world conducting joint missions. If confirmed, I will work with SOCOM to identify family support requirements that are unique to this community, offer an analysis of current support provided by the Services, and identify gaps in family support provided to the SOF community

DEPARTMENT OF DEFENSE SCHOOLS IN CONUS

Question. Some have questioned the continuing need for DOD-operated schools for military dependent children within the continental United States (CONUS).

In light of the administration's request for additional Base Realignment and Closure authorities and fiscal constraints, should DOD establish or update its criteria for the continued operation of DOD schools within CONUS?

Answer. The President and the Department view preserving and strengthening military families as critical to our national security. Military families bear an extraordinary burden for our freedom and education is a critical quality of life factor affecting readiness and retention.

DOD is committed to providing educational opportunities for all military children—balancing quality and cost while exploring all options and alternatives.

Therefore, the Department is in the process of commencing a study to evaluate the mission of continuing the operation of DOD schools within CONUS. The study will examine and provide alternatives that most effectively balance cost and quality considerations for the education of kindergarten through 12th grade students at 15 CONUS installations where the Department operates schools or contracts the education for military dependents. DOD Schools in Guam and Puerto Rico are not included in this study.

Question. If so, and if confirmed, how would you approach this task?

Answer. The Department is currently evaluating the need to continue the mission of DOD Schools in the United States. This comprehensive, deliberate, and objective study will include input from all stakeholders. The study will consider the full range of options for meeting the elementary and secondary educational needs of military dependents. We owe it to our military families to ensure that the decisions concerning the education of our military-connected children are the result of sound research findings. The research findings and recommendations will be reviewed by OSD senior officials, in consultation with the Military Departments. If confirmed, I look forward to discussing the recommendations of the study with you.

OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS

Question. In the NDAA for Fiscal Year 2010, Congress required the establishment of an Office of Community Support for Military Families with Special Needs within the Office of the USD(P&R). The purpose of this office is to enhance and improve DOD support for military families with special needs, whether educational or medical in nature.

In your view, what should be the priorities of this Office of Community Support for Military Families with Special Needs?

Answer. A key priority for the Office of Community Support for Military Families with Special Needs should be and is to strengthen personal readiness for military families with special needs through a comprehensive policy, oversight of programs that support military families with special needs, identification of gaps in services to such families, and the accessibility to appropriate resources. Presently, over 126,000 military family members are enrolled in the Exceptional Family Member Program (EFMP). The EFMP supports military families with special medical and/or educational needs in three component areas: identification/enrollment, assignment coordination to determine the availability of services at a projected location, and family support to help families identify and access programs and services.

The Department has recently completed a detailed functional analysis of the EFMP to standardize the three components of the Program across the Military Services. Standardization will enable military families with special needs to have the same level of access to services in the three areas of the EFMP regardless of Service affiliation and location (for example, at a joint or sister Service installation).

Question. If confirmed, how would you ensure outreach to those military families with special needs dependents so they are able to obtain the support they need?

Answer. Communication with military families with special needs and the provision of information about the EFMP is a major focus of DOD. If confirmed, I will continue ensure that we implement a comprehensive communication and marketing plan designed to deliver consistent information about the EFMP to families, service providers, and leadership. We will also continue to solicit input from families through a variety of outreach methods.

VOLUNTARY EDUCATION PROGRAMS

Question. The Department continues to seek ways to improve oversight of its tuition assistance programs, including standardizing eligibility criteria among the Services and requiring all schools who accept tuition assistance funding, whether for online courses or on-post, to sign a Memorandum of Understanding with the Department which will, among other things, subject online schools to Departmental audits.

What is your assessment of the tuition assistance program in light of the needs of the Services and the current budget environment?

Answer. The Tuition Assistance program is important to DOD because it enables the professional and personal development of our servicemembers and facilitates their transition to the civilian workforce when they are ready to leave the military. If confirmed, I will work with the Services to sustain the appropriate level of resources for this program.

Question. What is your view of tuition assistance as a transition benefit for servicemembers to obtain civilian licenses and credentials?

Answer. The Tuition Assistance program currently facilitates the transition of our servicemembers to the civilian workforce after they separate or retire. In 2012, over 47,000 servicemembers earned college degrees which are especially important to those servicemembers whose military specialty does not have a direct civilian counterpart. In addition, Tuition Assistance supports the academic coursework in preparation for any exams required of specific certifications or licenses, and over 1,700 servicemembers earned certificates that were not related to a degree program. All of these were from institutions of higher learning accredited by an accrediting body recognized by the Department of Education.

Question. What is your view of proposed changes to the so-called 90/10 rule that would require academic institutions to derive no more than 85 percent of their revenue from Federal sources, including DOD tuition assistance and VA GI Bill funding?

Answer. I have no objection to the proposal to include title 10 Tuition Assistance funds in the Federal portion of the 90/10 calculation. However, it is appropriate for technical assistance and oversight of any statutory changes to the proposed 90/10 rule to reside with the Department of Education.

MEDICAL RESEARCH PROGRAMS

Question. What do you see as the highest priority medical research investment areas for DOD?

Answer. The highest priority areas of medical research investments are: hemorrhage control and resuscitation; traumatic brain injury diagnosis and treatment; Post-Traumatic Stress Disorder prevention, diagnosis, and treatment; suicide prevention and intervention; and rehabilitation and regenerative medicine.

Question. How will you assess the amount of investment made in these research areas to determine if they are sufficient to meet DOD goals and requirements?

Answer. The Military Health System has implemented a plan to conduct annual reviews and analyses of the different research portfolios, ensuring research efforts are aligned to capability gaps and requirements, assessing the current state of research and science, and identifying research gaps and needs that require future funding strategies to achieve DOD goals.

Question. How will you ensure that DOD medical research efforts are well coordinated with similar research programs within the private sector, academia, the Services, DARPA, the Department of Veterans Affairs, and the National Institutes of Health?

Answer. Critical to the development of our medical research investment strategy is an understanding of the related research activities in other Federal agencies. This is accomplished by annual joint reviews of Federal-agency-specific research portfolios in which research investments and results are presented and shared to best inform future DOD research investments. Agency participation includes the DOD, the Department of Veterans Affairs, the Department of Education, and the National Institutes of Health.

Question. How will you ensure that new medical technologies (including drugs and vaccines) are independently and adequately tested before their use by DOD organizations and personnel?

Answer. DOD requires that products be used in a manner consistent with FDA rules and procedures. The ASD(HA), under the USD(P&R) direction, has the primary responsibility for the oversight of this policy's compliance.

Question. There have been growing privacy and security concerns raised about the use of online social networks for medical research purposes.

How will you ensure that the increasing use of social networking media for medical research purposes will protect the privacy and security of patients?

Answer. The Department has policies in place that ensure that DOD conducted, contracted, sponsored, supported, or managed research involving human subjects is conducted in accordance with Federal, DOD, and international regulatory requirements. Research protocols, including internet research protocols, must be reviewed and approved by Institutional Review Boards, and privacy protection is a key element of that review. At present, there is no DOD policy regarding the protection of privacy for internet research beyond the current privacy protections for human subjects of research. The ASD (Research & Engineering) who is the DOD lead for the human research protection portfolio intends to update the policy that governs human research protection to include a section on internet research (including recruitment of subjects as well as collection of data).

Question. What are your biggest concerns related to the DOD medical research enterprise?

Answer. The biggest concern is the impact of instability of medical research funding due to budget uncertainty. Stability and thoughtful management in medical research funding are necessary to maintain a robust scientific community to improve health care outcomes in the vital areas of hemorrhage control and resuscitation, traumatic brain injury, post-traumatic stress disorder, suicide prevention, extremity injury and amputee care and rehabilitation.

MORALE, WELFARE, AND RECREATION

Question. Morale, welfare, and recreation (MWR) programs are critical to enhancement of military life for members and their families, especially in light of deployments. These programs should be relevant and attractive to all eligible users, including Active Duty and Reserve personnel, retirees, and their families.

What challenges do you foresee in sustaining MWR programs, particularly in view of the current fiscal environment and, if confirmed, are there any improvements you would seek to achieve?

Answer. Changes in our basing, deployment patterns and force structure will continue to have a significant impact on our ability to deliver quality of life programs to our military families. With more than 75 percent of military families now living off installation, there is an increasing need for partnerships and support from local

governments, school systems, and businesses to ensure we continue to provide comprehensive, accessible, and affordable quality of life programs. Additionally, we are conducting a major assessment of MWR programs to ensure they are being operated in as efficient and cost-effective manner as possible.

The continued vitality and relevance of MWR programs depend on sound management, meeting command and customer needs, a predictable stream of non-appropriated revenue and solid appropriated fund support of mission essential and community support programs. We must develop and maintain a strong network of community-based providers and maximize our information and referral resources through internet and social networking avenues. We also have the opportunity to improve the effectiveness of outreach programs, to better meet military families where they live. If confirmed, I will evaluate these opportunities, and how we can better coordinate efforts among the various entities providing support to our military members and their families.

COMMISSARY AND MILITARY EXCHANGE SYSTEMS

Question. Commissary and military exchange systems are significant quality of life components for members of the Active and Reserve Forces, retirees, and their families.

What is your view of the need for modernization of business policies and practices in the commissary and exchange systems, and what do you view as the most promising avenues for change to achieve modernization goals?

Answer. Both the Defense Commissary Agency (DeCA) and the military exchanges are progressive organizations seeking to reduce costs within their respective businesses. DeCA, for example, has a proven history of reducing the costs of the commissary system without decreasing the value of the benefit provided. Since its beginning in 1991, efficiencies have allowed DeCA to reduce its workforce by 6,700 full time equivalent positions and operating costs by approximately $1.4 billion in constant fiscal year 1992 dollars, which include savings due to BRAC closures and inventory reduction. In fact, when measured in constant dollars, DeCA's operating costs are only slightly more than one-half of what they were when the Agency was created.

Today's exchanges have gone beyond the traditional brick and mortar environment, embracing e-commerce and mobile retail channels to satisfy customer demands. The exchanges continue to exceed the DOD Social Compact on savings for servicemembers. For the Exchanges, there are mechanisms for modernization through the Cooperative Efforts Board. Promising areas for change include non-resale procurement, logistics and distribution, exchange select/private label, and seasonal and one time buys. If confirmed, I will continue to look for ways to modernize business policies and find efficiencies in the commissary and exchange systems.

Question. What is your view of the proposals by some to consolidate or eliminate Commissaries and Exchanges in certain areas where they are underused or duplicative of services readily available at reasonable cost in the community?

Answer. If confirmed, I would review any proposals aimed at reducing overhead, which may include closing underutilized locations or eliminating duplicative services. I recognize that commissary and exchange programs are an important element of the servicemembers' compensation package and contribute to the quality of life of military personnel and their families. In fact, commissaries are repeatedly rated by military personnel as one of their most valued non-pay benefits. Selling groceries at cost means that the customer pays the same price DeCA pays its supplier plus a 5 percent surcharge which pays for replacing, maintaining, and renovating commissaries.

There are currently 247 commissaries; 55 percent of these commissaries are small stores located in remote or overseas locations, but they account for only 20 percent of sales. These stores are often the most appreciated stores because there are generally limited options available outside the gate of the military installation. With over 98 million shopper visits annually and approximately $6 billion in sales it is evident that people are using this benefit. Eliminating commissaries in some areas may be possible but we must fully appreciate the impacts on the servicemembers and the community

Question. In the Ronald W. Reagan NDAA for Fiscal Year 2005, Congress required the Secretary of Defense to establish an executive governing body for the commissary and exchange systems to ensure the complementary operation of the two systems.

What is your understanding of the purpose and composition of the executive governing body?

Answer. To fulfill the requirement of the law, the Department established the DOD Executive Resale Board as the governing body to provide advice to the USD(P&R) regarding the complementary operation of the commissary and exchange systems. The Board reviews and advises on cross-functional matters important to the military resale system. The Board is invaluable in leading cooperative efforts and resolving issues of concern resulting in increased efficiency and effectiveness of the overall system.

The Board is chaired by the Assistant Secretary of Defense for Readiness and Force Management, and members include both the senior military officers and civilians who oversee and manage the commissary and exchanges systems.

Question. If confirmed, what would your role be with respect to the governing body, and what would your expectations be for its role?

Answer. If confirmed, I would ensure the Board meets regularly to review operational areas of mutual interest to the military resale system.

CIVILIAN PERSONNEL SYSTEMS

Question. Section 1113 of the NDAA for Fiscal Year 2010 provides DOD with extensive personnel flexibilities for its civilian employees that are not available to other agencies. In particular, section 9902(a) of title 5, U.S.C., as added by section 1113, directs the Department to establish a new performance management system for all of its employees. Section 9902(b) directs the Department to develop a streamlined new hiring system that is designed to better fulfill DOD's mission needs, produce high-quality applicants, and support timely personnel decisions.

What is your understanding of the current status of the Department's efforts to implement the authority provided by section 1113?

Answer. The Department's plans for the performance management system, workforce incentives, and hiring flexibilities were informed by recommendations developed by DOD employees, supervisors, and managers representing labor and management from across the Department and submitted to the Armed Services Committees at the end of March 2013. The collaborative labor-management pre-decisional recommendations for the personnel authorities were widely adopted by the Department.

The Department continues to make good progress on the personnel authorities. We are developing the new appraisal system, which will be a multi-level rating pattern characterized by a uniform appraisal period for covered employees, and the ability to make meaningful distinctions in levels of performance. If confirmed, I will continue to support the work that is underway to comply with statute.

Question. If confirmed, will you make it a priority to implement these flexibilities in a manner that best meets the needs of the Department and promotes the quality of the Department's civilian workforce?

Answer. Yes, if confirmed, I will make it my priority to implement those flexibilities that would promote the quality of the Department's civilian workforce to ensure accomplishment of the Department's missions.

Question. Section 1112 of the NDAA for Fiscal Year 2010 directs the Department to develop a Defense Civilian Leadership Program (DCLP) to recruit, train, and advance a new generation of civilian leaders for the Department. Section 1112 provides the Department with the full range of authorities available for demonstration programs under section 4703 of title 5, U.S.C., including the authority to compensate participants on the basis of qualifications, performance, and market conditions. These flexibilities are not otherwise available to DOD.

Do you agree that the Department needs to recruit highly qualified civilian personnel to meet the growing needs of its acquisition, technical, business, and financial communities?

Answer. I completely agree that recruiting highly qualified civilian personnel both in mission critical occupations, such as acquisition, information technology, and financial management, and in leadership positions across the Department is essential to mission success.

Question. In your view, has the existing civilian hiring process been successful in recruiting such personnel and meeting these needs?

Answer. Although I believe the Department currently has a highly talented workforce, I wholeheartedly support the initiatives to streamline the civilian hiring process. The Department embraces a simplified, transparent hiring system that meets the needs of stakeholders, attracts quality candidates, and reduces fill-time. We are making progress, but there is still work to be done in this area. If confirmed, I will ensure the Department continues to actively engage in aggressively pursuing continued improvements in the civilian hiring process.

Question. If confirmed, will you make it a priority to implement the authority provided by section 1112 in a manner that best meets the needs of the Department and promotes the quality of the Department's civilian workforce?

Answer. If confirmed, I will make it a priority to implement the authority provided by section 1112. The Department recognizes the need for a sound leader-development model to attract, retain, and develop civilian leaders to support pipeline readiness, enhance bench strength, and promote the quality of the Department's civilian workforce. The Department has successfully completed two pilot cohorts under the authority provided in section 1112 from which approximately 240 leaders have graduated, and who are now credentialed to lead teams and projects. If confirmed, I will continue implementing the authority provided to ensure a successful framework for developing the next generation of innovative leaders to meet the Department's future needs.

HUMAN CAPITAL PLANNING

Question. Section 115b of title 10, U.S.C., as added by section 1108 of the NDAA for 2010, requires the Secretary of Defense to develop and update in every even-numbered year a strategic human capital plan that specifically identifies gaps in the Department's civilian workforce and strategies for addressing those gaps. Section 115b requires that the plan include chapters specifically addressing the Department's senior management, functional, and technical workforce and the Department's acquisition workforce.

Would you agree that a strategic human capital plan that identifies gaps in the workforce and strategies for addressing those gaps is a key step toward ensuring that the Department has the skills and capabilities needed to meet future challenges?

Answer. Yes. I believe such planning would well position the Department to acquire, develop, and maintain the workforce it needs to meet current and future mission challenges.

Question. Do you see the need for any changes in the requirements for a strategic human capital plan under section 115b?

Answer. At this time we appreciate the help of past legislation that put the Department on a biennial reporting cycle. We continue to progress on meeting the requirements for a strategic human capital plan under section 115b, and will continue to institutionalize our processes and assess the need for any changes as we continue in this important endeavor.

Question. If confirmed, will you ensure that DOD fully complies with these requirements?

Answer. Yes, if confirmed, I will continue to work toward ensuring the Department fully complies with statutory strategic workforce planning requirements.

Question. Since the time that the Department's most recent strategic human capital plan was issued, its civilian workforce plans have been significantly altered by the changed budget environment and extensive efficiencies initiatives.

What role do you believe human capital planning should play in determining where reductions in the civilian workforce can be taken with the lowest level of risk?

Answer. Any reductions in the civilian workforce should be informed by the Department's long-term strategic workforce plan to determine where reductions can be taken with the lowest level of risk, with the understanding that short-term exceptions may be necessary due to emerging dynamics in the budget environment. Forecasts for the Department's workforce must be based on validated mission requirements and workload, both current and projected, and any reductions in the civilian workforce must be made in the context of the Total Force and directly linked to workload so as to not adversely impact overall mission capabilities.

Question. Would you agree that the strategic human capital plan required by section 115b should be updated to more accurately reflect the Department's current workforce plans and requirements?

Answer. Yes. The plan should be updated to be more aligned and integrated with the Department's programing and budget process, and meet the requirements for a total force mix and competencies assessments. In preparing for fiscal year 2013 through 2018, we conducted a pilot study that examined the total force mix based on the workforce requirement and relationships in high risk mission critical occupations. We are also testing and preparing to launch a tool to collect competency gap information that will lead to strategies to mitigate identified gaps. These processes will take several planning cycles, and functional communities are preparing for further assessment and implementation.

Question. What steps if any will you take, if confirmed, to ensure that civilian workforce levels are determined on the basis of careful planning and long-term requirements, rather than by arbitrary goals or targets?

Answer. If confirmed, I will continue to emphasize that civilian workforce levels must be planned based on long-term strategic planning requirements. Forecasts for the Department's workforce must be based on validated mission requirements and directly linked to workload so as to not adversely impact overall mission capabilities.

DOD CIVILIAN PERSONNEL WORKFORCE

Question. Section 955 of the NDAA for Fiscal Year 2013 required the Secretary of Defense to develop a plan to reduce the size of the civilian personnel workforce by 5 percent over the next 5 years. The plan developed by the Secretary does not meet this objective. Since the time that section 955 was enacted, the Department has implemented hiring freezes and furloughs as a result of sequestration. As a result, the DOD civilian personnel workforce is substantially smaller than it was on the date of enactment or at the time the plan was submitted.

Do you agree that DOD's civilian employee workforce plays a vital role in the functioning of the Department?

Answer. Yes, the DOD's civilian employee workforce plays an instrumental role in the functioning of the Department as part of the Total Force across a range of missions. The civilian workforce performs key enabling functions for the military, such as critical training and preparation to ensure readiness, equipment reset and modernization. Civilians also provide medical care, family support, and base operating services—all vital to supporting our men and women in uniform. Additionally, civilians are on the "front lines" supporting missions such as intelligence, cyber, reconstruction, and security force assistance.

Question. Do you agree that if sequestration continues through fiscal year 2014 and beyond, the Department will need to further reduce the size of its civilian workforce?

Answer. While there is some flexibility afforded the Department in managing the steep reductions to the budget required by sequestration, the across the board impact of those reductions would likely require the Department to further decrease the size of its civilian workforce. If confirmed, and to the extent allowed by the sequester, I will work to ensure that any reductions to the civilian workforce are balanced and executed in the context of the Department's Total Force management principles, ensuring the appropriate and most cost effective alignment of work.

Question. In your view, would it be preferable for the Department to make planned, prioritized reductions to its civilian workforce, or to continue with arbitrary reductions based on hiring freezes and workforce attrition?

Answer. Planned and prioritized reductions to the civilian workforce are preferred, such as those reflected in the Department's budget request for fiscal year 2014. Those proposed reductions were based on a comprehensive workforce to workload analysis. Unfortunately, the across the board impact of the sequester along with continued budget uncertainty surrounding the Department's annual appropriations request has resulted in the need to take extraordinary actions, such as the implementation of hiring freezes and furloughs.

BALANCE BETWEEN CIVILIAN EMPLOYEES AND CONTRACTOR EMPLOYEES

Question. In recent years, DOD has become increasingly reliant on services provided by contractors. As a result of the explosive growth in service contracts, contractors now play an integral role in the performance of functions that were once performed exclusively by government employees, including the management and oversight of weapons programs, the development of policies, the development of public relations strategies, and even the collection and analysis of intelligence. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as Federal employees.

Do you believe that the current balance between civilian employees and contractor employees is in the best interests of DOD?

Answer. I believe the Department must have a properly sized and highly capable civilian workforce that guards against an erosion of critical, organic skills and an overreliance on contracted services, particularly in such areas as acquisition program management, information technology, and financial management. If confirmed, I will continue to support the administration's and Department's focus on reducing inappropriate or excessive reliance on contracted support, particularly for work that is critical in nature or closely associated with inherently governmental functions.

Question. What steps if any will you take, if confirmed, to ensure that DOD is not excessively reliant on contractors to perform its basic functions?

Answer. If confirmed, I will continue to support the administration's and Department's focus on gaining a better accounting of contracted services. We will review such services annually and reduce inappropriate, excessive, or more costly reliance on such services. This is of particular importance in instances where contractors are found to be performing work that is critical in nature or closely associated with inherently governmental functions.

Question. Section 2330a of title 10, U.S.C., requires DOD to maintain an inventory of contract services. Section 321 of the NDAA for Fiscal Year 2011 amended this provision to give the USD(P&R) a key role in implementing this provision.

What is your understanding of the current status of the Department's efforts to implement the requirements of section 2330a?

Answer. Since 2011, the Department has made significant improvements to its Inventory of Contracts for Services to implement the requirements of title 10, U.S.C., section 2330a. Specifically, we have improved the accuracy of the required data set by directing cross-functional (acquisition, financial management, manpower, and requiring activities) involvement in the process. We have issued data collection guidance and, as recommended by Congress and deployed the Army's proven Contractor Manpower Reporting Application software across the entire Department. We have also issued specific guidance on how components are to review their inventories in order to reduce inappropriate, excessive, or more costly reliance on contract services. Also, beginning in fiscal year 2014, contractors supporting all components will be able to report their labor dollars and related cost information, as required by law. We still have more to do. If I am confirmed, in order to make the best use of our resources, we will continue working with AT&L to improve visibility and accountability of contracts for services.

Question. What additional steps if any will you take, if confirmed, to ensure that the Department fully implements the requirements of section 2330a?

Answer. If confirmed, I will continue working with my colleagues in AT&L and Comptroller to improve visibility and accountability of our contracted services as required by title 10, U.S.C. section 2330a. We will soon finalize a governing instruction for managing contract services as a part of the Total Force, and, as requested by Congress, implement across DOD the Army's standardized service contract approval process to be used when considering funding contract support. I will also continue to work, as requested by Congress, on implementing the Army's automated Contract Manpower Reporting Application across the Department, which will help ensure a comprehensive inventory review and permit component heads to make greatly improved budget projections for contracted services.

ACQUISITION WORKFORCE

Question. Section 852 of the NDAA for Fiscal Year 2008 established an Acquisition Workforce Development Fund to help DOD address shortcomings in its acquisition workforce. The fund provides a continuing source of funds for this purpose.

Do you believe that the DOD acquisition workforce development fund is still needed to ensure that DOD has the right number of employees with the right skills to run its acquisition programs in the most cost effective manner for the taxpayers?

Answer. The acquisition workforce development fund has been instrumental in the Department's efforts to recapitalize its acquisition workforce and improve oversight, management, and accountability in the procurements of goods and services. The fund is still necessary to further enhance and sustain the training and expertise of our dedicated acquisition workforce.

Question. If confirmed, what steps if any will you take to ensure that the money made available through the workforce development fund is spent in a manner that best meets the needs of DOD and its acquisition workforce?

Answer. While the management and execution of the acquisition workforce development fund is a joint responsibility of AT&L and Comptroller, if confirmed, I will work with those offices to ensure that the application of resources is done in a manner that is consistent with the training, development, and sustainment needs of the acquisition workforce.

Question. Section 872 of the Ike Skelton NDAA for Fiscal Year 2011 codifies the authority for DOD to conduct an acquisition workforce demonstration project and extends the authority to 2017.

Do you believe it would be in the best interest of the Department to extend and expand the acquisition workforce demonstration project?

Answer. DOD components have expressed a strong interest in an expansion of the acquisition workforce demonstration project to better meet the workforce challenges

they are facing under current budget constraints. Testing alternative personnel authorities and processes under these difficult conditions will be a true test of their effectiveness and I believe there is value in extending and expanding this demonstration project. Our role in P&R is to provide the warfighter and support staffs with the manpower and personnel authorities, processes and tools they need to enable them to carry out their missions. If confirmed, I will continue to work with and support AT&L in ensuring the demonstration project supports the needs of the components and mission of the Department.

Question. What steps would you take, if confirmed, to implement section 872?

Answer. If confirmed, I will continue to work closely with the USD(AT&L) and other Department components to ensure the Department is effectively positioned to appropriately extend and expand the Acquisition Demonstration project.

GI BILL BENEFITS

Question. Congress passed the Post-9/11 Veterans Educational Assistance Act in 2008 ("Post-9/11 GI Bill) that created enhanced educational benefits for servicemembers who have served at least 90 days on Active Duty since September 11. The maximum benefit would roughly cover the cost of a college education at any public university in the country. One purpose of the act was to recognize and reward the service of those who served voluntarily after September 11, particularly those who do not serve full careers and qualify for retirement benefits.

What is your assessment of the impact of the Post-9/11 GI Bill on recruiting and retention, including the provision of transferability for continued service?

Answer. While the Post-9/11 GI Bill program is only 4 years old, there are strong indications the program has already had a profound, positive impact on recruiting and retention. In fact, as of September 4, 2013, over 368,875, career servicemembers have transferred their Post-9/11 GI Bill benefits to over 795,000 family members.

PERSONNEL POLICY IMPLEMENTATION

Question. What is your understanding of your responsibility, if confirmed, to inform and consult with this committee and other appropriate committees of Congress on the implementation of policies directed by law?

Answer. I understand that I must comply with all requirements to inform and consult with requisite congressional committees on the implementation of personnel and readiness policies as directed by law.

Question. What is your understanding of the Department's obligation and authority to implement personnel policies to improve efficiency within the Department?

Answer. I understand that the Department, under the direction of the Secretary, has both the authority and obligation to evaluate and implement personnel policies to improve efficiency within the Department. That these policies must not compromise mission readiness or essential support of the Total Force.

Question. What is your understanding on the timeframe in which personnel policies directed by law must be implemented by the Department?

Answer. I understand that personnel policies directed by law must be implemented by the Department in the timeliest manner possible given the available resources and while ensuring the most effective and efficient outcome for the Total Force.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the USD(P&R)?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted com-

mittee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CARL LEVIN

LIVING QUARTERS ALLOWANCE FOR CIVILIAN EMPLOYEES OVERSEAS

1. Senator LEVIN. Secretary Wright, the committee is aware that the Department of Defense (DOD) directed an audit of the pay accounts of many employees in overseas locations who were receiving a Living Quarters Allowance (LQA), and that the audit found that a total of 659 DOD civilian employees were erroneously paid LQA after having been hired overseas. While the authority to provide LQA is found in Department of State Standardized Regulations (DSSR), in a May 15, 2013 memo you announced that DOD would continue to provide LQA for up to 1 year for affected employees due to unusual circumstances. In addition, DOD is providing relief for past LQA debts if employees seek a waiver of indebtedness. Did DOD consider extending the waiver of recovery of an advance payment of LQA for unusual circumstances beyond the 1-year currently granted?

Ms. WRIGHT. Yes, we considered the LQA eligibility beyond the 1 year currently granted. However, we also considered that granting eligibility for LQA beyond that time could be viewed as an abuse of discretion with respect to taxpayer dollars being spent on incentives for which employees are otherwise ineligible. We believe that 1 year of LQA eligibility is a sufficient period for affected employees to make personal decisions in this situation.

2. Senator LEVIN. Secretary Wright, are there any legal impediments to providing such an extension for the duration of an employee's term overseas, and in your view, would it be appropriate to do so?

Ms. WRIGHT. Up to 1 year of temporary eligibility for LQA has been authorized as a means to provide adequate time for employees to make arrangements to adjust to the loss of LQA. Continuing beyond that period is not appropriate as the affected employees do not meet the standard eligibility criteria under the DSSR, DOD Instruction 1400.25, Volume 1250, or both.

QUESTIONS SUBMITTED BY SENATOR JACK REED

MILITARY LENDING ACT

3. Senator REED. Secretary Wright, the Military Lending Act (MLA) authorizes the Secretary of Defense to write regulations defining the types of consumer credit products to which the law's 36 percent annual percentage rate cap applies, and DOD is currently in the process of updating its regulations to close loopholes. These loopholes, such as structuring a credit product as an open ended one, have allowed predatory lenders to evade the protections afforded to our servicemembers under the MLA and, in some cases, charge our servicemembers exorbitant triple digit effective interest rates. Are these predatory loans that currently fall out of the MLA's purview problematic in terms of assuring military readiness?

Ms. WRIGHT. Predatory lending and abusive lending practices compromise our readiness and are of great concern to the Department. The passage of the MLA curbed many abusive industry practices. We recognize, however, the credit market has changed since our initial regulation was published. The Department is, therefore, working closely with the prudential regulators including the Federal Deposit Insurance Corporation, Consumer Financial Protection Bureau, and the Federal Trade Commission, along with other consumer and enforcement agencies. We are conducting a top to bottom review of our MLA rules, with a view towards strengthening the protections available to military families.

This rigorous interagency rulemaking process is being further informed by public comment and a survey of DOD personnel, legal assistance officers, and financial counselors to identify appropriate statutory, regulatory, and training responses to problematic practices. We anticipate the revised rule will be ready for public comment by the end of the calendar year. We are committed to directing servicemembers and their families away from potentially harmful credit products and towards educational, training, and personal counseling resources that the Department provides to support their financial stability.

4. Senator REED. Secretary Wright, do you agree that DOD should provide our servicemembers with the greatest level of protection under the MLA by closing these loopholes?

Ms. WRIGHT. The Department has revisited and is revising these regulations to ensure servicemembers and veterans are protected against the credit products that they use most. We recognize the current definitions of credit in the regulation are no longer adequate to cover the products that are potentially causing concern. Accordingly, DOD has organized and led an interagency working group, including all of the prudential lenders, to review the regulation with a view toward strengthening protections for military consumers. This process is well underway and we are making substantial process.

Our rulemaking efforts are being further informed by public comment and a survey of DOD personnel, legal assistance officers, and financial counselors to identify appropriate statutory, regulatory, and training responses to problematic practices. Relying on this comprehensive data from our "boots-on-the-ground" subject matter experts in the field, we anticipate the revised rule will be ready for public comment by the end of the calendar year.

The Department is also fully engaged in educating servicemembers concerning their rights as consumers, so that they are familiar with their protections under Federal consumer law, the Servicemembers Civil Relief Act, and the MLA. Our efforts to educate servicemembers and their families center around installation readiness facilities, predeployment and redeployment process facilities, and Reserve component mobilization and demobilization processing centers. This comprehensive education and training is more sophisticated and detailed than it has even been. Therefore, we are confident that our interagency rulemaking process, combined with our ongoing financial readiness campaign, will provide greater safeguards for our servicemembers and their families against predatory and abusive lending practices.

QUESTIONS SUBMITTED BY SENATOR BILL NELSON

LIVING QUARTERS ALLOWANCE

5. Senator NELSON. Secretary Wright, in response to the loss of overseas LQA for Government civilians, DOD offered those affected the opportunity to transfer to the United States under the Priority Placement Program (PPP). Can you confirm the priority placement level granted to the civilians affected by the erroneous payments of LQA?

Ms. WRIGHT. Affected employees are being enrolled in the PPP as Priority 3 registrants. Priority 3 is generally assigned to registrants who are not facing involuntary separation. Higher priority registrants are being involuntarily separated, i.e., losing employment altogether. As of September 26, 2013, the DOD components have reported that 71 affected employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer.

We have taken additional steps for affected employees who choose to return State-side in the absence of LQA. Specifically, we have authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine employees have accepted management-directed reassignments under this special exception.

6. Senator NELSON. Secretary Wright, does this category grant the affected constituents any advantages over civilians who are not affected by the LQA?

Ms. WRIGHT. Affected employees who choose to register in the PPP are registered as a Priority 3. Priority 3 is generally assigned to registrants who are not facing involuntary separation. Higher priority registrants are being involuntarily separated, i.e., losing employment altogether. Unlike other Priority 3 registrants, LQA-affected employees may register in the PPP at any time. In order to facilitate as many placements as possible, PPP registration procedures were modified to accelerate expansion of the registrant's area of referral. Further, the Department has authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine employees have accepted management-directed reassignments under this special exception to PPP. Also, the components reported that 71 affected employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer.

7. Senator NELSON. Secretary Wright, in light of the sequester and hiring freeze, can DOD guarantee available positions for all who choose this option?

Ms. WRIGHT. In an effort to further mitigate the effects of LQA cessation, the Department has developed special PPP procedures to facilitate the timely rotation of those affected employees who choose to return Stateside in the absence of LQA. Most notably, we have authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine employees have accepted management-directed reassignments under this special exception to PPP. In addition, the components have reported that 71 affected employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer.

8. Senator NELSON. Secretary Wright, will all affected constituents who participate in the PPP be able to do so by May 1, 2014?

Ms. WRIGHT. Yes. We expect affected employees who indicate in a timely manner that they wish to return Stateside will be offered positions either through PPP or other DOD component reassignment action by May 1, 2014. Employees identified in the audit as receiving LQA erroneously who choose to return Stateside in the absence of LQA became eligible to register in the PPP on June 27, 2013. As of September 26, 2013, the DOD components reported that 71 employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer. In addition to placement through PPP registration, the Department has authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine employees have accepted management-directed reassignments under this special exception to PPP.

QUESTION SUBMITTED BY SENATOR KAY R. HAGAN

CITIZEN SOLDIER SUPPORT PROGRAM

9. Senator HAGAN. Secretary Wright, section 706 of last year's National Defense Authorization Act (NDAA) authorized the Secretary of Defense to carry out a pilot program to work with community partners on this critical health issue. We need to work with local authorities and local programs to more effectively tackle this problem. North Carolina has such a program—the Citizen Soldier Support Program. Can you please assure this committee that you will support and vigorously carry out this pilot program that was part of last year's NDAA?

Ms. WRIGHT. We greatly appreciate the intent of section 706 of the NDAA for Fiscal Year 2013 to improve the care for the National Guard and Reserve members through community partnership. The Department is actively working with the Departments of Veterans Affairs (VA) and Health and Human Services to respond to the President's Executive Order #13625, "Improving Access to Mental Health Services for Veterans, Servicemembers, and Military Families," dated August 31, 2012. Under the Executive order, the VA is developing enhanced partnerships and fielding pilot programs with community providers to enhance mental health services. In addition, DOD and the VA published a National Research Action Plan in August 2013, which, among other things, recommends strategies, evaluates current efforts, and ensures mental health providers in communities nationwide are trained in the most current evidence-based methodologies.

Due to severe budget limitations under the Budget Control Act, the Department has not made plans to initiate a separate competitive and merit-based award process for a new program under the discretionary authority of section 706.

QUESTIONS SUBMITTED BY SENATOR JEANNE SHAHEEN

LIVING QUARTERS ALLOWANCE

10. Senator SHAHEEN. Secretary Wright, please explain DOD's reason for not employing the "unusual circumstances" clause beyond May 1, 2014 to enable the 659 civilians to receive LQA until the end of their assignment or until DOD is able to place the person via PPP.

Ms. WRIGHT. While we consider that 1 year of LQA eligibility is a sufficient period for affected employees to make personal decisions concerning this situation, we also consider that granting LQA beyond that time could be viewed as an abuse of discre-

tion with respect to taxpayer dollars being spent on incentives for which employees are otherwise ineligible. We expect that employees indicating in a timely manner their desire to return State-side will be placed before their LQA terminates.

11. Senator SHAHEEN. Secretary Wright, would DOD consider putting those affected into a higher PPP category than level 3? If not, please explain.

Ms. WRIGHT. Enrolling the affected employees with a higher priority was considered but not adopted. Priorities 1 and 2 in the PPP are reserved for employees who are being involuntarily separated through no fault of their own, which is not the case of employees identified in the audit as receiving LQA erroneously.

However, in an effort to mitigate the effects of LQA cessation, the Department has authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine employees have accepted management-directed reassignments under this special exception to PPP. In addition, the components have reported that 71 affected employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer. The Department has also committed to re-evaluating these procedures, as needed, to determine if more aggressive measures are necessary to affect the return of these employees from overseas.

12. Senator SHAHEEN. Secretary Wright, please provide specifics regarding the mechanisms in place that would allow DOD to fill vacant positions during a hiring freeze. Are human resources (HR) professionals able to see those jobs listed and effectively match someone from this group to those jobs?

Ms. WRIGHT. The Department has authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees who choose to return Stateside in the absence of LQA directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. Operational guidance regarding these PPP flexibilities was distributed to the Department's human resources community on June 27, 2013. As of September 26, 2013, the DOD components have reported that nine employees have accepted management-directed reassignments under this special exception to PPP. In addition, the components reported that 71 affected employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer. DOD components are responsible for procedures that will result in assignments for their employees.

13. Senator SHAHEEN. Secretary Wright, other than being an LQA recipient, were there any additional parameters and guidelines used to select a target population for erroneous LQA?

Ms. WRIGHT. Yes. By memorandum of January 3, 2013, I directed DOD components to complete an audit of the pay accounts of all locally hired employees currently receiving LQA.

14. Senator SHAHEEN. Secretary Wright, are the details of the audit publicly available to this group under the Freedom of Information Act?

Ms. WRIGHT. Yes, an employee may request the details of the audit as it affects the employee through the Freedom of Information Act process.

15. Senator SHAHEEN. Secretary Wright, has *Thomas* v. *United States* (September 7, 2011) played any role in how DOD is handling the current LQA issue?

Ms. WRIGHT. No. *Thomas* v. *United States* has not played a role in how the Department is addressing the LQA issue. However, we agree with the Thomas opinion that if an employee satisfies all the eligibility requirements for receiving LQA as established in the DSSR, as well as the supplemental criteria established by the DOD in its LQA regulations (DODI 1400.25, Volume 1250), that employee may be eligible to receive the incentive provided that the Department has made a determination that there is a need for the incentive. As noted in *Roberts* v. *United States* (April 30, 2012), the DSSR expressly delegates authority to heads of Federal agencies to implement additional regulations in this area. Under that delegation, the Secretary of Defense issued DOD Instruction 1400.25, volume 1250, which includes LQA eligibility conditions in addition to those outlined in the DSSR. In this situation, affected employees either did not meet the DSSR eligibility requirements, or those established in Volume 1250, or both.

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

AUTISM

16. Senator GILLIBRAND. Secretary Wright, during our meeting we discussed the various options for care for special needs dependents, especially those on the autism spectrum. I consider this a readiness issue when we start to see servicemembers leave the military in order to find better care for their children. After our discussion I still have concerns with the level of commitment from TRICARE to adequately address the needs of our special needs dependents. If confirmed, do I have your commitment to work with me to reform and improve upon the way that TRICARE cares for special needs dependents?

Ms. WRIGHT. I agree that this is a readiness issues and, if confirmed, I will work closely with you and other Members of Congress on improving TRICARE programs for special needs dependents. DOD provides one of the most generous autism benefits in the United States through the TRICARE program. All TRICARE family members with a diagnosis of Autism Spectrum Disorder are eligible for autism services. Active Duty family members are also eligible for Applied Behavior Analysis (ABA) reinforcement under the ECHO Autism Demonstration.

I want to assure you that the Department fully recognizes that having a child diagnosed with autism can present significant challenges to any family and burden them with changes to nearly every aspect of daily family life. TRICARE will continue to pursue efforts to take care of our families with special needs and will proceed accordingly based on analysis of the best medical evidence available and the results of our own demonstration and pilot project.

17. Senator GILLIBRAND. Secretary Wright, more than once I have heard the excuse that medical data is not available to prove the necessity of a specific autism treatment option that is routinely used in the civilian sector. Will you commit to reviewing the way TRICARE makes these determinations to ensure TRICARE is routinely reviewing the latest medical data available?

Ms. WRIGHT. Yes, we are committed to routinely reviewing the latest medical data available. As you may be aware, TRICARE completed the most recent review on June 28, 2013. However, TRICARE has deferred a final decision pending reassessment based on experience under the ABA Pilot and any other pertinent new information. During this interim period, TMA will continue ABA coverage under the Basic Program per existing policy as well as continue periodic reviews as new data and evidence become available.

MENTAL HEALTH

18. Senator GILLIBRAND. Secretary Wright, the last issue we discussed was the issue of mental health, including the stigma surrounding post-traumatic stress disorder (PTSD), as well as the rates of suicide in our Services. I receive the monthly suicide data and am saddened to see the number of servicemembers who fall through the cracks in the system. If confirmed, what are your plans to improve upon suicide prevention throughout DOD?

Ms. WRIGHT. At every level of leadership, DOD recognizes the complex nature of suicide and the widespread outreach effort that is needed to tackle this problem. My plan to improve suicide prevention across the Department has already begun on several fronts. First, we are working closely with the Department of Veterans Affairs on a standard and consistent message for the Military Crisis Line, which is available in the United States, Europe, Korea and Afghanistan. I plan on adding Japan.

We have adopted a peer support model through Vets4Warriors that offers case management, referrals, and support to all who need it. We have provided a multitude of training and educational events worldwide to prevent suicide and build resilience among our military and civilian workforce and to involve their families. I intend to continue our support for these events and will ensure that the Defense Suicide Prevention Office (DSPO) is fully engaged in providing materials and resources. Suicide prevention research is a priority and efforts to better understand the nature of military suicide risk factors and interventions are underway. Finally, I am committed to working with the Services to ensure that access to care is available for all who seek it, regardless of where they are located.

19. Senator GILLIBRAND. Secretary Wright, I am also concerned about the reports of suicide among military dependents. What is DOD doing to prevent these suicides?

Ms. WRIGHT. The Department is equally concerned and extremely saddened by these reports. We are moving quickly with our outreach efforts to increase aware-

ness and ensure that the right resources and programs are brought to bear at the right time to address the challenges of our families. Our military families have done all that has been asked of them, serving honorably and faithfully in support of their servicemember. Now it is part of the Department's solemn commitment to them that we do everything in our power to reach out and help those family members.

The provisions of the NDAA for Fiscal Year 2014 section on Suicide and Military Families helped focus the efforts of the Defense Suicide Prevention Office (DSPO) to determine the prevalence of and prevention strategies for military family member suicides. DSPO facilitates a working group of subject matter experts charged with developing a deliberate and comprehensive strategy for measuring the prevalence and incidence of suicides among military dependents. DSPO has identified several surveillance options that would give us a clearer understanding of the risk factors involved and is continuing to work with the Defense Manpower Data Center and the Centers for Disease Control and Prevention (CDC) to also examine a possible relationship between military dependent and servicemember suicides. This critical work will inform what the suicide prevention needs of our military families are to better align programs and resources to help those in need. The results of these efforts and a plan to assess suicide among military families and its impact on servicemembers will be presented in a report to Congress due by April 1, 2014.

In addition to providing a full spectrum of resources available to help military families with the stressors they face before they face a crisis, DOD is directing both servicemembers and families to the "Supporting Military Families in Crisis" guide which provides family members with information on suicide warning signs and risk factors, actions to take when a family member is in crisis, and available resources to promote a healthy lifestyle and build a resilient family. The guide is available online at www.suicideoutreach.org.

20. Senator GILLIBRAND. Secretary Wright, what resources are needed to improve suicide prevention among military dependents?

Ms. WRIGHT. DOD is committed to providing and promoting a wide range of programs and services that enhance Service and family member resilience which help eliminate or manage many of the stressors that can contribute to crisis behaviors including suicidal ideation. This multidisciplinary approach includes Morale, Welfare, and Recreation (MWR) programs that alleviate stress; financial readiness counseling, child care solutions, relationship management and spouse employment initiatives; as well as suicide prevention support, crisis counseling, and direct intervention programs to rescue and restore families in crisis. We are currently assessing these programs to determine what additional efforts are required to provide the most effective suite of resources to our servicemembers and their families. We will continue to inform and work with Congress if we need additional resources or authorities to better support our servicemembers and dependents.

21. Senator GILLIBRAND. Secretary Wright, just this week General Dempsey said, "Men and women should have the opportunity to overcome their mental disorders or their mental health challenges and shouldn't be stigmatized. A man or woman should have the ability with treatment to overcome their challenges and then to have a fruitful life and gain employment, including inside the military." What is being done to ensure our servicemembers are getting the appropriate screening for PTSD and the appropriate follow-up care?

Ms. WRIGHT. DOD enacted a deployment mental health assessment process that requires comprehensive person-to-person mental health assessments at four time points: (a) within 120 days of deployment; (b) between 90 and 180 days after return from deployment; (c) between 180 days and 18 months after return from deployment; and (d) between 18–30 months after return from deployment. These assessments comply with requirements in the NDAA for Fiscal Year 2012, section 702, and NDAA for Fiscal Year 2013, section 703, and are performed either by licensed mental health professionals or by designated individuals trained and certified to perform the assessments. To date, more than 9,000 providers have been trained and certified to administer deployment mental health assessments.

The deployment mental health assessments include an analysis of self-reported responses to mental health questions on symptoms of depression, PTSD, and alcohol misuse; detailed follow-up on positive responses to previous mental health diagnoses and medication use; and exploration of other reported emotional, life stress, and mental health concerns. During a confidential dialog with the servicemember, the provider conducts an assessment of the risk for suicide or violence, offers education on relevant mental health topics, administers brief interventions, and makes recommendations for follow-up assessment and care, when indicated. Servicemembers who are identified as needing additional assessment or treatment for PTSD are re-

ferred for appropriate follow-up care at a military medical treatment facility, Veterans Affairs Medical Center or Vet Center, through the TRICARE Purchased Care Network, or in the community, depending on the servicemember's duty status and personal preference.

In addition to these pre- and post-deployment mental health assessments, symptoms of PTSD, depression, alcohol abuse, and other mental health concerns are routinely assessed during annual health assessments and during regular medical appointments with primary care providers. DOD has increased mental health staffing by 35 percent over the last 3 years, and has embedded mental health providers within primary care clinics to increase access to care and support early identification of PTSD and other mental health concerns.

CYBER

22. Senator GILLIBRAND. Secretary Wright and Ms. James, the cyber field is a fast-paced, ever-changing arena. If confirmed, what steps will you take to ensure we are recruiting the best and the brightest to this field?

Ms. WRIGHT. The growth, sustainment, and long-term career progression of a talented cyberspace workforce is critical to defend the Nation in this domain. If confirmed, I will continue to support ongoing initiatives for identifying and recruiting personnel with the appropriate cyberspace talents. I will also review current recruiting and retention challenges and explore options for meeting these challenges. My focus will include both military and civilian workforce concerns.

23. Senator GILLIBRAND. Secretary Wright and Ms. James, what authorities will be needed to keep the U.S. military on the cutting edge of cyber?

Ms. WRIGHT. The Department is currently reviewing the authorities required to maintain superiority in this domain.

If confirmed, I will explore human capital or specialty shortfalls in the cyberspace defense career fields and, where needed, pursue recruiting and retention authorities which allow the Department to ensure we are recruiting and keeping the best and brightest in this field.

DOD–VA RECORDS TRANSFER

24. Senator GILLIBRAND. Secretary Wright, in your advance policy questions you were asked several questions about how DOD is coordinating with the Department of Veterans Affairs (VA) on records transfers. I am grateful for your strong commitment to this issue, and would like to continue to work with you to ensure our transitioning servicemembers do not fall through the cracks. While I understand that each side has issues to work through in coordinating with the other, what more can DOD do to ensure our veterans have a smooth transition from DOD to the VA?

Ms. WRIGHT. The most important thing DOD can do to assist VA is to ensure the information needed to reduce disability claims processing times is available in a timely and accurate manner. We have done everything VA has asked us to, and we continue to meet regularly with them to seek ways to further refine information exchange processes. We have a number of key information sharing enablers, which include the electronic health record and the Health Artifact and Image Management Solution, and the paperless DD Form 214 initiative, that are being developed for both personnel and medical record data. As these enablers become available, we will continue to collaborate with VA to refine processes to realize the full potential of these initiatives.

We work closely with VA to ensure servicemembers understand the benefits for which they are eligible and how to apply for and access those benefits. We have recently implemented a new Transition Assistance Program and VA is a key part of that curriculum. We continue to register new recruits and transitioning servicemembers for DOD Self-Service (DS) Logon Accounts that allow access to the VA eBenefits portal.

We anticipate that these enhancements to data exchange and greater servicemember access to the benefits for which they are eligible will be smooth and make their transition from the military a seamless experience. If confirmed, I will continue to monitor these efforts as one of my priorities.

25. Senator GILLIBRAND. Secretary Wright, is there a need for increased resources?

Ms. WRIGHT. No, not at the current time. However, we will continue to inform and work with Congress if we need additional resources or authorities to better support our servicemembers and dependents.

INTEGRATED ELECTRONIC HEALTH RECORDS

26. Senator GILLIBRAND. Secretary Wright, I would also like an update on where plans stand for an integrated electronic health records system. I know that earlier plans for a shared system were scrapped in favor of finding a way to link the existing systems at DOD and the VA. Has there been progress in this new plan?

Ms. WRIGHT. Yes. Under the leadership of the Under Secretary of Defense for Acquisition, Technology, and Logistics, we have established both a program office and appointed a full-time, dedicated Program Executive Officer to ensure timely and efficient execution of our Integrated Electronic Healthcare Records (IEHR) near-term efforts and our Defense Healthcare Management System Modernization (DHMSM) program. In addition to continuing the near-term IEHR efforts, we are aggressively working on the DHMSM acquisition and contracting strategy with a goal of releasing an initial draft of the Request For Proposal by the end of this calendar year.

The Department is committed to the seamless transfer of electronic health care data between DOD and VA. Continuity of care is a key component of quality health care, and interoperability between DOD and VA's electronic health record data is essential to enabling this continuity. Achieving health record data interoperability and exchange is possible regardless of the software systems used by DOD and VA. A critical near-term effort we are undertaking is the data interoperability "accelerators" initiative. The first increment of these "accelerators" is on track to complete by December 2013, so providers have improved access to data. Near-term progress includes:

- In partnership with the VA, we identified the national standards-based data formats and initiated the DOD and VA data mapping required to standardize patient data for seven of the highest priority data domains.
- DOD and VA have agreed to use a common Health Data Dictionary as a mechanism to translate current DOD and VA medical information into national standards. This will further increase our data sharing and interoperability moving forward.
- We have completed the deployment of the Janus Joint Viewer to nine sites, including the five VA Polytrauma and Rehabilitation Centers and two Level-5 Military Treatment Centers, and expanded the use of the Joint Viewer at two additional sites. This viewer provides clinicians with easier access to healthcare data from all the sites where the patient has been treated in the DOD or VA.

Modernizing both Departments' legacy clinical information systems is the next step in providing seamless interoperability. VA is planning to modernize its VistA system and use it as the basis of its future health care management system core software. There are logical business reasons for VA's decision to stay with VistA: VA has a large installed VistA base, a large in-house staff that maintains and programs software for VistA, and a workforce that is experienced and trained to manage the system. DOD is not in the same position and has operational requirements that differ from those of the VA. Under the restructured DHMSM program, DOD will pursue a competitive process to select its core from the vibrant EHR marketplace to deliver a best-value solution. DOD will leverage national standards and open architecture design principles to preserve flexibility, and help foster a thriving, competitive marketplace. It is worth noting that our recent market analysis has identified some VistA-based offerings from multiple companies. These offerings are technically mature EHR solutions, and we will like see proposals from them for DOD consideration.

QUESTIONS SUBMITTED BY SENATOR MAZIE K. HIRONO

RECRUITING AND RETENTION

27. Senator HIRONO. Secretary Wright, what are the impacts of sequestration on recruitment and retention for the uniformed military?

Ms. WRIGHT. Recruiting and retaining the All-Volunteer Force requires the commitment to adequately resource our efforts. Sequestration has created a level of budget uncertainty that makes this much more challenging. The improving economy will provide potential recruits and members currently serving in the military greater opportunities to work or serve outside the military. This, compounded by reduced

discretionary funds for enlistment and retention bonuses, will make attracting and retaining the highest quality force more challenging.

Furthermore, the negative impact of sequestration on operations and training may discourage the best and brightest from joining the military and discourage retention of our most talented service men and women. Any negative impacts to recruitment and retention will impact the ability of our servicemembers to execute our national security strategy, which is hinged upon being the most technologically advanced, best equipped, and most highly trained force in the world.

IMPACTS OF FURLOUGH

28. Senator HIRONO. Secretary Wright, for our valued civil servants in DOD, the furloughs have created difficult situations for many. What are the impacts on recruitment and retention of our civil service employees?

Ms. WRIGHT. Although the full effects may take time to materialize, but we know sequestration has negatively impacted the morale of our civilian workforce and caused significant stress for them and their families. We also expect that the continued budget uncertainties the Department faces will inhibit our ability refresh the workforce and may cause our most experienced workers to consider leaving the Department. The impact on recruitment and retention will affect readiness across the Department. The Department hopes that Congress will enact a balanced deficit reduction plan that the President can sign that eliminates sequestration and the resulting impact to our civilian workforce.

COMMAND CLIMATE

29. Senator HIRONO. Secretary Wright, a command climate survey can go a long way in determining how effective a unit is and whether or not negative actions such as sexual harassment are tolerated and/or reported. What is your opinion of the current climate surveys?

Ms. WRIGHT. The Defense Equal Opportunity Climate Survey (DEOCS) is designed specifically for the purpose of assessing organizational climate and works exceedingly well. The survey can be administered in different ways (on-line or paper/pencil) and the results are produced in minimum time. The DEOCS has evolved over several years and was developed by the Defense Equal Opportunity Management Institute in coordination with the Defense Manpower Data Center.

The DEOCS is well-validated and continues to evolve to address current human relations issues. It is currently the survey instrument of choice by the Army, Navy, and Marine Corps. Air Force, which has used its own unit climate assessment instrument in the past, plans to begin using DEOCS in the near future.

30. Senator HIRONO. Secretary Wright, should climate surveys be kept to monitor potential long-term issues?

Ms. WRIGHT. The Department currently maintains historical survey data which help us identify potential long-term issues and provide organizational-wide insight into the effectiveness of leadership actions. We would expect climate survey to be used in the same manner by component leadership.

31. Senator HIRONO. Secretary Wright, should climate surveys be tied to the commander's permanent personnel records so as to monitor performance as a leader? What about other assessments such as 360 evaluations?

Ms. WRIGHT. I do not believe it is necessary to include climate survey results or assessments in an officer's permanent record. With the recent Secretary of Defense mandate requiring that annual command climate survey results be provided to the next level up in the chain of command we will be better postured to assess unit climate. Additionally, there are other measures in evaluation and performance reports that give us a clear understanding of individual's leadership capability and potential. For example, an officer's overall annual performance evaluations which are tied to effectiveness with regard to meeting organization objectives and goals.

Currently used by some DOD organizations, 360 evaluations also provide a comprehensive feedback of overall management style and assess broad competencies such as teamwork, leadership skills, and communication effectives; however are used primarily for assessing future professional development and are not generally included in permanent personnel records.

COMMISSARY BENEFIT

32. Senator HIRONO. Secretary Wright, what is your assessment of the current state of the Defense Commissary System?

Ms. WRIGHT. The commissary continues to be one of the most popular non-pay compensation benefits enjoyed by military members and their families. As an integral element of the total compensation package, commissaries enhance quality of life for military families and provide an excellent return on investment. Last fiscal year, the commissary provided direct savings to customers of over $2.8 billion for a taxpayer cost of $1.4 billion.

However, between the Department-wide hiring freeze and employee furloughs, commissary customer service has suffered. With the high turnover rate of lower-graded employees in commissaries, the hiring freeze quickly reduced the manning in 69 percent of stores below the 90 percent level. Over a dozen stores fell below 75 percent manning; and two were manned at 60 percent or lower. The recent sequestration-driven furlough, which led to the closing of most stores for 1 day a week for 6 weeks, further impacted customers. Customer complaints rose by over 50 percent and hit an all-time high during the furlough. Excellent commissary customer service suffered as customers found long check-out lines, empty shelves, and employees dealing with their own personal economic challenges due to a 20 percent pay reduction. That reduction was particularly hard on store-level employees, many of whom are part-time employees.

33. Senator HIRONO. Secretary Wright, what is the benefit as a value in terms of recruiting and retention?

Ms. WRIGHT. A number of surveys have concluded that commissaries rate highly among quality of life factors contributing to retention in the military. A GAO survey found that commissaries ranked #2 by enlisted personnel and #3 by officers as a reason to stay in the military. In our 2009 Status of Forces Survey, 90 percent of Active Duty personnel report they use the commissary, and 81 percent of those who use the commissary shop monthly or more frequently. Our surveys also show a majority of Active Duty members believe the commissary offers better safety and security than other stores in the community.

The commissary gives military personnel peace of mind, particularly when we place them in harm's way, knowing that their families have the support they need in a safe and secure shopping environment. Also, the commissary employs a large number of military dependents and provides a sense of community. Military personnel appreciate that commissary managers and employees understand the challenges and sometimes difficult life borne by military families. Therefore, I believe that this benefit has a great value to our servicemembers and their families.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

SEXUAL ASSAULT SURVEY

34. Senator INHOFE. Secretary Wright, if confirmed, will you commit to directing that an independent survey be conducted on sexual assault in the military, using an experienced outside organization that specializes in surveys, to design, conduct, and analyze survey results, with a goal of establishing clear, objective data and metrics that can be used to measure progress on eliminating sexual assault in the military?

Ms. WRIGHT. If confirmed, I agree to look at this issue. I am firmly committed to improving the Department's efforts to prevent and respond to sexual assaults in the military. If confirmed, I will look at how the Department conducts its sexual assault survey, to include the methodology used.

HOLLOW FORCE

35. Senator INHOFE. Secretary Wright, are you concerned about the reemergence of a hollow force?

Ms. WRIGHT. The potential for hollowing of the force is always a concern in times of fiscal constraint and drawdown. Readiness degradations driven by manpower, equipment and training shortfalls are of prime importance to us and we work constantly with the Joint Staff and Services to monitor trends and indicators related to potential hollowing. "Hollowness" in the 1970s and 1990s was driven primarily by excess force structure, recruiting/retention shortfall, increased optempo, and un-

derfunded training accounts. If confirmed, I intend to monitor these potential problems closely to ensure we do not hollow our great force.

36. Senator INHOFE. Secretary Wright, as the President's nominee what guidance or instruction, if any, were you provided on how to address the onset of a hollow force?

Ms. WRIGHT. The Secretary of Defense made readiness an imperative as we began planning for lower budgets and reduced endstrength nearly 3 years ago. Since then, the imperative to monitor, manage, and protect both near- and long-term readiness remains strong. If confirmed, I will be responsible for providing the Secretary and Deputy Secretary a regular accounting of our current readiness status, the associated risks, and options for mitigating that risk. In executing this responsibility, I would be required to focus not only the status and risks of the units, but also the status and the risks associated with the pipelines that support our ability to properly man, train, and equip our forces. Historically, it has been problems in these pipelines that create the most durable readiness degradations.

37. Senator INHOFE. Secretary Wright, if confirmed, what measures would you use to identify the extent of a hollow force for the Secretary of Defense?

Ms. WRIGHT. In order to preserve the health and viability of our All-Volunteer Force, we must ensure that our readiness, force structure and modernization remain balanced. If confirmed, I will work closely with the Services to ensure their force management plans fully optimize both short-term readiness and long-term modernization/procurement efforts as they implement force structure reductions.

Additionally, we must give particular attention to protecting the Services' pipeline processes that are critical to generating warfighting capabilities. Metrics gauging the health of these pipelines are the most valuable readiness/hollowness metrics because they cover the breadth of man/train/equip concerns and typically provide our best forecasts. Manpower metrics include measures of individual training, recruit quality, experience, and manning levels for critical occupations. Equipment metrics include availability rates, failure rates, repair rates, spares fill, unit fill, and depot throughput. Training metrics include individual and unit proficiency, graduate-level (collective training) unit/individual training accomplishment, and even range viability metrics.

CIVILIAN WORKFORCE

38. Senator INHOFE. Secretary Wright, how will DOD manage the civilian workforce in the next fiscal year under sequestration?

Ms. WRIGHT. The Department must continue to effectively manage our civilian workforce to ensure we maintain the appropriate mix of skill sets, and related experience, to maintain the readiness of our military. Our goal is to shape the workforce in a manner that minimizes adversity to our valued and talented civilian workforce. The Department hopes that Congress will enact a balanced deficit reduction plan that the President can sign which eliminates sequestration.

39. Senator INHOFE. Secretary Wright, what workforce management tools may DOD use if faced with another year of a sequestered budget—more furloughs, reductions in force, or early retirements?

Ms. WRIGHT. The Department must continue to effectively manage our civilian workforce to ensure we maintain the appropriate mix of skill sets, and related experience, to maintain the readiness of our military. Our goal is to shape the workforce in a manner that minimizes adversity to our valued and talented civilian workforce.

The Department is currently operating under hiring restrictions and will continue to do so under sequestration. Workforce management tools such as Voluntary Separation Incentive Pay and Voluntary Early Retirement Authority, have been authorized and encouraged, both of which are valuable in reducing involuntary separations and associated costs.

The Department hopes that Congress will enact a balanced deficit reduction plan that the President can sign which eliminates sequestration.

40. Senator INHOFE. Secretary Wright, will DOD consider exempting working capital fund employees from furloughs if it still faces a sequestered budget in fiscal year 2014?

Ms. WRIGHT. At the present time there is no plan to administratively furlough DOD employees in fiscal 2014. The Department hopes that Congress will enact a

balanced deficit reduction plan that the President can sign which eliminates sequestration.

41. Senator INHOFE. Secretary Wright, pay freezes and furloughs may cause young people not to consider a career in DOD. What tools can DOD use to incentivize young professionals to choose a career of service in DOD?

Ms. WRIGHT. The Department continues to use available recruiting methods and programs, such as Pathways, to attract young professionals. In addition, the Department continues to offer the Student Loan Repayment Program, Training and Professional Development opportunities, and many other benefits that promote a healthy work life balance.

42. Senator INHOFE. Secretary Wright, does DOD need additional recruiting authorities to compete for top young talent in the current job market?

Ms. WRIGHT. The Department has adequate authorities in place to assist us with competing for top young talent in the current job market. However, the time it takes to hire Federal employees as well as hiring restrictions under which the Department is currently operating, impact our ability to compete for top talent. The Department is continuously reviewing our authorities and programs so that we remain an employer of choice among young professionals.

43. Senator INHOFE. Secretary Wright, we have received reports of medical professionals leaving DOD because they are fed up with pay freezes and furloughs. We also hear that DOD doctors and nurses have chosen to leave DOD to work for the VA. If confirmed, will you advocate for exemption of civilian medical professionals from furloughs if DOD faces another year under sequestration?

Ms. WRIGHT. During the past furlough period, I asked my staff to carefully monitor Medical Treatment Facility operations and advise me if they saw any evidence that we were experiencing challenges in meeting our health care obligation to our beneficiary population, including Wounded Warriors. After the first few furlough days, a need to request additional furlough exceptions began to take shape. At the same time, due to a combination of Congressional approvals and Departmental budget management efforts, we were able to reduce furlough for most DOD civilians from 11 days (88 hours) to 6 days (48 hours). Our civilian medical professionals are back to their pre-furlough schedules providing all of the critical services.

We are still assessing the extent of damage caused by sequestration and the associated furloughs and, while no decisions have been made about the need for future furloughs or exceptions at this time, I will continue to be vigilant in maintaining our health care obligations and apply the lessons learned from the past furlough experience. I am committed to our patients and our staff and seek to minimize their inconvenience and maintain an exceptional "care experience" and "work experience" for both groups. This commitment will remain the Department's core theme as we address financial challenges in the future.

44. Senator INHOFE. Secretary Wright, in your opinion, does DOD need additional pay authorities to better compete with the VA civilian medical professionals?

Ms. WRIGHT. The Department does not need additional pay authorities to better compete with the VA civilian medical professionals. DOD has the authority of section 1599c of title 10, and DOD and the Office of Personnel Management have a July 31, 2006, Delegation Agreement authorizing the use of title 38 (VA) pay tables for DOD civilian health professionals.

RELIGIOUS EXPRESSION

45. Senator INHOFE. Secretary Wright, in your answer to the advance policy questions, you responded that "[s]ervicemembers are entitled to have personal views and to express them in personal conversations; however, servicemembers are not entitled to use their official capacity as a forum to express their personal views. Servicemembers who express personal views when speaking in an official capacity may be held accountable for what they say." Is it your understanding of DOD policy that sincerely held beliefs cannot be expressed if they differ from DOD policy?

Ms. WRIGHT. Expressions of sincerely held religious beliefs in personal conversations are permissible and considered as protected religious speech until such expressions disrupt the mission, have an adverse impact on good order and discipline, have the appearance of coercion, or can reasonably be regarded as suggesting DOD endorsement of religion.

SAME SEX BENEFITS

46. Senator INHOFE. Secretary Wright, you stated in your confirmation hearing that the September 4 same-sex policy memorandum would only apply to opposite-sex couples in very rare cases. What important military interest is advanced by a policy that benefits same-sex couples but not opposite-sex couples?

Ms. WRIGHT. The September 4 memorandum on the policy clarification, which applies to same-sex couples and opposite-sex couples, allows administrative time off for individuals who cannot get legally married within 100 miles of where they are assigned. As I acknowledged during my confirmation hearing, there may well be a few occasions where an opposite-sex couple would run up against this issue, but that does not invalidate my belief that the policy is fair and equitable to all.

We have bases and installations in all 50 States and around the globe. However, many servicemembers are assigned in remote or isolated locations, and we learned that not all local laws are equal when it comes to marriage-regardless of sexual orientation. While this policy may apply in fewer situations for opposite sex couples than it might for same sex couples, it facilitates travel for any disadvantaged servicemember seeking a legal marriage, when local laws or policies prevent that member from obtaining a legal marriage locally.

PAY

47. Senator INHOFE. Secretary Wright, what would be the impact on readiness if Congress authorizes a 1.8 percent pay increase instead of the 1 percent requested by the administration?

Ms. WRIGHT. The 1 percent basic pay raise requested in the President's budget recognizes the sacrifices by the men and women in our Armed Forces, while adhering to the current budget constraints faced by DOD. This pay raise proposal was a tough decision reached by the senior leaders of the Department (including the uniformed military leadership) after carefully weighing other options for saving the $0.6 billion in fiscal year 2014 and nearly $3.5 billion through fiscal year 2018 generated by this 0.8 percent pay raise adjustment. If Congress authorized the full 1.8 percent military basic pay increase, the Department would have to impose deeper reduction to troop levels as well as to readiness and modernization accounts for training or equipping our forces.

48. Senator INHOFE. Secretary Wright, what would you do, if confirmed, to mitigate the impact of a 1.8 percent pay increase for military personnel and a 1 percent increase for civilian personnel, on overall military readiness?

Ms. WRIGHT. The administration requested a 1.0 percent basic pay increase for military personnel. Because military compensation today compares favorably with compensation in the private sector, the Department does not believe the additional 0.8 percent military basic pay increase is necessary to sustain recruiting and retention. If Congress were to authorize an additional 0.8 percent increase in basic pay for military personnel, it would cost an additional $580 million in fiscal year 2014 (including $40.0 million for Contingency Operations funding) and nearly $3.5 billion through fiscal year 2018. As these costs are not offset, the Department would be forced to pay for this additional military pay increase by reducing military end strength beyond the drawdown already planned and further cutting funds for training and equipping our forces. At a time when statutory spending caps require defense reductions, there is no viable means to mitigate these readiness impacts if the higher pay raise is enacted.

In regards to a 1.0 percent increase for civilian personnel, the administration included this increase in its budget for fiscal year 2014, the Department does not believe it will adversely affect military readiness, thus mitigation will not be necessary. However, if confirmed I will work with my staff to ensure any impacts to overall military readiness are mitigated.

FAMILY SUPPORT PROGRAMS AND SERVICES

49. Senator INHOFE. Secretary Wright, what impact has sequestration had on: (1) child development center programs; (2) child and youth programs; (3) commissary and exchange services; (4) recreation programs; and (5) civilian spouse employment programs?

Ms. WRIGHT. (1) (2) Child development center programs at the installation level were excepted from civilian furloughs and child and youth programs continued to operate with no change in service. The Military Services reduced the weekly cost

of care for families affected by the furlough. Child and youth recreation programs saw little to no effect since these programs are primarily funded through Non-appropriated Funds (NAF).

(3) Sequestration had a direct impact on our commissary patrons and employees. With the Department-wide hiring freeze and employee furloughs, commissary customers often found long checkout lines, closed registers, and empty shelves. The closure of most stores for 1 day a week for 6 weeks because of the furloughs impacted customers further. Customer complaints rose by over 50 percent and hit an all-time high during the furlough. While Defense Commissary Agency employees struggled to continue their previously excellent customer service, they could not always overcome the challenges. The impact of sequestration on the exchange services has been minor because they operate as nonappropriated funded activities and receive little appropriated fund support.

(4) Sequestration has caused sustained reductions to recreation programs (MWR) that negatively impact future readiness, resilience, and retention. The Military Services indicate they are energetically working to identify economies and efficiencies to minimize the fiscal uncertainty created by sequestration driven funding cuts, and are focusing the limited appropriated fund dollars available on their most essential programs and services. However, we are seeing reductions to hours of operation and staff, increased user fees, and consolidation of similar facilities and programs. Installation MWR programs are also collaborating with local communities, schools, and business entities to maximize the availability of programs and services, and many are evaluating low usage programs for potential elimination.

(5) Spouse employment programs at military installations were not able to provide full career and education services due to a shortage of personnel and reduced operating hours resulting from civilian furloughs and hiring freezes. Services for military spouses provided by the Spouse Education and Career Opportunities Program were generally not impacted by civilian furloughs because it is under an already funded contract.

50. Senator INHOFE. Secretary Wright, how will family support programs and services be affected if sequestration continues in the future?

Ms. WRIGHT. We have seen the impacts of sequestration across all programs through reduced levels of service, hours, and higher prices directly impacting our servicemembers and their families. We will strive to protect family programs; however, the continuation of sequestration will limit our ability to maintain the current levels of family support and to respond to new requirements resulting from continued deployments and the downsizing of forces. Programs that promote well-being and enhance readiness are often provided by civilian employees who are especially vulnerable to hiring freezes, furloughs, and reduced funding.

A symbiotic relationship exists between the commissaries, exchanges, and MWR programs that comprise the complex interdependent military resale system. MWR programs depend on the dividends generated through the exchange services. Appropriated fund reductions in any area would have negative impacts on the entire military resale system jeopardizing the availability, quality, and savings of these to the military servicemembers and their families.

We continue to review more efficient and cost effective ways of doing business while providing the programs and services valued by our servicemembers and their families. No one wants to negatively impact the lives of servicemembers and their families; however, the fiscal realities of sequestration are forcing the Department and the Military Services to make some very tough decisions.

MILITARY HEALTH SYSTEMS

51. Senator INHOFE. Secretary Wright, earlier this year, DOD issued a Resource Management Decision directing the Assistant Secretary of Defense for Health Affairs to conduct a comprehensive review of Military Health System's (MHS) capabilities and requirements. Recently, the Navy advised the committee that it plans to realign eight medical treatment facilities to enhance efficiency, improve quality of care, and enhance provider training opportunities. When will this committee receive a briefing on the outcome of the comprehensive review of MHS capabilities and requirements?

Ms. WRIGHT. The review of the MHS's capabilities and requirements is ongoing and the results will feed into the fiscal year 2015 Program Review. The results of this review of capabilities and requirements will be available during the rollout of the fiscal year 2015 President's budget. We look forward to briefing the committee

of the review outcome after the submission of the fiscal year 2015 President's budget.

52. Senator INHOFE. Secretary Wright, was the Navy's decision to realign facilities a result of this review?

Ms. WRIGHT. The Navy's assessment of their facilities was completed prior to the start of the MHS's capabilities and requirements review. Their results were included as a part of the review's deliberations. The Navy, along with the Army and Air Force, continuously evaluate the match between beneficiary demand and medical capabilities. Our assessments and results will be included in the fiscal year 2015 President's budget.

53. Senator INHOFE. Secretary Wright, how has this review impacted the medical facilities of the Army and Air Force?

Ms. WRIGHT. The assessment is still ongoing and the final results will be included in the fiscal year 2015 President's budget.

54. Senator INHOFE. Secretary Wright, will any Army or Air Force medical facilities be realigned in the future?

Ms. WRIGHT. The assessment is ongoing and the final results will be included in the fiscal year 2015 President's budget.

INTEGRATED DISABILITY EVALUATION SYSTEM

55. Senator INHOFE. Secretary Wright, in your opinion, what can DOD and the VA can do to further reduce disability claims processing times?

Ms. WRIGHT. The most important thing DOD can do to assist VA is to ensure the information needed to reduce disability claims processing times is available in a timely and accurate manner. In order to meet this goal we will actively pursue a long-term vision of a paperless record keeping environment. If confirmed, I will continue to work closely with the VA to refine processes to take full advantage of information sharing we are putting in place.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

LIVING QUARTERS ALLOWANCE

56. Senator CHAMBLISS. Secretary Wright, my staff is working with several Georgia constituents who are DOD civilians affected by a January 2013 DOD audit which determined they were no longer eligible to receive a LQA. The audit determined that, through no fault of their own, 659 DOD civilians in Europe "erroneously" received this incentive pay and that DOD would attempt to recover the overpayments, in many cases in the hundreds of thousands of dollars. Most of these civilians accepted their Federal positions with an understanding that LQA, and other associated benefits, were a term or condition of employment—they would not have accepted the job otherwise. Moreover, this incentive pay was certified, and often certified multiple times, by HR personnel who are intimately familiar with governing regulations and policies.

As you can imagine, this determination is having significant impact on the affected employees and their families. While I appreciate DOD efforts to mitigate the impact—an expedited process to waive the debt, exceptions to the hiring freeze under the PPP, and a 1 year extension of LQA through May 2014—the worst case scenario would find us in June 2014 with a sizable number of affected civilian employees still at the current duty station, unable to find suitable employment elsewhere due to hiring restrictions, responsible for moving their families and personal property at their own expense, and living under the shadow of repaying a large debt. In my opinion, this is not how we should treat our civilian employees, in particular on the heels of the fiscal year 2013 DOD civilian furlough.

If confirmed, will you make it a personal priority to ensure that the affected employees are extended every possible opportunity to secure follow-on employment with return travel and transportation agreements covered under Joint Federal Travel Regulations?

Ms. WRIGHT. Yes, if I am confirmed this will continue to be a high priority of mine and has the full attention of my office. So far, the waiver process is proving successful in alleviating debt for employees who file requests for relief of the debt. Additionally, we have offered a temporary exception to the PPP to facilitate return placements. Return travel and transportation may still be provided to employees meeting

the return transportation conditions upon hiring or, alternately, though management-directed reassignment or PPP placement.

57. Senator CHAMBLISS. Secretary Wright, ultimately the error for this overpayment falls on DOD—either through an incorrect policy determination or by the officials who incorrectly certified LQA eligibility. How did this happen and who is being held accountable?

Ms. WRIGHT. This situation occurred through process errors made at a local DOD component servicing human resources offices. We are in the process of addressing the matter. Looking forward, we want to ensure that our LQA regulations are clear. To that end, by the end of this year, my staff will complete a comprehensive review of the Department's overseas benefits and allowances regulation. Further, the DOD components with the responsibility to train servicing human resources specialists on making benefits and pay determinations must ensure they are doing so correctly through audits or similar oversight means.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

NATIONAL GUARD YOUTH CHALLENGE PROGRAM

58. Senator AYOTTE. Secretary Wright, what is your plan to provide standardized, national training for the frontline staff of the National Guard Youth Challenge Program (NGYCP) in fiscal year 2014?

Ms. WRIGHT. I understand the importance of frontline staff training; therefore, if I am confirmed, the Office of the Assistant Secretary of Defense for Reserve Affairs will continue to work with the Office of the Chief of the National Guard Bureau and the State Adjutant Generals to identify ways to provide standardized training to the NGYCP staff in an efficient and cost-effective manner. During these difficult budgetary times and uncertainty, the Department's first priority is to try to fully support funding of the NGYCP at the maximum DOD cost share of 75 percent to ensure continued operations and cadet development. This work will involve reviewing all current methods implemented by the National Guard Bureau for delivering NGYCP staff training, including existing training programs funded by DOD and other Federal, State, and local agencies that may be provided to NGYCP staff. Once requirements are validated, we will be able to determine best method, schedule, and provider.

59. Senator AYOTTE. Secretary Wright, for years, mental health training was provided to National Guard Youth mentors but now that is no longer the case. Will you examine the possibility of restoring mental health training for National Guard Youth Challenge mentors?

Ms. WRIGHT. Yes, as part of our fiscal year 2014 review of the standardized training for the NGYCP, we will work with the Office of the Chief of the National Guard Bureau and the State Adjutant Generals to examine the possibility of restoring mental health training for mentors participating in the NGYCP.

SEQUESTRATION AND ITS IMPACT ON READINESS

60. Senator AYOTTE. Secretary Wright, General Welsh has recently said that under sequestration, the Air Force would be unable to execute the 2012 Strategic Planning Guidance that requires the military to fight one major adversary and deter another. General Welsh also told airmen stationed in Japan that the Air Force would "not be as ready as we would like" if ordered to take action against the Syrian regime. Do you agree with General Welsh's assessments?

Ms. WRIGHT. I agree with General Welsh's assessments regarding the Air Force's ability to respond to emerging contingencies. The Air Force entered sequestration at historically low readiness levels. This steady readiness decline resulted from over 20 years of high operational tempo supporting combatant commanders' requirements fighting the "low-end" wars of the last decade, coupled with reduced funding to their readiness accounts. Sequestration made this situation worse by forcing combat units to stand down and the cancellation of exercises and training courses.

61. Senator AYOTTE. Secretary Wright, what are your greatest readiness concerns if sequestration goes forward in 2014?

Ms. WRIGHT. My primary concern is the Department's ability to maintain a force that can satisfy both our current operational commitments as well as provide ready forces for contingencies that are critical for responding to an emergent major theater

operation. So far, we have gone to great lengths to protect our ability to do current operations; our risk and my main area of concern lies with our ability to surge a ready force.

In keeping with this concern, we know that sequestration has forced the Department to make hard choices between drawing down force structure and paring back modernization programs. Furthermore, reductions in our training and professional development programs will have a long-term detrimental effect on maintaining proficiency and experience within our ranks. These short-term effects will have longer-term implications that will not be easily reversed even with additional resources.

62. Senator AYOTTE. Secretary Wright, General William Shelton, Commander of Air Force Space Command, recently said that sequestration threatens to "break every program" in the U.S. military space enterprise. Do you share his concern?

Ms. WRIGHT. I share General Shelton's concerns regarding the effects sequestration may have on numerous Defense programs. The immediate effects of sequestration are beginning to be felt and are impacting programs throughout the Department.

LIVING QUARTERS ALLOWANCE

63. Senator AYOTTE. Secretary Wright, DOD has been working with Congress and the employees in U.S. European Command to achieve a workable solution to the LQA issue. I am concerned that the employees' concerns are not being addressed completely. Many of the employees are concerned with future employment opportunities and the cost associated with moving back to the United States. How many employees have been given Priority 3 or 3a status?

Ms. WRIGHT. All employees identified in the audit as receiving LQA erroneously who choose to return Stateside in the absence of LQA have been eligible to register in the PPP since June 27, 2013. As of September 26, 2013, the DOD components have reported that 71 affected employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer.

The Department has also authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine affected employees have accepted management-directed reassignments under this special exception to PPP.

In addition, an affected employee generally will be eligible for a paid move back to the United States if returned Stateside as a result of a directed reassignment by the employee's DOD component, if placed through the PPP, or if the employee is a retired military member whose final authorization for return travel has not expired.

64. Senator AYOTTE. Secretary Wright, how many employees have been given Priority 1 or 2 status?

Ms. WRIGHT. All employees identified in the audit as receiving LQA erroneously have been eligible to register in the PPP since June 27, 2013, as a Priority 3. Priorities 1 and 2 are reserved for employees who are being separated involuntarily, i.e., losing employment completely. As of September 26, 2013 the DOD components have reported that 71 affected employees have registered in the PPP, 4 have accepted job offers, and 1 has declined an offer. This is not the only procedure to facilitate the timely rotation of those affected employees who choose to return Stateside in the absence of LQA. Most notably, the Department has authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign employees directly to Stateside vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine affected employees have accepted management-directed reassignments under this special exception to PPP.

65. Senator AYOTTE. Secretary Wright, in *Thomas* v. *United States* (Sept. 7, 2011), the court ruled that "The Court disregards the other regulations and guidance's implemented pursuant to the DSSR insofar as they conflict with the DSSR. DODI [Department of Defense Instruction], the Army Corps Memorandum, and AER 690–500.592 conflict with the DSSR because they give the agency discretion to disallow a living quarters allowance when the DSSR provisions would otherwise mandate the allowance." Did the *Thomas* case play a role in how DOD is addressing the LQA issue?

Ms. WRIGHT. No. *Thomas* v. *United States* has not played a role in how the Department is addressing the LQA issue. However, we agree with the Thomas opinion that if an employee satisfies all the eligibility requirements for receiving LQA, and if the Department makes a determination that there is a need for LQA, the incentive may be properly paid, as evidenced by those employees properly granted LQA after being recruited from the United States. Eligibility criteria include that which is stated in the DSSR, as well as the criteria established by the DOD in its LQA regulations. In a subsequent opinion to Thomas, the Court noted in *Roberts* v. *United States* (April 30, 2012), that the DSSR expressly delegates authority to heads of Federal agencies to implement additional regulations in this area. Under that delegation, the Secretary of Defense issued DOD Instruction 1400.25, volume 1250, which includes LQA eligibility conditions in addition to those in the DSSR. In this situation, affected employees either did not meet the DSSR eligibility requirements, or those established in volume 1250, or both.

66. Senator AYOTTE. Secretary Wright, given the Office of Personnel Management Compensation Claim Decision (OPM File No. 12–0020), is DOD concerned about pecuniary liability due to the Thomas ruling?

Ms. WRIGHT. No, as affected employees in this situation either did not meet the DSSR, or those established in DOD Instruction 1400.25, Volume 1250, or both.

67. Senator AYOTTE. Secretary Wright, has DOD received any reimbursement claims related to Thomas? If so, how many?

Ms. WRIGHT. To my knowledge, there have been no reimbursement claims received by the Department.

68. Senator AYOTTE. Secretary Wright, has DOD estimated potential liability due to the Thomas case? If so, what is the cost estimate?

Ms. WRIGHT. The Department has not estimated potential liability. However, we have estimated that it will cost approximately $23 million to grant temporary LQA eligibility to affected employees for 1 year.

69. Senator AYOTTE. Secretary Wright, in *Roberts* v. *United States* (April 30, 2012), the Court stated that the LQA-granting authority has been further delegated within DOD, but in addition to having met the DSSR requirements, the DOD agency "must first designate the position as eligible for LQA". Were any of the positions held by the employees, who were deemed to have erroneously received LQA payments, designated as LQA eligible?

Ms. WRIGHT. DOD Instruction 1400.25, volume 1250, delegates authority to the Heads of DOD components to make LQA determinations. Each DOD component may determine in advance of filling an overseas position whether there is a need for LQA, and which is normally based on an ability to fill the position without the incentive. However, employees filling positions deemed appropriate for LQA must meet the eligibility requirements in order to receive the incentive.

70. Senator AYOTTE. Secretary Wright, in both the DSSR and DODI 1400.25 there is an allowance for a waiver based upon "unusual circumstances". Was this the basis for the 1-year waiver that you granted to all LQA audit affected employees?

Ms. WRIGHT. Yes, the DSSR provision for waivers based on unusual circumstances was used for authorizing temporary LQA eligibility for affected employees. I believe that 1 year is sufficient time for the employees to make personal decisions concerning their situations, and to be placed in a State-side position, if they so choose. Providing the incentive beyond that time could be viewed as an abuse of discretion with respect to taxpayer dollars being spent on incentives for which employees are otherwise ineligible.

71. Senator AYOTTE. Secretary Wright, does the DSSR or the DODI 1400.25 place any time condition or constraints upon this waiver?

Ms. WRIGHT. No. To mitigate the financial effects of loss of LQA, I granted all employees identified in the audit as receiving LQA erroneously temporary eligibility for LQA for up to a 1-year time period to allow them opportunity to plan a future without the incentive. This period was determined to be reasonable under the circumstances. Further, the Department has supported individual employee requests for waivers of the indebtedness as long as there is no evidence of misrepresentation, fraud, or deception on the part of the employee to receive LQA initially; delayed collection of the indebtedness created by the receipt of LQA erroneously (for those employees who choose to request a waiver) until the waiver process is complete; and authorized flexibilities under the PPP to assist employees who choose to return

Stateside in the absence of LQA. As of September 26, 2013, 400 waiver requests have been submitted, 112 full waivers have been approved, and no requests have been disapproved.

72. Senator AYOTTE. Secretary Wright, is there any legal reason that would stop you from utilizing this waiver in order to solve this issue on a more long-term basis?

Ms. WRIGHT. To mitigate the financial effects of loss of LQA, I granted all employees identified in the audit as receiving LQA erroneously temporary eligibility for LQA for up to a 1 year time period to allow them opportunity to plan a future without the incentive. This period was determined to be reasonable under the circumstances. Further, the Department has supported individual employee requests for waivers of the indebtedness as long as there is no evidence of misrepresentation, fraud, or deception on the part of the employee to receive LQA initially; delayed collection of the indebtedness created by the receipt of LQA erroneously (for those employees who choose to request a waiver) until the waiver process is complete; and authorized flexibilities under the PPP to assist employees who choose to return State-side in the absence of LQA. As of September 26, 2013, 400 waiver requests have been submitted, 112 full waivers have been approved, and no requests have been disapproved.

73. Senator AYOTTE. Secretary Wright, U.S.C. title 10, chapter 163, section 2773a, gives DOD the authority to hold processing officials pecuniary liable. DOD Regulation 7000 further states that "The Secretary of Defense may subject a departmental official to pecuniary liability for an improper or incorrect payment made by DOD, if the Secretary determines that such payment resulted from information or services provided" to a certifying official. Has DOD scrutinized the certifying or authorizing officials who made, according to a DOD Inspector General report, $57 million in erroneous payments?

Ms. WRIGHT. The DOD Financial Management Regulations (FMR) 7000.14R, volume 5, chapter 33, section 3309, which states a certifying officer is pecuniarily liable for payments resulting from improper certifications, is not applicable in this situation. A certifying officer as defined in the FMR does not certify the supporting document authorizing the LQA entitlement, and thus is not liable for these erroneous payments.

74. Senator AYOTTE. Secretary Wright, when an individual who received the erroneous payments signs the waiver form, does this waiver also release DOD officials from any liability in association with that payment?

Ms. WRIGHT. No, signing of the waiver form by an individual only affects the individual employee.

QUESTIONS SUBMITTED BY SENATOR MIKE LEE

RELIGION IN THE MILITARY

75. Senator LEE. Secretary Wright, what do you understand to be the difference between evangelizing, which is allowed by DOD, and proselytizing, which is not allowed?

Ms. WRIGHT. DOD has no policy that directly addresses religious evangelizing and proselytizing. Servicemembers may exercise their rights under the First Amendment regarding the free exercise of religion unless doing so adversely affects good order and discipline, or some other aspect of the military mission; even then, the Department seeks a reasonable religious accommodation for the servicemember. In general, servicemembers may share their faith with other servicemembers in unofficial settings, but may not forcibly attempt to convert others to their own beliefs. Concerns that may arise regarding these issues are handled on a case-by-case basis by the leaders of the unit involved, in consultation with Chaplains and legal advisors.

76. Senator LEE. Secretary Wright, how are these differences explained to commanders in the military, and do you believe it is consistently applied?

Ms. WRIGHT. Chaplains from the Military Departments are directly involved in the training of commanders. This training includes discussion and guidelines concerning the balance of freedoms for servicemembers with religious beliefs as well as those with no religious belief. Due to this training, expressions of free speech and religious practice are consistently applied across the Military Departments.

ERRONEOUS LIVING QUARTERS ALLOWANCE

77. Senator LEE. Secretary Wright, the Office of the Secretary of Defense and your office have stated that the erroneous payments to civilian employees living overseas and receiving LQA payments were made "through no fault of the individual". Why did DOD give these payments erroneously and who is being held at fault for the erroneous payments?

Ms. WRIGHT. This situation occurred through errors made by individual employees assigned to a DOD component servicing human resources offices, and we are in the process of addressing the matter. Looking forward, we want to ensure that our LQA regulations are clear. By the end of this year, my staff will complete a comprehensive review of the Department's overseas benefits and allowances regulation. Further, the DOD components with the responsibility to train servicing human resources specialists on making benefits and pay determinations must ensure they are doing so correctly through audits or similar oversight means.

78. Senator LEE. Secretary Wright, when the employee who has received erroneous payments signs the waiver for their debts, does the waiver also release DOD officials from any liability in association with the payment?

Ms. WRIGHT. No, signing of the waiver form by an individual only affects the individual employee.

[The nomination reference of Hon. Jessica G. Wright follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
July 18, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Jessica Garfola Wright of Pennsylvania, to be Under Secretary of Defense for Personnel and Readiness, vice Erin C. Conaton, resigned.

[The biographical sketch of Hon. Jessica G. Wright, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF JESSICA L. (GARFOLA) WRIGHT

Education:

Alderson Broaddus College, September 1971–June 1974

- Bachelor of Arts Degree awarded June 1974
- Honorary doctorate in Public Service awarded 2004

Webster University, St Louis, MO, School of Business and Technology

- Masters Degree in Management awarded June 1993

Army War College, Carlisle Barracks, PA

- Military Fellowship at the Center for Strategic and International Studies, Washington, DC, June 1997

Employment record:

U.S. Department of Defense, Office of the Secretary of Defense

- Acting Under Secretary of Defense for Personnel and Readiness
- January 2013-present
- Acting Principal Deputy Under Secretary of Defense for Personnel and Readiness
- October 2012–January 2013
- Assistant Secretary of Defense (Reserve Affairs)
- May 2012–0ctober 2012
- Acting Principal Deputy Assistant Secretary of Defense (Reserve Affairs)
- Deputy Assistant Secretary of Defense for Reserve Affairs (Manpower and Personnel)
- November 2010–May 2012

Commonwealth of Pennsylvania, Army National Guard

• Adjutant General of Pennsylvania and Commander of the Pennsylvania National Guard
• February 2004–November 2010

• Assistant Adjutant General/Deputy Adjutant General-Army, Pennsylvania Joint Force Headquarters
• May 2000–February 2004

• State Army Aviation Officer, Headquarters, State Area Command
• October 1998–May 2000

• Commander, 28th Combat Aviation Brigade, 28th Infantry Division, Fort Indiantown Gap, PA
• June 1997–November 1998

U.S. Army War College

• Military Fellowship at the Center for Strategic and International Studies, Washington, DC
• August 1996–June 1997

National Guard Bureau, Headquarters

• Chief of the Personnel Service Division, Army National Guard personnel directorate
• Chief of the Tours Management Office, Army National Guard personnel directorate
• Executive Officer and Chief of the Budget and Services Branch
• Personnel Staff Officer
• February 1989–August 1996

State of Georgia, Army National Guard

• Assistant Professor of Military Science, Georgia Southern College, Statesboro, GA
• November 1986–January 1989

State of Georgia, Army National Guard

• 1160th Transportation Company (Heavy Helicopter), Flight Operations Platoon Commander
• September 1985–November 1986

Commonwealth of Pennsylvania, Army National Guard

• 1028th Transportation Company (Heavy Helicopter), Flight Operations Platoon Commander
• Eastern Army National Guard Aviation Training Site, Assistant Operations and Training Officer and Flight Operations Officer
• January 1982–September 1985

Commonwealth of Pennsylvania, Army National Guard

• 228th Aviation Company, UH–1 and CH–47 pilot
• 28th Aviation Battalion, Adjutant
• September 1979–December 1981

Commonwealth of Pennsylvania, Army National Guard

• CH–47 Aviator Qualification Course
• CH–54 Aviator Qualification Course
• Officers Rotary Wing Aviator Course at Fort Rucker, AL
• February 1977–August 1979

Commonwealth of Pennsylvania, Army National Guard

• Headquarters and Headquarters Detachment, Press Officer, Recruiting and Retention/Equal Opportunity Operations Officer, Staff Advisor
• Women's Army Corps Officer Orientation/Officer Candidate School at Fort McClellan, AL
• January 1975–January 1977

Honors and awards:

Distinguished Public Service Medal
Distinguished Service Medal
Legion of Merit {with Oak Leaf Cluster)
Meritorious Service Medal (with one Bronze Oak Leaf Cluster)
Army Commendation Medal
Army Achievement Medal
Army Reserve Component Achievement Medal (with one Silver Oak Leaf Cluster and one Bronze Oak Leaf Cluster)
National Defense Service Medal (with one Bronze Star)

Global War on Terror Service Medal
Armed Forces Reserve Medal (with Gold Hourglass)
Army Service Ribbon
Army Staff Identification Badge
Senior Army Aviator Badge
Pennsylvania Commendation Medal
Pennsylvania Service Ribbon (with two Silver Stars)
Pennsylvania 20 Year Medal (with two Silver Stars)
Major General Thomas R. White Jr. Medal
General Thomas J. Stewart Medal
Governor's Unit Citation
Lithuanian Medal of Merit
Order of St. Michael
Order of St. Joan of Arc
ATHENA Recipient
Gold Medallion - Chapel of the Four Chaplains
Law and Justice Award - Sons of Italy
Gold Medal Award - Pennsylvania Association of Broadcasters
Honorary Doctorate - Peirce College
Haym Solomon Award
Military Person of the Year - Veteran Community Initiatives, Inc.
Distinguished Soldier Award - Union League of Philadelphia
Founders Day Award - Lebanon Valley College

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Hon. Jessica G. Wright in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Jessica Lynn Wright, Maiden Name: Garfola.

2. **Position to which nominated:**
Under Secretary of Defense (Personnel and Readiness).

3. **Date of nomination:**
July 18, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
November 2, 1952; Charleroi, PA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Charles Edwin Wright.

7. **Names and ages of children:**
Philip Michael Wright, age 23.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Alderson-Broaddus College. 1970–1974, BA, May 1974
Webster University, 1991–1993, MA, June 1993

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
1 January 2013–Present: Acting Under Secretary of Defense (Personnel and Readiness), The Pentagon
16 Oct 2012–31 Dec 2012: Acting Principal Deputy, Under Secretary of Defense (Personnel and Readiness), The Pentagon
25 May 2012–15 Oct 2012: Assistant Secretary of Defense for Reserve Affairs, The Pentagon
08 November 2010–24 May 2012: Department of Defense Deputy Assistant Secretary of Defense, RA (Manpower and Personnel); 1 June 2011 also assumed the duties "Acting" Principal Deputy Assistant Secretary of Defense, Reserve Affairs, The Pentagon
February 2004–November 2010: The Adjutant General Commonwealth of Pennsylvania, Fort Indiantown Gap, PA
June 2000–February 2004, Deputy Adjutant General—Army Commonwealth of Pennsylvania, Fort Indiantown Gap, PA

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
None.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.
None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
National Guard Association of the United States—Member
Pennsylvania National Guard Association of the United States—Member
Association of the U.S. Army—Member
Army Aviation Association of America—Member

13. **Political affiliations and activities:**
(a) List all offices with a political party which you have held or any public office for which you have been a candidate.
None.
(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.
None.
(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.
None.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.
Distinguished Public Service Medal
Distinguished Service Medal
Legion of Merit (with Oak Leaf Cluster)
Meritorious Service Medal (with one Bronze Oak Leaf Cluster)
Army Commendation Medal
Army Achievement Medal
Army Reserve Component Achievement Medal (with one Silver Oak Leaf Cluster and one Bronze Oak Leaf Cluster)
National Defense Service Medal {with one Bronze Star)
Global War on Terror Service Medal

Armed Forces Reserve Medal (with Gold Hourglass)
Army Service Ribbon
Army Staff Identification Badge
Senior Army Aviator Badge
Pennsylvania Commendation Medal
Pennsylvania Service Ribbon (with two Silver Stars)
Pennsylvania 20 Year Medal (with two Silver Stars)
Major General Thomas R. White Jr. Medal
General Thomas J. Stewart Medal
Governor's Unit Citation
Lithuanian Medal of Merit
2000 ATHENA Recipient
2004 Honorary Doctorate - Alderson Broaddus College
2005 Gold Medallion - Chapel of the Four Chaplains
2005 Law and Justice Award - Sons of Italy
2006 Gold Medal Award - Pennsylvania Association of Broadcasters
2008 Honorary Doctorate - Peirce College
2009 Military Person of the Year - Veteran Community Initiatives, Inc.
2009 Distinguished Soldier Award - Union League of Philadelphia
2010 Founders Day Award - Lebanon Valley College

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

One article on ARNG Aviation published in the National Guard Association of the United States magazine. (2010)

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

I gave multiple speeches during my time as Adjutant General of the PA National Guard. I do not have copies. I have given speeches as ASD–RA and Acting USO–PR from talking points and notes.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JESSICA G. WRIGHT.

This 12th day of September, 2013.

[The nomination of Hon. Jessica G. Wright was reported to the Senate by Chairman Levin on September 24, 2013, with the recommendation that the nomination be confirmed. The nomination was returned to the President at the end of the first session of the 113th Congress, on January 6, 2014, under provisions of Senate Rule XXXI, paragraph 6, of the Standing Rules of the Senate.]

[Prepared questions submitted to Mr. Frank G. Klotz by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DUTIES AND QUALIFICATIONS

Question. What background and experience do you possess that you believe qualify you to perform the duties of the Under Secretary for Nuclear Security and Administrator of the National Nuclear Security Administration (NNSA)?

Answer. I served on Active Duty in the U.S. military for nearly 39 years. The majority of my assignments dealt either with nuclear field operations—including maintenance, security, and safety—or with nuclear policymaking at the national and international levels.

I have also had extensive experience leading large organizations with technically-complex missions and a diverse, highly-skilled workforce. As the first commander of Air Force Global Strike Command, I helped establish and lead a brand new organization that merged responsibility for all U.S. nuclear-capable bombers and missiles under a single chain-of-command. Within the space of only 14 months, we defined the organization's vision and values, recruited 800 highly-talented professionals into a new headquarters, took charge of 5 major installations and 23,000 people; and strengthened accountability at all levels. Earlier in my career, I was second in command of Air Force Space Command when it had responsibility for the Nation's intercontinental ballistic missile force. At that time, AFSPC comprised 39,400-persons charged with responsibility for developing, acquiring and operating a global network of launch, satellite control, communications, and missile warning facilities.

Since retiring from Active Duty, I have worked as a Senior Fellow at the Council on Foreign Relations and participated in several "Track 2" conferences and workshops, most notably with the Committee on International Security and Arms Control of the U.S. National Academy of Sciences. These activities have deepened my understanding of the nuclear capabilities and policies of other nations, as well as the dangers posed by nuclear proliferation, regional arms races, and the threat of nuclear terrorism.

All of these experiences bear directly on NNSA's broad mission set, as well as the challenges of leading an organization of its size and scope. I am grateful to President Obama and Secretary Moniz for their trust and confidence in providing me an opportunity to continue to serve and contribute to the critically important tasks of ensuring that our Nation's nuclear arsenal remains safe, secure, and effective, and enhancing nuclear security across the globe.

Question. What changes, if any, do you anticipate in these duties, if you are confirmed for the position?

Answer. I do not anticipate any changes to these duties of Under Secretary for Nuclear Security or NNSA Administrator if I am confirmed.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Under Secretary for Nuclear Security?

Answer. Based on my previous operational and policymaking positions within the Nation's nuclear enterprise—including leadership of large, technically complex organizations—I personally believe that I am ready now to assume the duties of Under Secretary for Nuclear Security. However, I have always believed in the need for and value of life-long learning and constantly seeking new, innovative solutions. If confirmed, I will immediately and continuously engage with all elements of the NNSA enterprise—specially the directors of the national security laboratories, plants, headquarters, and field offices—to broaden and deepen my understanding of NNSA's capabilities, requirements, and challenges. I also intend to regularly consult

with Members of Congress and their staffs to better understand their concerns and to benefit from their insights on NNSA, its mission, and its issues.

Question. Assuming you are confirmed, what additional or new duties and functions, if any, do you expect that the Secretary of Energy would prescribe for you other than those described above?

Answer. The Secretary of Energy has not indicated to me that he intends to prescribe any additional or new duties and functions. However, if confirmed, I would serve at the pleasure of the President and Secretary of Energy and in accordance with the laws enacted by Congress, and would obviously perform any additional or new duties and functions they might assign.

RELATIONSHIPS

Question. If confirmed, how will you work with the following officials in carrying out your duties:

The Secretary of Energy.

Answer. I share Secretary of Energy Moniz's strong belief in the importance of NNSA's mission and its many contributions to the Nation's security, as well as the urgent need to address program management, cost overruns, and security. If confirmed, I will work with him in a collaborative manner and, as stipulated in the NNSA Act, "subject to the authority, direction, and control of the Secretary."

Question. The Deputy Secretary of Energy.

Answer. If confirmed, I will also work closely with Deputy Secretary Dan Poneman and subject to the "authority, direction and control" delegated by the Secretary to the Deputy Secretary in accordance with the NNSA Act.

Question. The Deputy Administrators of the National Nuclear Security Administration.

Answer. I consider the Deputy Administrators—along with the directors of the national security laboratories, plants, and field offices—as an integral part of NNSA's leadership team. If confirmed, I will work with the Deputy Administrators and Associate Administrators to promote better internal communication and collaboration; clarify lines of authority, responsibility and accountability; eliminate duplication of effort and streamline processes; and, professionally develop the NNSA workforce and recognize its employees for their important contributions to the organization and to the Nation.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)).

Answer. If confirmed, I expect to work closely with the USD(AT&L) on a wide range of issues, including sustaining a safe, secure, and effective nuclear deterrent; countering the threat of nuclear terrorism and nuclear proliferation; and, enhancing capabilities to manage nuclear incidents both domestically and abroad. Additionally, I am committed to fostering a renewed sense of trust and partnership between the NNSA and the Department of Defense, both through the effective operation of the Nuclear Weapons Council, as well as open and collaborative interaction by the staffs of both departments. I have worked closely with OSD(AT&L) in the past and have enormous respect for the expertise and professionalism of its leadership and personnel.

Question. The Under Secretary of Defense for Policy (USD(P)).

Answer. If confirmed, I will work closely with the USD(P) in providing technical advice on nuclear weapons systems and capabilities to help inform their recommendations to the Secretary of Defense on issues related to the Nation's current and future nuclear weapons requirements, countering the threat of weapons of mass destruction, and providing assistance and extending deterrence to allies and partner nations. I have worked closely with the USD(P) in the past, including Under Secretary Jim Miller, and have enormous respect for the expertise and professionalism of its leadership and personnel.

Question. The Secretaries of the Navy and the Air Force.

Answer. If confirmed, I will work closely with the Navy and Air Force. Both are major "customers" of NNSA. In addition to formal interaction though the Nuclear Weapons Council (NWC) and the NWC's Standing and Safety Committee, I will emphasize the importance of maintaining open lines of communications between NNSA headquarters, the national security laboratories, and the plants, on the one hand, and the military services, on the other, to ensure the latter's requirements are fully understood and properly met in NNSA's plans, programs, and operations.

Question. The Commanders of U.S. Strategic Command and U.S. Northern Command.

Answer. If confirmed, I will work closely with the Commander of U.S. Strategic Command (STRATCOM) and U.S. Northern Command (NORTHCOM) by building

upon past associations and understanding of their mission, and promoting collaboration in dealing with current and future requirements.

During the course of my military career, I worked extensively with STRATCOM on several different levels, including as commander of its Task 214 and as commander of a major service component. I also previously worked with NORTHCOM in developing plans for nuclear/radiological incident response and consequence management, and participating in NORTHCOM-led exercises.

In addition to formal interaction with the Vice Chairman, Joint Chiefs of Staff, and STRATCOM though the NWC, I will emphasize the importance of maintaining open lines of communications between the NNSA, the national security laboratories and the plants, on the one hand, and STRATCOM and NORTHCOM, on the other, to ensure the latter's requirements are fully understood and properly met in NNSA's plans, programs, and operations.

Question. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD(SOLIC)).

Answer. If confirmed, I expect to work closely with the ASD(SOLIC) on matters related to joint DOD–NNSA capabilities to counter the threat of nuclear terrorism. Though I have not yet been briefed on the details, I understand that the partnership between the special operations community and NNSA is unique in government, and vital to protecting our national security interests.

Question. The Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs (ASD(NCB)).

Answer. If confirmed, I will work closely with the ASD(NCB) on key issues on the agenda of the NWC and its Standing and Safety Committee. I have worked closely with ASD(NCB) in several past assignments, including Assistant Secretary Andy Weber, and have enormous respect for the expertise and professionalism of its leadership and personnel.

Question. The Director of the Defense Threat Reduction Agency (DTRA).

Answer. As the implementation arm of the DOD's Cooperative Threat Reduction Program and as a major research and development partner, it will be essential to maintain a close and productive working relationship with the Director of the Defense Threat Reduction Agency. I understand that cooperation between NNSA and DTRA is facilitated through regular program coordination meetings under which a variety of working groups collaborate on specific program development, ranging from joint research to developing the most effective ways to implement border security programs. I have worked closely with DTRA in the past, including its Director Ken Myers and have enormous respect for the expertise and professionalism of DTRA's leadership and personnel.

Question. The Director of National Intelligence and other senior leaders of the Intelligence Community.

Answer. I understand that NNSA has a close and longstanding relationship with the Intelligence Community based on NNSA's unique understanding of nuclear weapon capabilities and the contributions of the national security laboratories to broader national security missions. If confirmed, I will continue and strengthen this relationship.

Question. Officials in the Department of Homeland Security with responsibilities for nuclear homeland security matters.

Answer. I understand that NNSA has a close and longstanding relationship with the Department of Homeland Security based on NNSA's unique understanding of nuclear weapon capabilities and the contributions of the national security laboratories to broader national security missions. If confirmed, I will work closely with DHS officials on nuclear counterterrorism issues, radiological/nuclear incident consequence management, and support to National Operations Center (NOC).

Question. Officials in the Department of State with responsibility for nuclear nonproliferation matters.

Answer. If confirmed, I will coordinate closely with the Department of State on issues related to arms control, nuclear nonproliferation, export controls, securing nuclear and radiological materials worldwide, and border security. I have worked closely with the State Department in the past, including serving as Special Assistant to the Deputy Secretary of State, two assignments to overseas diplomatic posts (U.S. Mission to NATO and U.S. Embassy Moscow), as a consultant to Acting Under Secretary of State Rose Gottemoeller, and currently as a member of the Secretary of State's International Security Advisory Board. I have enormous personal respect for the expertise and professionalism of its leadership and personnel.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges confronting the Under Secretary for Nuclear Security and Administrator of the NNSA?

Answer. The NNSA has a unique responsibility for pursuing two different, but complementary principles that have traditionally guided American nuclear weapons policy. The first is that the United States must continue to lead international efforts to limit and reduce nuclear arsenals, prevent nuclear proliferation and terrorism, and secure nuclear materials across the globe. The second is that appropriately-sized nuclear forces still play an essential role in protecting U.S. and allied security interests, even as the United States seeks to reduce the overall number and role of nuclear weapons in our national security policy. As President Obama and leaders in Congress have repeatedly emphasized, as long as nuclear weapons exist, the United States will maintain a safe, secure, and effective nuclear arsenal.

In discharging this responsibility, NNSA performs enormously important work each and every day. Its successes go largely unheralded. It has made tremendous progress in helping to achieve the President's goal of securing vulnerable nuclear materials around the globe. It is delivering the life-extended W76–1 warhead to the Navy on schedule. It is currently transferring work at the Kansas City plant into a new, modern facility that will greatly improve efficiency—and that was constructed on time and on budget.

That said, escalating costs in several major programs and capital construction projects are cause for serious concern, especially as pressures on government spending continue to mount. Additionally, a widely-publicized security lapse at a key NNSA facility last year raises questions about the overall health of the security and safety culture within the broader enterprise.

Restoring trust in NNSA's ability to deliver on its commitments requires strong leadership focus on managing costs to deliver capability for less expense. It also requires rebuilding partnerships between the headquarters and the field; between Federal employees and the contractor workforce at the laboratories and plants; and between NNSA and Congress and the Department of Defense.

It is critical that all of these issues are addressed while placing a strong priority on improving security and safety across the NNSA enterprise.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. To accomplish those things, NNSA must improve its accountability; performance—including project management, planning and cost estimating processes; improve the way it does business; and invest in the future of its enterprise. The NNSA must meet a host of nuclear security requirements while ensuring the best value for taxpayer dollars and balancing priorities among many unique nuclear security activities.

I expect to draw upon my recent experience as the first commander of Air Force Global Strike Command. In the wake of security incidents and cost overruns, NNSA currently faces a situation similar in many respects to what the Air Force encountered in 2007 when several widely-publicized lapses raised concerns about its stewardship of the nuclear enterprise. When we subsequently established Global Strike Command, our first task was to establish clear lines of authority, responsibility, and accountability. We also placed strong emphasis on strengthening the safety and security culture, while at the same time streamlining processes and eliminating needlessly burdensome, non-value-added activities that stood in the way of our people and their incentive to innovate. Finally, we continually emphasized that everyone in the organization, regardless of job, or rank, or seniority was a valued member of the team and that her or his work was absolutely essential to success. If confirmed, this is the leadership approach I intend to bring to NNSA.

The Military Services often say that people are their most important asset. It's true; and, it applies to NNSA as well. Highly trained, experienced and motivated scientists, engineers, technicians, and security personnel are essential to performing the many highly complex and technically challenging tasks associated with the nuclear security enterprise. If confirmed, I will be guided by the principle of "Mission first, people always." To this end, I will be an unrelenting champion for the professional development and personal welfare of everyone associated with NNSA—including recruiting and mentoring the next generation of leaders and experts.

Question. If confirmed, what management actions and time lines would you establish to address these problems?

Answer. If confirmed, I will place immediate emphasis in working with the Secretary, as well as the directors of the national security laboratories, plants and field offices, to: (1) clarify lines of authority, responsibility, and accountability within the entire NNSA enterprise, and (2) identify steps to streamline business processes and

eliminate needlessly burdensome, non-value-added activities that stand in the way of NNSA's people and their incentive to innovate. I will likewise focus with intensity on adopting measures to dramatically improve NNSA's capabilities for cost estimation, program management, and oversight of capital construction projects. I will ensure full attention is being devoted at all levels to ensuring the safety and security of NNSA's people and facilities, particularly in light of the security breach at Y–12 National Security Complex last summer. Finally, I will personally reach out to as many NNSA employees as possible and in as short a time as possible to communicate the continued importance of NNSA's work, to hear their views and concerns, and to thank them for their contribution to our Nation's security.

Question. Do you believe it is important to ensure a unique organizational identity for the NNSA within the Department of Energy (DOE)? What steps would you take to ensure such an identity if confirmed?

Answer. I do. Through the NNSA Act, Congress established NNSA as a semi-autonomous part of DOE. In my past assignments, I have always been an ardent champion of the organizations and people entrusted to my leadership and care. I am committed to doing the same as Under Secretary for National Security and NNSA Administrator. At the same time, I also believe that common, enterprise-wide standards and best practices that reduce costs and improve efficiency, safety and security should be adopted and implemented when they make sense. I will work closely with the Secretary of Energy and consult with Members of Congress and their staffs in considering such opportunities while at the same time and ensuring that NNSA fulfills its unique role and responsibilities.

PRIORITIES

Question. If confirmed, what broad priorities would you establish to address the issues that confront the Under Secretary for Nuclear Security and Administrator of the NNSA?

Answer. If confirmed, my highest priority will be to ensure that NNSA delivers on its commitments to national security objectives. This includes ensuring the Nation's nuclear weapon stockpile is safe, secure, and effective now and in the future. It also includes working to ensure the NNSA is conducting leading-edge scientific research, preventing nuclear materials from falling into the hands of terrorists and would-be proliferators, supporting the Navy's nuclear reactor program, modernizing NNSA's capabilities and organization in today's fiscally constrained environment, and in protecting the safety and security of its sites, its employees, and the public.

OVERALL MANAGEMENT

Question. What is your view on the relationship and the relative duties and responsibilities of the Secretary of Energy as found in the Atomic Energy Act and the Administrator of the NNSA?

Answer. By statute, the Secretary of Energy is responsible for establishing policy for the NNSA and may also direct the DOE officials who are not within the NNSA to review the programs and activities of NNSA and to make recommendations to the Secretary regarding administration of those programs and activities, including consistency with similar programs and activities of DOE. The provisions governing the duties and responsibilities of the NNSA Administrator provide broad authority to manage the administration, under the authority, direction, and control of the Secretary. I fully share Secretary Moniz's strong commitment to ensure that NNSA fulfills mission tasks enumerated in section 3211 of the NNSA Act, while ensuring that all operations and activities are consistent with the principles of protecting the environment and safeguarding the safety and health of the public and workforce of NNSA.

Question. Do you believe that there are any organizational structure issues in the NNSA that should be addressed to improve management and operations of the NNSA, or that you would address if confirmed?

Answer. NNSA faces several challenges, from concerns with project management and cost overruns to serious security lapses, which will need to be addressed. If confirmed, I plan to draw upon my recent experience as the first commander of Air Force Global Strike Command to establish clear lines of authority, responsibility and accountability, while also placing a strong emphasis on strengthening the safety and security culture. Additionally, I believe the partnerships between the headquarters and the field, and between Federal employees and the laboratories and plants must be strengthened.

Question. The NNSA and DOE have been plagued by cost overruns and project cancellations related to the construction of nuclear facilities, nuclear weapons modernization programs, and nuclear stockpile stewardship facilities.

How serious are these cost overruns in your view?

Answer. It is critical that NNSA's weapons modernization and infrastructure modernization efforts, including capital asset projects, deliver on cost and schedule; otherwise, it puts at risk its fundamental ability to execute its mission.

I understand that NNSA has recently taken steps designed to improve acquisition and project management for capital asset projects, and that projects less than $750 million have been removed from the Government Accountability Office's High Risk List. If confirmed, I will focus on how the NNSA can apply the same acquisition and project management rigor to projects over $750 million.

With regard to weapons modernization, the United States now has the oldest stockpile in its history and the smallest stockpile since the Eisenhower administration. As the NNSA enters a period increased work activity not seen since the Cold War, it must incorporate sound engineering judgments in even its earliest cost estimates. If confirmed, I will remain committed to these project management principles across all of NNSA's acquisitions and projects.

Question. What steps will you take, if confirmed, to ensure they are not repeated in the future?

Answer. If confirmed, and in following the Secretary's vision, I will support strengthening and improving contract and project management across NNSA by:

- Strengthening rigorous and well-justified alternative assessments and evaluations;
- Strengthening cost estimating;
- Providing independent dedicated acquisition, project management, and oversight that aligns contract incentives with taxpayer interests;
- Providing clear lines of authority and accountability for Federal and contractor personnel;
- Managing assigned projects within the original scope and cost baselines, ensuring completed projects meet mission requirements; and
- Improving cost and schedule performance.

Question. Do you believe that the expertise of DOE personnel serving outside the NNSA can be helpful to you if confirmed? If so, how do you expect to utilize this expertise if you are confirmed?

Answer. Yes. DOE possess a wealth of talent and innovative ideas across its entire enterprise. Its laboratory, plant, and Federal employees work on some of the most technically complex projects in the Nation, delivering high quality projects safely. The NNSA should draw on DOE best practices, especially in the areas of planning, cost control, and project delivery.

Question. Are you aware of any limitations on your authority, if confirmed, to draw on that expertise?

Answer. I am not aware of any limitations on my authority, if confirmed, to draw upon that expertise.

Question. What is your view of the extent to which the NNSA is bound by the existing rules, regulations, and directives of DOE and what flexibility, if any, do you believe you would have in implementing such rules, regulations, and directives?

Answer. I understand the DOE has an order that governs program and project management for the acquisition of capital assets. While I have not been briefed, pending confirmation, on its detailed application to NNSA activities, I certainly agree with the precept that rigorous project management principles should be applied and that the Federal staff must be given the tools they need and then be held accountable and responsible for delivering the work.

Question. NNSA, in large measure, was created in response to security lapses at the Los Alamos National Laboratory. However, security lapses, particularly in 2012 at the Y–12 nuclear plant, have continued to occur. Section 3212(b)(10) of the National Defense Authorization Act for Fiscal Year 2000 provides that "the Administrator has authority over, and is responsible for all programs and activities of the administration, including administration of contracts, including the management and operations of the nuclear weapons production facilities and the national security laboratories."

If confirmed, what would be your plan to make sure that security lapses do not continue at the NNSA facilities?

Answer. The 2012 security incident at Y–12 was totally unacceptable. The accounts of the DOE Inspector General, the "three wise men," and Major General Sandy Finan describe a security culture in which responsibility for the protective force and the physical security system was divided, security equipment was not repaired in a timely fashion, compensatory measures were inadequate and improperly executed, multiple nuisance alarms led to an attitude of complacency, and security was neither rigorously nor routinely exercised and evaluated. Security and safety

are, in my opinion, paramount. If confirmed, strengthening security at NNSA facilities will be the top priority. I intend to draw on my experience as the first Commander of Air Force Global Strike Command to address the security culture that exists at NNSA. Working with the Secretary of Energy, I will ensure that authority is aligned with responsibility and effective communication exists between the NNSA headquarters and the field, and that there is accountability for performance at all levels. My understanding is NNSA is in the process of implementing improved oversight mechanisms, which include clarifying roles, authorities, and functions for the organization.

Question. If confirmed, what policies would you institute to improve the manner in which managers of NNSA facilities deal with security matters?

Answer. Security of the nuclear enterprise is the responsibility of every employee of NNSA, regardless of job or rank, or in the field or headquarters. If confirmed, I will insist on strict adherence to DOE security standards and clarify lines of authority, responsibility, and accountability for meeting and maintaining those standards. The status of security systems (including all outages and estimated time of repair) will be monitored daily at NNSA headquarters; security deviations and corresponding compensatory measures will be reviewed by Federal officials both at the field and headquarters levels; security procedures and responses to alarms will be rigorously trained, exercised, and evaluated.

DEFENSE NUCLEAR NONPROLIFERATION PROGRAMS

Question. What do you see are the highest priorities of the nuclear nonproliferation programs at the NNSA?

Answer. One of the NNSA's most critical roles and responsibilities is developing policies and programs with other departments on behalf of the U.S. Government to prevent the proliferation of nuclear weapons, materials, technology, and expertise. This includes international and domestic activities such as removing and eliminating excess weapons usable material; consolidating and securing vulnerable nuclear material; strengthening physical protection and material control; implementing a second line of defense to interdict nuclear trafficking; and controlling the export and proliferation of weapons of mass destruction (WMD) expertise. The NNSA is nearing completion of a remarkable 4-year effort to implement the vision and call to action by President Obama and the Nuclear Security Summits. I understand NNSA is intently focused on a strategy and game plan for nuclear nonproliferation program for the coming years. If confirmed, I will fully support and champion these critically important mission.

Question. The United States recently renewed the bilateral agreement with Russia for joint nuclear nonproliferation activities but a growing number of programs are focused on states other than the former Soviet Union.

Do you believe that there are additional opportunities for cooperation with states outside of the former Soviet Union, particularly the Middle East and North Africa? If confirmed what would be your priorities in these areas?

Answer. Yes. I understand that NNSA is actively engaged in more than 120 countries, including in the Middle East and North Africa, with projects to secure and remove nuclear and radiological materials; convert civilian research reactors and medical isotope production facilities from highly enriched uranium (HEU) to low enriched uranium; safeguard and secure nuclear materials from theft; control the spread of WMD-related material and expertise; cooperate on Nuclear Security Centers of Excellence; and detect and interdict nuclear and radiological trafficking. If confirmed, I would continue to prioritize nonproliferation efforts and ensure that NNSA programs achieve sustainable threat reduction.

Question. What do you believe is the greatest challenge in the nuclear nonproliferation programs with Russia?

Answer. The greatest challenge with Russia is to ensure that Moscow fully assumes responsibility for all aspects of its own nuclear security by the end of 2017 (a deadline for the CTR Russia programs established in the National Defense Authorization Act for Fiscal Year 2011). While Russia has made, and continues to make, significant improvements in its support for nuclear security, there is concern about the long-term ability and willingness of the Russian government to adequately fund nuclear security needs at the site and national levels. The level of risk-reduction achieved with U.S. support is significant and has been maintained through continued U.S. engagement and sustainability assistance. Continued engagement at the highest levels of government will be extremely important. If confirmed, I will ensure that NNSA continues to work with its Russian counterparts to prepare as fully as possible for the phase-out of U.S. financial assistance.

Question. What do you believe are the greatest challenge in nuclear nonproliferation programs with countries other than Russia?

Answer. I believe there are a number of challenges outside of Russia, including significant stockpiles of HEU, global inventories of plutonium, and high-activity radiological sources that remain vulnerable to theft around the world. The existence of this material, in combination with the increasing sophistication of trafficking networks and the continued interest by states and non-state actors in acquiring nuclear materials, poses a serious threat to the security of the United States and its allies and partners.

Another significant challenge lies in promoting the benefits of peaceful nuclear energy while reducing the risks of nuclear proliferation. To this end, NNSA works in over 70 countries around the globe to strengthen nuclear safeguards and security and works closely with DOE's Office of Nuclear Energy to ensure that new technology and security advance together.

Finally, a major challenge NNSA faces in many of its international programs is the lack of infrastructure, resources, and technical capabilities in partner countries that often inhibit the level of cooperation or amount of assistance a country can or is willing to absorb.

Question. In your view what are the three greatest unmet nuclear nonproliferation problems? Would you propose to address these needs if confirmed? What resources or cooperation would you need to meet such needs?

Answer. In my view, the three greatest unmet nuclear nonproliferation problems are: (1) non-compliance with international agreements and U.N. Security Council Resolutions, particularly by Iran, North Korea, and Syria; (2) ensuring terrorists never acquire a nuclear weapon or weapons-usable material; and (3) minimizing the proliferation risks associated with the expansion of nuclear energy, including limiting the spread of sensitive enrichment and reprocessing technology and ensuring that newcomer states have the resources and training to develop safe and secure nuclear programs.

If confirmed, I will work hard to ensure that NNSA maintains the technology, policy, and implementation competencies needed to inform and support a whole-of-government nonproliferation strategy as well as the rapid-response ability needed to mitigate threats at a moment's notice. The national security laboratories play a critical role in this regard.

MEGAPORTS

Question. The megaports program is coordinated with other work that the Department of Homeland Security (DHS) is carrying out in foreign ports.

In your view are there opportunities to improve cooperation with DHS?

Answer. I understand that NNSA's Office of the Second Line of Defense (SLD) and DHS' Container Security Initiative (CSI) closely coordinate on their complementary yet distinct efforts at foreign seaports. To formalize this cooperation, SLD and CSI developed and implemented a Standard Operating Procedure (SOP) document in December 2012. This SOP outlines areas of cooperation and specific actions that each program can undertake to ensure continued close cooperation and coordination. If confirmed, I will monitor this SOP to ensure it provides the necessary framework to ensure close cooperation between the SLD and CSI programs.

Question. One of the continuing challenges to the megaports program, as well as other programs designed to detect nuclear and radiological materials, is that the materials that could pose the greatest risk, plutonium and highly enriched uranium, are the most difficult to detect. NNSA has the responsibility for basic detection research and development programs. While other agencies, such as DHS, have responsibility for near-term development efforts, and the Department of Defense has responsibilities as well.

Are the various detection efforts fully coordinated, or do you believe that additional efforts at coordination are needed?

Answer. If confirmed, I will work to ensure that NNSA's detection efforts are well coordinated among NNSA, DHS, and DOD. I understand that NNSA maximizes the equipment it currently deploys to focus on this type of material.

NONPROLIFERATION RESEARCH AND DEVELOPMENT

Question. In addition to the detection technologies mentioned above, NNSA has responsibility for a broad range of research and development efforts.

If confirmed what would be your nonproliferation research and development priorities?

Answer. If confirmed, I will ensure that NNSA will continue to prioritize research and development that supports implementation of the President's nuclear security

priorities and the 2010 Nuclear Posture Review. This research and development includes developing technical capabilities to detect foreign nuclear weapons development, detect nuclear detonations, detect the movement or diversion of special nuclear materials, monitor compliance with nuclear arms control and nonproliferation agreements, discourage the unnecessary spread of enrichment technology, and inform policymakers of current and future technical capabilities available for meeting potential nuclear nonproliferation and arms control treaty objectives.

Question. Do you believe that there are research and development areas that need more attention or funding?

Answer. NNSA seeks to sustain commitment levels for research and development of both unilateral and multilateral technical capabilities to detect, identify, and characterize foreign nuclear weapons programs, the illicit diversion of special nuclear materials, and foreign nuclear detonations. For this last focus area, NNSA must sustain funding that permits production of nuclear detection satellite payloads at a rate in accordance with the delivery schedule negotiated with the Air Force.

FISSILE MATERIALS DISPOSITION

Question. The United States and Russia have each committed to the disposition of 34 tons of weapons grade plutonium so that it will not be used for weapons purposes. This is a very expensive program and has had many difficulties associated with it.

What is your understanding of the current status of the U.S. and Russian efforts to agree upon a mutual date to complete disposition of the respective 34 tons of weapons grade plutonium?

Answer. The United States is fully committed to eliminating surplus nuclear material and to the U.S.-Russian Plutonium Management and Disposition Agreement (PMDA). While I understand that the PMDA provides a target start date and minimum annual rate of disposition, it is silent on a completion date.

Question. What plans are there to dispose of additional amounts of weapons grade plutonium?

Answer. I am aware of the U.S. 2007 declaration of additional surplus plutonium beyond the 34 MT covered by the PMDA and that the PMDA does include provisions whereby the United States and Russia could dispose of additional material. However, I am not personally aware of any agreement between the United States and Russia to dispose of additional material above the 34MT.

WEAPONS PROGRAMS PERSONNEL

Question. If confirmed, what specific steps would you take to retain critical nuclear weapons expertise in both the NNSA and the contractor workforce?

Answer. The key to recruiting and retaining top-flight personnel, in my mind, is to provide them challenging and intrinsically interesting work, as well as world-class laboratory equipment and diagnostic tools. Additionally, leaders at all levels—both in Washington and in the field—must regularly communicate the importance of NNSA's mission and that they value the contribution NNSA people make to the organization and to the Nation. NNSA also needs to support a strong connection with the academic community to ensure future generations are trained in technical areas relevant to NNSA's mission.

Question. Do you support retaining the capability to remanufacture every component expected to be found in the stockpile in the near term?

Answer. Nuclear deterrence and responsiveness depend on the immediate capabilities of NNSA's people and infrastructure. Many components can be re-used to support stockpile requirements in the near-term, and in those instances I will advocate for that option. However, the current stockpile is the oldest in the Nation's history and may require a cost-effective option to re-manufacture certain components to meet specific needs. As such, NNSA must preserve the fundamental capability to re-manufacture components, when necessary to support a lean, modern, and reliable nuclear weapons stockpile.

Question. What is your understanding of the most pressing remanufacturing needs?

Answer. Today, NNSA faces several critical needs (in terms of its total remanufacturing capability). However, it is my understanding that the most pressing capability at this point is the means to re-manufacture plutonium pits. Additionally, the 2010 Nuclear Posture Review confirmed the need for a modern physical infrastructure that can support the base workload and provide a modest capacity to surge production if directed to do so by the President. NNSA has implemented management strategies, to include improved energy sustainability that ensures existing facilities and infrastructure are sustainable, safe, efficient, and reliable. These facilities in-

clude the recently constructed Kansas City Responsive Infrastructure Manufacturing and Sourcing; the High-Explosive (HE) Pressing Facility (which will become the DOE Center of Excellence for HE pressing when complete in 2016); the planned Uranium Capabilities Replacement Project; and implemented Tritium Responsive Infrastructure Modifications.

STOCKPILE STEWARDSHIP PROGRAM

Question. The Stockpile Stewardship program has successfully supported the annual nuclear weapons certification effort for the last 20 years.

What impact do you believe not achieving sustained ignition or burn at the National Ignition Facility (NIF) will have on the stockpile stewardship program?

Answer. Scientific experiments that probe the physical properties and dynamics of nuclear weapons are vital to ensuring confidence in the safety, security, and reliability of the stockpile. A broad range of experimental facilities develop the data that underpin the assessments of the current health of the stockpile and approaches to life extension programs. These include NNSA's Inertial Confinement Fusion facilities—the NIF at Lawrence Livermore National Laboratory and Z machine at Sandia. The ability to correctly model ignition processes is an important part of that evaluation. While ignition has not yet been achieved at NIF, experiments conducted at the facility are still vitally important to developing the scientific understanding of the nuclear weapons characteristics that is essential to successfully implementing the stockpile stewardship program.

Question. If confirmed, what are your long-term plans for the NIF?

Answer. NIF will remain an essential experimental capability for understanding of the physical properties and characteristics of nuclear weapons that cannot otherwise be accessed short of a resumption of nuclear testing.

Question. Other than the NIF what capabilities, if any, would be needed to ensure that the stockpile is safe, secure, and reliable without nuclear weapons testing?

Answer. I am aware that the directors of the national laboratories rely on the data provided by a wide array of capabilities located throughout the enterprise to assess different aspects nuclear weapons and their safety, security and effectiveness. While on active duty, I had an opportunity to visit several of these facilities, including NIF; Los Alamos National Laboratory's DARHT; the Nevada National Nuclear Security Site's U1a complex, JASPER and Device Assembly Facility; and Sandia National Laboratory's Z facility. These and other NNSA capabilities are essential to ensuring that the stockpile is safe, secure, and reliable without nuclear weapons testing.

Question. In your view is the Stockpile Stewardship program fully coordinated with the Department of Defense?

Answer. It is my understanding the NNSA is meeting its customer's requirements in partnership with DOD and through the Nuclear Weapons Council, while managing scope requirements and fiscal constraints. NNSA has continued to issue the biannual Stockpile Stewardship and Management Plan, the most recent version having been signed out by Secretary Moniz in June 2013.

Question. The Nuclear Weapons Council has laid out a schedule over the next 20 years that involves numerous demands on the NNSA, these are the B–61 life extension program (LEP), the interoperable warhead, the W–88/87 joint fuse program, the warhead for the long-range stand-off weapon, in addition to the maintenance of the existing stockpile systems (W–88, W–87, W–76, W78, B–61, B–83, and W–80).

What issues do you see in this ambitious schedule that concern you?

Answer. Our Nation is currently facing an acute dilemma brought on by the need for continued investment in an aging nuclear weapons stockpile and infrastructure in a fiscally-constrained environment. The specific budget measures and higher-than-anticipated program costs have led the NWC to agree to defer needed modernization efforts. If confirmed, I will ensure that the NNSA commits to a series of programmatic decisions for future improvements by baselining the alignment of nuclear delivery platforms with warhead life extension programs and supporting infrastructure; supporting implementation of a long-term vision for the stockpile; and embarking upon a series of key modernization initiatives. The sheer number of life extension programs and modernization efforts planned over the next 20 years will create a significant workload. Adhering to carefully laid out schedule will be a critical factor in achieving success. Programs must stay on track, and that in turn requires constancy of purpose, as well as consistent and predictable funding levels.

Question. Are you concerned this schedule is achievable if sequestration continues?

Answer. Yes. Absolutely. Any organization executing technically complex, unique, and long-term acquisitions needs sufficient and stable funding so as to plan and execute the agreed upon program of work. Sequestration is just one challenge.

I'm well aware from my military experience that Continuing Resolutions also exact a toll by increasing uncertainty while reducing flexibility for program adjustments as activities are completed and new ones need be initiated. This is particularly harmful to life extension programs having multiple phases of work. I am sure it will be a great challenge, if not downright impossible, for the NNSA to meet current commitments to the Department of Defense if sequestration continues. Yearly sequestration cuts cause additional, unnecessary and costly work to re-plan the complex integration between design laboratories and production plants supporting each of the LEPs and other sustainment activities as well as to re-negotiate delivery schedules with DOD. I am also greatly concerned that additional delays may be unavoidable in the event of fiscal year 2014 sequestration. Adequate budgets and budget stability and sustainment are essential to meeting program delivery objectives.

Question. The NNSA is in the early stages of an effort to develop an interoperable warhead for the W–88 and W–78 systems.

If the cost of the interoperable warhead become prohibitive would you support life extensions of the existing systems?

Answer. This should be a decision made by the Nuclear Weapons Council, reflecting military requirements, technical feasibility, and cost and schedule risk. I fully support the need for life extension programs to ensure the safety, security, and reliability of the Nation's nuclear weapon stockpile. I understand that the W78/88–1 LEP is the first interoperable warhead concept supporting the 3+2 nuclear strategy of three ballistic missile warheads and two air-launched warheads to reduce the numbers and types of nuclear weapons, consistent with the Nuclear Posture Review. I understand work is underway that will culminate in a Weapon Development and Cost Report which would inform a decision to continue the program as scoped or pursue alternate courses of action.

Question. Do you support the current scope of the B–61 mod 12 life extension program (LEP)?

Answer. As a former commander who had direct responsibility for the long-range bombers capable of delivering the B–61, I fully support the need for the B–61–12 life extension program. I understand that the Nuclear Weapons Council evaluated options ranging from a full scope LEP to replacing only aging components, and ultimately chose the lowest cost option to meet military requirements. In addition to providing for both strategic deterrence and extending deterrence to our allies, the currently envisioned LEP will also result in fewer total weapons and less material in the nuclear stockpile.

Question. Are you concerned about the overall cost of the B–61 mod 12 life extension program and if so what particular issues are of concern?

Answer. While I understand current cost estimates for the B–61–12 LEP are significant, modernizing the nuclear stockpile is critical to achieving the President Obama's direction to maintain a safe, secure, and effective deterrent while reducing the overall number of nuclear weapons. Furthermore, I understand that the B–61–12 was chosen as the lowest cost option to meet threshold military requirements; Delaying this LEP would almost certainly drive up lifecycle costs and could necessitate additional LEP activities in order to maintain credible strategic and extended deterrence capabilities.

Question. The Senate Appropriations Committee has proposed a reduction of $168 million to the President's fiscal year 2014 request for the B–61 life extension program. What impact would this reduction have on the B–61 LEP in terms of cost and schedule? How might it affect other planned LEPs?

Answer. While I am aware of proposed cuts to the B–61–12 LEP from the public record, I am not yet privy to the details of the potential impacts. Based on my experience in previous assignments, I am sure, if sustained, they would most certainly affect schedule and cost, as well as other LEPs employing the same facilities and workforce.

FACILITIES AND INFRASTRUCTURE

Question. In fiscal year 2013, the NNSA "deferred for at least 5 years" the construction of the Chemistry, Metallurgy Research Replacement Nuclear Facility (CMRR–NF).

Do you support this deferral?

Answer. I understand that the decision to defer the CMRR–NF construction for at least 5 years was necessary at the time due to reductions in the NNSA's budget

request in the fiscal year 2012 cycle, competing priorities, and a further reduction of funding under the Budget Control Act. If confirmed, I will be committed to ensuring the NNSA can deliver the plutonium capabilities—including the underlying analytical capabilities and infrastructure—required to ensure the safety, security and effectiveness of the nuclear weapon stockpile.

Question. What impacts is the CMRR–NF deferral likely to have on the plutonium sustainment mission at Los Alamos when the existing CMR building is scheduled for removal in 2019?

Answer. Though I am not yet privy to all the details, I understand that the NNSA has developed a plutonium strategy, that if executed, would ensure continuity in plutonium operations at the Los Alamos National Laboratory.

Question. Due to this uncertainty with the deferral, are you concerned about retaining the core competency of plutonium scientists and other specialized personnel at Los Alamos related to it plutonium mission and what will you do to improve it?

Answer. Maintaining the core competency of the workforce at each site must be a priority for the NNSA, particularly as many scientists, engineers and technicians are approaching retirement. I firmly believe that the key to recruiting and retaining top-flight personnel is to provide them challenging and intrinsically interesting work, as well as world-class laboratory equipment, diagnostic tools, and facilities in which to work. Additionally, leaders at all levels—both in Washington and in the field—must regularly communicate the importance of the mission and that they value the contribution NNSA people make to the organization and to the Nation. Implementation of a plutonium strategy will allow for continuity in plutonium operations at Los Alamos and will assist in the retention of critical skills related to plutonium dependant missions. If confirmed, I will closely consult with Members of Congress and their staffs on the requirements for maintaining the Nation's plutonium capabilities and expertise.

Question. If alternative construction strategies such as a modular approach to CMRR–NF prove feasible will you strongly advocate for them?

Answer. I understand that the NNSA and Department of Defense are developing a business case analysis of the potential alternatives to constructing CMRR–NF, including the so-called modular approach. If confirmed, any approach I advocate will be based on this joint analysis and consultations with the Secretary of Energy.

Question. DOE and NNSA often build one of a kind or first of a kind buildings, the most recent being the Uranium Processing Facility. The NNSA recently found the project underestimated the floor space needed and had to raise its roof by some 13 feet, increasing the cost by at least $500 million. The General Accountability Office estimates to complete the full scope of the project as envisioned would be $10 billion vice the upper bound of $6.5 billion.

If confirmed, what steps would you take to ensure that NNSA construction projects are managed to be completed within budget and on time?

Answer. I have always subscribed to the principle that hiring the right people and giving them the tools they need to do their jobs is critical to achieving mission success.

If confirmed, I would be committed to assigning certified Federal Project Directors (FPDs) to all projects at the point where the important planning and design work leading to baseline development is accomplished. I understand that the NNSA has revised change control procedures to achieve visibility on potential scope increases, allowing the NNSA to manage the work proactively. As the project progresses to the construction phase, NNSA will ensure the FPDs have the appropriate training, experience, and certification level to lead the project through successful execution. NNSA has also adopted a peer review process to provide critical independent assessments of its work throughout the project life cycle.

In addition, if confirmed, I would want the NNSA to take full advantage of contracts and contract language to ensure that the best interests of all stakeholders are being met through performance requirements. NNSA has recently issued a policy that requires nuclear facilities achieve 90 percent design completion prior to the establishment of the project's baselines. The NNSA will need to clearly articulate its expectations to the contractor partners and to use the contract to hold them accountable for deficient work.

Question. What additional costing, project management, and design skills do you believe are needed in the NNSA?

Answer. NNSA must develop its Federal infrastructure and workforce to better estimate project costs, to rigorously analyze alternatives, and to more effectively manage design and construction contracts. If confirmed, I will direct NNSA's Office of Acquisition and Project Management to ensure NNSA has a solid and executable plan in place for bolstering Federal expertise in this area.

I understand that NNSA, in the interim, has an agreement with the U.S. Army Corps of Engineers that will allow NNSA to draw upon the Corp's experience to support NNSA in terms of Subject Matter Expertise. NNSA is also using a Enterprise Construction Management Services contract to place Subject Matter Experts, with commercial design and construction experience, in the field to mentor and train NNSA's Federal Project Directors and Integrated Project Teams in the skills necessary to effectively manage NNSA's capital assets.

Question. At what point in the Critical Decision timeline do you believe an independent cost estimate should be performed for a construction project, and why?

Answer. I understand NNSA's current position is that an independent cost estimate should be completed at Critical Decision 2 which is the point at which the project's cost and schedule baseline is determined. At this point, the design should be sufficiently mature to more realistically estimate the total project cost.

OPERATIONAL SAFETY

Question. If confirmed, what steps will you take to ensure that nuclear and other operational safety issues are fully addressed in the design of new NNSA buildings?

Answer. If confirmed, I will be absolutely committed to the safe operation of NNSA facilities and to the protection of workers who work in them and the people who reside in the surrounding communities. I will be actively engaged in ensuring that safety is incorporated into the design and construction of NNSA nuclear facilities. Key elements would clearly include the selection of qualified nuclear design and construction firms to lead these projects, as well as a properly staffed and technically-capable Federal project team. Ensuring that appropriate safety systems and controls are identified early in the design process and are validated throughout construction is also critical to reducing rework and controlling costs during design and construction.

Question. If confirmed, what steps will you take to ensure that nuclear operational safety issues are identified by the Defense Nuclear Safety Board early in any construction design process and promptly resolved?

Answer. I understand that the Defense Nuclear Facilities Safety Board (DNFSB) has a statutory responsibility to review the design of new DOE defense nuclear facilities before construction to ensure adequate protection is afforded to public health and safety. If confirmed, I would welcome DNFSB input and advice on the safety aspects of the design and construction of NNSA nuclear facilities. As indicated previously, I believe that the identification of required safety controls early in the design process is an important element to ensuring safety and to controlling project costs. I would work closely with the DNFSB to identify any significant design concerns early in the design process and meet routinely with the Board to ensure that issues are resolved in a timely and effective manner.

NOTIFICATION OF CONGRESS

Question. If confirmed, would you commit to promptly notifying Congress of any significant issues in the safety, security, or reliability of the nuclear weapons stockpile?

Answer. If confirmed, I am committed to promptly notifying Congress of any significant issues affecting the safety, security, or reliability of the nuclear weapons stockpile.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. I agree.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Under Secretary for Nuclear Security?

Answer. I agree.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. I agree.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted com-

mittee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. I agree.

[Questions for the record with answers supplied follow:]

QUESTION SUBMITTED BY SENATOR CARL LEVIN

SUPPORT FOR THE FACILITY FOR RARE ISOTOPE BEAMS

1. Senator LEVIN. Mr. Klotz, in March of this year, the National Nuclear Security Administration (NNSA) submitted a report to Congress on the use of Department of Energy (DOE) Office of Science facilities in support of its stockpile stewardship program. One of the facilities it found important was the Facility for Rare Isotope Beams being constructed at Michigan State University. This facility will produce isotopes to help the NNSA better understand the physics of a nuclear weapon without testing. It will help the NNSA's nonproliferation mission by determining isotopes from an improvised nuclear device. Finally, it will help produce a future nuclear physics workforce that is so important to your overall mission. Do you agree that this isotope facility, once completed, will be important to the stockpile stewardship program?

Mr. KLOTZ. The Facility for Rare Isotope Beams (FRIB) is a new national user facility for nuclear science, funded by the Department of Energy Office of Science (DOE–SC) and operated by Michigan State University. FRIB will enable scientists to explore the properties of rare isotopes in order to, inter alia, better understand the physics of nuclei. Modeling atomic nuclei and their interactions can also help lead to breakthroughs in security, the environment, high energy physics, and nanoscience—all of which are relevant to important missions of NNSA. Additionally, FRIB will, as top priority, help educate the next generation of scientists. For all these reasons, I fully agree that once completed, this isotope facility will be important to the stockpile stewardship program, as well as sustaining the intellectual capital it needs for the future.

QUESTIONS SUBMITTED BY SENATOR MARK UDALL

NUCLEAR MODERNIZATION FUNDING

2. Senator UDALL. Mr. Klotz, it has been suggested that the administration has underfunded the NNSA nuclear modernization program relative to the administration's November 2010 plan, provided to Congress pursuant to section 1251 of the National Defense Authorization Act (NDAA) for Fiscal Year 2010, by some 34 percent. Can you please tell the committee the sequence of events to date between requested and appropriated modernization funding since the section 1251 plan, and the amount of the fiscal year 2014 NNSA request relative to that plan?

Mr. KLOTZ. I understand that the fiscal year 2014 Stockpile Stewardship Management Plan (SSMP) reflects a $2 billion increase in funding over the projections made in fiscal year 2011 SSMP as the New Strategic Arms Reduction Treaty (START) treaty was being considered. The fiscal year 2014 projections also represent a 27 percent increase in NNSA's purchasing power for the Weapons Activities account from fiscal year 2010–fiscal year 2018. Therefore, while the fiscal climate has changed significantly since the time of New START treaty ratification, including the NNSA having to absorb additional funding reductions in fiscal year 2013 as a result of sequestration under the Budget Control Act, significant resources are being put towards nuclear modernization activities across the stockpile; the science, technology and engineering base; and the infrastructure. If confirmed, I will strongly support the funding required to carry out NNSA's varied missions, both now and in the future.

3. Senator UDALL. Mr. Klotz, can you please compare the NNSA modernization funding from fiscal year 2009 to date as compared to the funding during fiscal years 2000–2008?

Mr. KLOTZ. Nuclear modernization funding is critical to ensure the safety, security and effectiveness of the nuclear weapons stockpile. Funding for the sustainment of the stockpile and infrastructure was in decline from fiscal year 2004 through fiscal year 2009. Following release of the Nuclear Posture Review in April 2010, President Obama's budget requests for NNSA have included significant increases since fiscal year 2010 for nuclear modernization funding. Compared to fiscal year 2004

through fiscal year 2009, the fiscal year 2014 Stockpile Stewardship and Management Plan reflects a 27 percent increase in NNSA's purchasing power for the Weapons Activities account from fiscal year 2010–fiscal year 2018, which funds nuclear modernization activities across the stockpile; the science, technology and engineering base; and the infrastructure. If confirmed, I will strongly support the funding required to ensure that military requirements are met and that the infrastructure for maintaining the Nation's nuclear stockpile is modernized to meet current and future demands.

4. Senator UDALL. Mr. Klotz, there has been a lot of discussion about the cost of the B–61 modernization program. I understand this is an administration and North Atlantic Treaty Organization (NATO) priority, but some have proposed other options—including the one called "triple alt" which has less safety and security features than what the administration proposed. What is your opinion of these proposals?

Mr. KLOTZ. The B–61 is one of the oldest nuclear weapons in the stockpile and requires a life extension program. The B–61–12 Life Extension Program (LEP) will consolidate four variants of the B–61 (-3, -4, -7 and -10) into a single mod 12 which will provide strategic and extended deterrence for an additional 20 years following the first production unit in 2019. On February 27, 2012, the Nuclear Weapons Council (consisting of representatives of the Department of Defense, U.S. Strategic Command, and NNSA) authorized the Air Force and NNSA to begin Phase 6.3 Engineering Development for the B–61–12 (the Option 3B), adopting the lowest-cost approach of the options evaluated by the Nuclear Weapons Council that fully meets military requirements to address weapon aging, safety, security and delivery system integration issues. This variant will allow the United States to reduce the number of weapons currently in the stockpile; reduce the cost of maintaining the B–61 in the future; set conditions for the future retirement of the B83 bomb; reduce the amount of special nuclear material in the stockpile; maintain the air leg of the triad; and, increase the safety and security of a critical component of the U.S. strategic and extended deterrent capabilities, both now and for the foreseeable future. The Nuclear Weapons Council rejected the proposed "Triple Alt" option as not meeting military requirements because it did not address all aging issues, it would require the immediate start of a second LEP to address those issues, and it would risk a potential capability gap until the second LEP was completed. Additionally, the Triple Alt would drive up life-cycle costs, and would not provide the critical nuclear security benefits that could lead to reductions in the technical hedge. Accordingly, I believe the approach endorsed by the Nuclear Weapons Council is the best option.

5. Senator UDALL. Mr. Klotz, the administration has proposed a large number of life extensions of our weapons systems—in addition to trying to rebuild some of the NNSA facilities that date back to the Manhattan Project. This is all happening in a time of tight budgets. Are you worried about trying to do too much without the necessary funding?

Mr. KLOTZ. There is certainly cause for concern. The fiscal uncertainty caused by sequestration under the Budget Control Act and by a series of Continuing Resolutions (in lieu of regular appropriations) creates a very challenging environment across all NNSA missions. Any organization executing technically complex, unique, and long-term programs and construction projects needs sufficient and stable funding in order to plan and execute an agreed upon program of work. The sheer number of life extension programs and modernization efforts planned over the next 20 years entails a significant workload that must be integrated across multiple laboratories and plants. Adhering to a carefully laid out schedule will be a critical factor in achieving success. Programs must stay on track, and that in turn requires constancy of purpose, as well as consistent and predictable funding levels.

6. Senator UDALL. Mr. Klotz, the administration is proposing to combine an intercontinental ballistic missile warhead, the W–78, and a submarine missile warhead, the W–88, into a common system. Are you concerned about the level of risk and cost of the undertaking as compared to performing straight life extensions of the existing warheads?

Mr. KLOTZ. If confirmed, I will gain a better understanding of all the technical details and, therefore, the risks and costs associated with this program. I am aware that work on an interoperable warhead for the Air Force and the Navy is still within the feasibility and option down-select study phase (phase 6.2) of the Nuclear Weapons Council acquisition process. Consistent with the Nuclear Posture Review, it is the policy of this administration to look at ways to reduce the number and types of weapons and the interoperable warhead concept, if realized, would achieve

this goal. Managing the technical risks and ensuring sustained funding to finish the initial studies will be critical to determining the viability of this option going forward. In multiple previous assignments, I had responsibility for the operation, maintenance and security of deployed nuclear warheads, so I am keenly interested in this issue and, if confirmed, will carefully oversee NNSA's work on it.

DEPARTMENT OF ENERGY LABORATORIES

7. Senator UDALL. Mr. Klotz, DOE national laboratories make significant contributions to national security through various DOE, DOD, Department of Homeland Security, and Intelligence Community efforts. The NDAA for Fiscal Year 2013 officially designated the three NNSA nuclear weapons labs (Los Alamos National Laboratory, Lawrence Livermore National Laboratory, Sandia National Laboratories) as "national security" labs. However, the committee provided clarification in the NDAA for Fiscal Year 2014 that this designation did not preclude the Federal Government from accessing and leveraging any and all DOE national laboratories, such as Idaho National Laboratory, Oak Ridge National Laboratory, and Pacific Northwest National Laboratory, for the purpose of national security. As Administrator, how do you plan to ensure that these and the other national laboratories are fully and directly engaged in the national security efforts undertaken by NNSA?

Mr. KLOTZ. If confirmed, I will strive ensure that the best capabilities and brightest minds are brought to bear on NNSA's national security missions, including stockpile stewardship, nonproliferation, and reducing nuclear threats. I understand that the NNSA nonproliferation mission, for example, already draws upon the talent and expertise resident at Pacific Northwest National Laboratory, Oak Ridge National Laboratory, Idaho National Laboratory, and other laboratories. It is vitally important these and other national laboratories are fully engaged in the national security efforts undertaken by NNSA.

8. Senator UDALL. Mr. Klotz, the administration has proposed deferring indefinitely the plutonium facility at Los Alamos and using a temporary alternative. Are you at all concerned about this temporary strategy on the long-term plutonium science mission of Los Alamos and is there reason to be worried that under the current fiscal conditions, the temporary strategy will become permanent?

Mr. KLOTZ. If confirmed, I am committed to ensuring the NNSA delivers plutonium capability—including the underlying analytical capabilities and infrastructure—required to ensure the safety, security and effectiveness of the nuclear weapon stockpile. I understand that the NNSA and Department of Defense are developing a business case analysis of the potential alternatives to constructing the CMRR–Nuclear Facility (NF), including a so-called modular approach. If confirmed, any approach proposed by NNSA will be informed by this joint analysis and consultations with the Secretary of Energy, as well directors of the laboratories, plants, and field offices. A successful long-term plutonium mission at Los Alamos is essential to meeting mission deliverables and maintaining a top-flight workforce consisting of scientists, engineers, and technicians and providing them with challenging and intrinsically interesting work, as well as world-class laboratory equipment, diagnostic tools, and facilities in which to work.

DEPARTMENT OF ENERGY/NATIONAL NUCLEAR SECURITY ADMINISTRATION RELATIONSHIP

9. Senator UDALL. Mr. Klotz, last year, because of poor mission performance there was debate regarding whether the NNSA should continue to report to the Secretary of Energy as a semi-autonomous agency within DOE. What are your views on this issue?

Mr. KLOTZ. My view is that the NNSA should continue to report to the Secretary of Energy as a semi-autonomous agency within DOE, as provided for by law. I believe the mission of the NNSA benefits significantly by having a cabinet-level representative in the Secretary of Energy. The well-documented challenges confronting the NNSA—from project management concerns, to cost overruns, to serious security lapses—can and must be addressed using existing authorities granted to the Secretary of Energy and the Administrator of the NNSA through the Atomic Energy Act and the NNSA Act, respectively. I fully share Secretary Moniz's strong commitment to ensure that NNSA fulfills mission tasks enumerated in section 3211 of the NNSA Act, while ensuring that all operations and activities are consistent with the principles of protecting the environment and safeguarding the safety and health of the public and workforce of the NNSA and its contractors.

QUESTIONS SUBMITTED BY SENATOR KAY R. HAGAN

NUCLEAR NONPROLIFERATION IN THE MIDDLE EAST AND NORTH AFRICA

10. Senator HAGAN. Mr. Klotz, in addition to the proliferation of chemical weapons, there is concern in this committee about the proliferation of nuclear material and know-how in the Middle East and North Africa region. The NNSA maintains personnel at a number of embassies around the world to work with the host nation and the U.S. Embassy on joint nonproliferation efforts. If confirmed, will you report back to this committee on whether you can post NNSA personnel in this region of the world to work on nonproliferation issues?

Mr. KLOTZ. Yes, if confirmed, I will report back to the committee on whether the DOE/NNSA can post personnel in the Middle East and North Africa region to focus on these critical nonproliferation issues. I also understand that NNSA's nonproliferation programs are actively engaged in more than 120 countries, including in the Middle East and North Africa region. I pledge to remain committed to these activities.

EMERGENCY RESPONSE

11. Senator HAGAN. Mr. Klotz, the NNSA is a unique resource in the Federal Government for responding to radiological emergencies. The most recent example was the use of NNSA's sophisticated detectors to track the radioactive plume from the stricken Fukushima reactor in Japan. The NNSA's Second Line of Defense program helps countries around the world install radiation detectors at airports and other ports of entry. It seems to me that an important extension of this mission would be helping other countries develop emergency response capabilities for detecting nuclear materials from an accident or a terrorist incident. If confirmed, will you report back to the committee on efforts you are taking or could take in this particular area?

Mr. KLOTZ. If confirmed, I will report back to the committee on efforts the NNSA is taking and could take to support the development of international emergency response capabilities to detect nuclear materials from an accident or a terrorist incident. The NNSA has complementary divisions that devote resources to different international nuclear and radioactive challenges. These include the NNSA's Second Line of Defense Program which installs radiation detection systems at a variety of sites and assists countries with the development of national response plans for emergency nuclear and radiological events. The NNSA's Office of Emergency Operations also currently works with other countries and the International Atomic Energy Agency to develop nuclear/radiological emergency response capabilities. If confirmed, I will work to continue to provide assistance to countries around the world to support a compatible, effective, and efficient worldwide nuclear/radiological emergency response capability.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

NUCLEAR MODERNIZATION

12. Senator INHOFE. Mr. Klotz, Congress has serious concerns about the management of the NNSA in areas such as cost growth, schedule slips, security and planning. If confirmed, how do you propose to establish confidence in NNSA's ability to manage major construction projects and life extension programs for our aging nuclear force?

Mr. KLOTZ. It is critical that the NNSA's weapons modernization and infrastructure modernization efforts, including capital construction projects, be completed on cost and on schedule. Otherwise, NNSA's fundamental ability to execute its mission is put at risk. If confirmed, I will place immediate emphasis on working with the Secretary of Energy, as well as the directors of the national security laboratories, plants and field offices to: (1) clarify lines of authority, responsibility, and accountability within the entire NNSA enterprise; and (2) identify steps to streamline business processes and eliminate needlessly burdensome, non-value-added activities that may undermine the NNSA enterprise and its incentive to innovate. I will likewise focus on adopting measures to significantly improve NNSA's capabilities for more complete front-end project planning, cost estimation, project management, and oversight of capital construction projects and life extension programs.

13. Senator INHOFE. Mr. Klotz, the B–61 has already been delayed 3 years—what are the implications for U.S. security if the Senate Appropriations Committee mark becomes law?

Mr. KLOTZ. Based on my prior experiences at the Department of Defense, I fully understand that schedule delays and budget uncertainty in any major weapons systems acquisition program drive up overall costs and adversely impact the recruitment and retention of the workforce needed to successfully complete technically complex projects. If the NNSA does not have sufficient funding to move forward with the B–61–12 LEP, as endorsed by the interagency Nuclear Weapons Council, NNSA's ability to meet scope and schedule will be put at risk, with serious implications for the Nation's strategic and extended deterrence capabilities, as well as its ability to sustain a safe, secure, and effective stockpile and to retire weapons that are no longer needed.

14. Senator INHOFE. Mr. Klotz, how would you propose to work with the administration and Congress to restore full funding for the B–61?

Mr. KLOTZ. The B–61 is one of the oldest nuclear weapons in the stockpile and requires a life extension program. The B–61–12 LEP will consolidate four variants of the B–61 (-3, -4, -7 and -10) into a single mod 12 which will provide strategic and extended deterrence for an additional 20 years following the first production unit in 2019. On February 27, 2012, the Nuclear Weapons Council (consisting of representatives of the Department of Defense, U.S. Strategic Command, and NNSA) authorized the Air Force and NNSA to begin Phase 6.3 Engineering Development for the B–61–12 (the Option 3B), adopting the lowest-cost approach of the options evaluated by the Nuclear Weapons Council that fully meets military requirements to address weapon aging, safety, security and delivery system integration issues. This variant will allow the United States to reduce the number of weapons currently in the stockpile; reduce the cost of maintaining the B–61 in the future; set conditions for the future retirement of the B83 bomb; reduce the amount of special nuclear material in the stockpile; maintain the air leg of the triad; and, increase the safety and security of a critical component of the U.S. strategic and extended deterrent capabilities, both now and for the foreseeable future. The Nuclear Weapons Council rejected the proposed "Triple Alt" option as not meeting military requirements because it did not address all aging issues, it would require the immediate start of a second LEP to address those issues, and it would risk a potential capability gap until the second LEP was completed. Additionally, the Triple Alt would drive up life-cycle costs, and would not provide the critical nuclear security benefits that could lead to reductions in the technical hedge. Accordingly, I believe the approach endorsed by the Nuclear Weapons Council is the best option.

If confirmed, I will work with the Department of Defense (primarily through the Nuclear Weapons Council), the National Security Staff, as well as Members of Congress and their staffs to ensure the facts regarding the B–61 life extension program and the serious implications of reduced or delayed funding are fully understood.

15. Senator INHOFE. Mr. Klotz, will you be a forceful advocate for those nuclear modernization commitments that were made to secure the New START treaty?

Mr. KLOTZ. Yes. If confirmed, I will be a forceful advocate for nuclear modernization funding as related to the ratification of the New START treaty, and as outlined in the 2010 Nuclear Posture Review and the 2013 updated Nuclear Weapons Employment Strategy of the United States.

16. Senator INHOFE. Mr. Klotz, on April 29, the Government Accountability Office upheld a procurement protest regarding the combined Y–12 National Security Complex and Pantex Plant management contracts. Press reports suggest that some scores were changed at the 11th hour of the process, which had an impact on the result. Can you assure us, if you are confirmed, you would look into this award and protest to ensure the integrity of the procurement process moving forward?

Mr. KLOTZ. It would not be appropriate for me to comment on any ongoing government contract competition. However, it is my long-held personal view that all government contracting activities must be conducted fairly, with integrity, and in a manner that allows all stakeholders to have full confidence in the process.

QUESTION SUBMITTED BY SENATOR SAXBY CHAMBLISS

NEW STRATEGIC ARMS REDUCTION TREATY RATIFICATION

17. Senator CHAMBLISS. Mr. Klotz, in your advance policy questions you stated that "the NNSA has a unique responsibility for pursuing two different, but complementary principles that have traditionally guided American nuclear weapons policy. The first is that the United States must continue to lead international efforts to limit and reduce nuclear arsenals, prevent nuclear proliferation and terrorism, and secure nuclear materials across the globe. The second is that appropriately-sized nuclear forces still play an essential role in protecting U.S. and allied security interests, even as the United States seeks to reduce the overall number and role of nuclear weapons in our national security policy." While these statements seem solid in principal, I'm concerned they conflict with our agreement to maintain a nuclear arsenal as defined in the New START treaty, especially your stated second responsibility of reducing the overall number and role of nuclear weapons in our national security policy. In particular, I am concerned the administration is backing away from promises made to modernize the entire nuclear enterprise—warheads, delivery platforms, and supporting infrastructure—in order to secure Senate ratification. If confirmed, will you aggressively advocate modernization of the nuclear enterprise to guarantee the United States maintains a safe, reliable, and credible nuclear deterrent?

Mr. KLOTZ. I have personally been associated with the nuclear deterrent mission for nearly 4 decades, including leading the major command responsible for all Air Force nuclear-capable long-range bombers and intercontinental ballistic missiles. I strongly believe that the U.S. nuclear deterrent forces still play an essential role in protecting U.S. and allied security interests, and will do so for many years to come. Accordingly, the United States must maintain a safe, secure, and effective nuclear deterrent. The NNSA plays a critical role in achieving this objective through its stewardship of the nuclear weapon stockpile. If confirmed, I will aggressively advocate and pursue the programs and funding necessary to successfully complete nuclear weapon life extension programs to meet national policy goals and military requirements; to assess the health and safety of the stockpile; and, to modernize the aging infrastructure associated with critical plutonium, uranium, and other stockpile-related operations.

QUESTION SUBMITTED BY SENATOR KELLY AYOTTE

NATIONAL NUCLEAR SECURITY ADMINISTRATION SECURITY OF CRITICAL INFRASTRUCTURE

18. Senator AYOTTE. Mr. Klotz, in July 2012 at its Y–12 site, NNSA suffered a multifaceted security failure that allowed three trespassers to deface one of agency's newest and most secure facilities. Though steps have been taken to correct deficiencies, NNSA's efforts to establish the right kinds of security at its headquarters and field sites are still developing some 14 months after the Y–12 incident. In your view, what led to the Y–12 incident?

Mr. KLOTZ. I have carefully reviewed the publically available accounts of the Y–12 security failure provided by the DOE Inspector General, the review conducted by Major General Sandy Finan, and the expert opinions requested by former Energy Secretary Chu. In my view, based on this information, the incident occurred because of a multifaceted, systemic failure of the approach to security at the plant and within NNSA headquarters: responsibility for the protective force and the physical security system was divided, security equipment was not repaired in a timely fashion, compensatory measures were inadequate and improperly executed, multiple nuisance alarms led to an attitude of complacency. Furthermore, oversight of security was neither rigorously, nor routinely, exercised and evaluated.

19. Senator AYOTTE. Mr. Klotz, does it suggest anything to you about the NNSA's security culture?

Mr. KLOTZ. Because safety and security are paramount to the NNSA's mission, it will be my responsibility, if confirmed, to ensure the process of implementing improved oversight mechanisms, which include clarifying roles, authorities, and functions for the organization, is completed successfully. I want to emphasize that the 2012 security incident at Y–12 was totally unacceptable. Security of the nuclear enterprise is the responsibility of every employee of the NNSA, regardless of job, or rank.

20. Senator AYOTTE. Mr. Klotz, if culture plays a role, what actions do you plan to take to instill cultural change?

Mr. KLOTZ. If confirmed, strengthening security at NNSA facilities will be one of my top priorities. I intend to draw on my experience as the first Commander of Air Force Global Strike Command to address the security culture that exists at the NNSA. Working with the Secretary of Energy, I will insist on strict adherence to DOE security standards and clarify lines of authority, responsibility, and accountability for meeting and maintaining those standards. In my experience, it is critical to remind all levels of the organization that security is an urgent mission, and that complacency will not be tolerated. To accomplish this, the status of security systems (including all outages and estimated time of repair) must be monitored daily at NNSA headquarters; security deviations and corresponding compensatory measures will be reviewed by Federal officials both at the field and headquarters levels; security procedures and responses to alarms will be rigorously trained, exercised, and evaluated.

QUESTIONS SUBMITTED BY SENATOR ROY BLUNT

GLOBAL SUPPLY OF MO-99

21. Senator BLUNT. Mr. Klotz, I understand ensuring a stable and reliable supply of medical isotope molybdenum-99 (Mo-99) for the benefit of physicians and patients is a key priority for your office. I am hopeful that, if confirmed, you would work constructively with affected stakeholders to ensure the transition to non-highly enriched uranium (HEU) based production occurs smoothly and without jeopardizing patient access to much-needed diagnostic tools. How are you monitoring the global supply of Mo-99 and working with foreign governments to ensure the U.S. Government continues to provide needed material while this transition is underway?

Mr. KLOTZ. If confirmed, I intend to continue NNSA's efforts to accelerate the establishment of reliable Mo-99 supplies produced without HEU, so that patients have uninterrupted access to sources of this important medical isotope that are also consistent with international HEU minimization commitments. Regular interaction with foreign government, commercial industry, and medical community stakeholders are essential. If confirmed, I will be committed to this interaction and to monitoring the global supply.

DISPOSITION OF BANNISTER COMPLEX

22. Senator BLUNT. Mr. Klotz, what is your vision for the eventual disposition of the Bannister Federal Complex in Kansas City regarding its remediation and redevelopment?

Mr. KLOTZ. The NNSA has successfully developed a new, highly efficient facility for Kansas City Plant operations. Upon full transition to the new facility, the NNSA will work to transfer the previous facility—the Bannister Federal Complex (BFC)—to a new owner for redevelopment under established protocols. The goals for disposition are transfer of the property providing for demolition of obsolete facilities, remediation of legacy environmental contamination, and successful redevelopment of the property to continue contributing to the economy of Kansas City. If confirmed, you have my commitment to work closely with you, the other members of the Missouri and Kansas congressional delegations, and community leaders to ensure the BFC disposition process is undertaken as expeditiously and effectively as possible.

[The nomination reference of Mr. Frank G. Klotz follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
August 1, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Frank G. Klotz, of Virginia, to be Under Secretary for Nuclear Security, vice Thomas P. D'Agostino, resigned.

[The biographical sketch of Mr. Frank G. Klotz, which was transmitted to the committee at the time the nomination was referred, follows:]

Summary:

Achieved the rank of Lieutenant General (three-star) in the U.S. Air Force. Extensive experience leading large organizations with technically-complex missions and a diverse, highly-skilled workforce. Policymaking roles at the highest levels: from Brussels to Moscow to the White House. Proven track record in successfully empowering peers and multi-functional teams to solve critical challenges with constrained resources. Specialized expertise in space and nuclear policy, arms control, U.S.-Russian relations, and Polar Regions.

Academic Degrees:

D. Phil., Politics, Oxford University
M. Phil., International Relations, Oxford University
B.S., International Affairs, Air Force Academy {Distinguished Graduate)

Work Experience:

Senior Fellow, Council on Foreign Relations, 2011–present, Washington, DC. As Senior Fellow for Strategic Studies and Arms Control, responsible for directing a roundtable series on nuclear security policy; researching and writing op-eds and articles; preparing grant proposals; and, participating in institutional outreach and the annual budgeting process.

Independent Consultant, 2011–present, Washington, DC. Advise government and business organizations on national security issues, corporate leadership, and strategic planning. Participate in "Track II diplomacy" on strategic stability and arms control with former Indian and Pakistani officials, and with Russian and Chinese experts.

Commander, Air Force Global Strike Command, 2009–2011, Barksdale Air Force Base; Shreveport, LA. Established and led a brand new organization that merged responsibility for all U.S. nuclear-capable bombers and missiles under a single chain-of-command. Defined vision and values; recruited 800 highly-talented professionals into a new headquarters; took charge of 5 major installations and 23,000 people; strengthened accountability—all within just 14 months.

Assistant Vice Chief of Staff & Director of the Air Staff, 2007–2009, Headquarters Air Force, Washington, DC. Oversaw the administration and organization of the Air Force's headquarters staff. Day-to-day interaction with the Air Force's "CEO," major functional heads, and senior peers in managing policies, plans, and resources to support the Air Force's worldwide mission.

Vice Commander, Air Force Space Command, 2005–2007, Peterson Air Force Base, Colorado Springs, CO. Second in command of a 39,400-person organization charged with responsibility for developing, acquiring and operating a global network of launch, satellite control, communications, and missile warning facilities. Awarded the prestigious General Thomas D. White Trophy by the Air Force Association for the most outstanding contribution to progress in aerospace in 2006.

Commander, 20th Air Force, 2003–2005, F.E. Warren Air Force Base, Cheyenne, WY. Led the 9,500 personnel of the Nation's intercontinental ballistic missile force. Completed deactivation of 50 Peacekeeper missiles in compliance with the START I treaty. Partnered with Wyoming National Guard to develop a security training center at Camp Guernsey.

Director for Nuclear Policy & Arms Control, National Security Council, 2001–2003, The White House, Washington, DC. Advised the President and the National Security Advisor on all aspects of nuclear weapons policy. Represented the White House in talks leading to the 2002 Moscow Treaty to reduce deployed U.S.-Russian weapons by two-thirds.

Defense Attaché, Russia, 1999–2001, U.S. Embassy Moscow. As the senior U.S. military officer based in Russia, advised the Ambassador and senior U.S. officials in developing positions on a wide-range of bilateral defense issues, including funding for the. disposal of weapons of mass destruction and cooperation in Arctic search and rescue.

Previous work experience: In addition to leading organizations at every operational level within the Air Force, served at senior policymaking levels in the State Department as a White House Fellow and at NATO Headquarters in Brussels. While on the Air Force Academy faculty, directed courses on Congress and the Presidency. A list of all prior positions is available at http://www.af.mil/information/bios/bio.asp?biolD=6081.

Honors and awards:

General Larry D. Welch Award, Air Force Association, 2011
U.S. Air Force Academy Preparatory School Class of 2011 "Exemplar"
Gen. Thomas D. White Space Trophy, Air Force Association, 2006
Heritage Hall of Fame Inductee, U.S. Air Force Academy Preparatory School, 2002
Military Fellowship, Council on Foreign Relations, NY
Senior Research Fellow, National War College, Washington, DC
White House Fellowship, Washington, DC
One of the Ten Outstanding Young Men of America, U.S. Jaycees, 1983
Rhodes Scholarship (Colorado and Trinity, 1973)

Affiliations:

Member, Secretary of State's International Security Advisory Board
Member, Committee on International Security and Arms Control (CISAC), National Academy of Sciences, Washington, DC
Member, Committee on Human Spaceflight, National Academy of Sciences, Washington, DC
Member, Council on Foreign Relations, New York, NY
Member, International Institute for Strategic Studies, London
Life member, Air Force Association, Washington, DC
Life member, USAF Academy Association of Graduates, CO
Member, Association of American Rhodes Scholars, Vienna, VA
Life member, Friends of the National Museum of the U.S. Air Force, Dayton, OH

MAJOR PUBLICATIONS

Books

America on the Ice: Antarctic Policy Issues (Washington, DC: National Defense University Press, 1990) http://www.dtic.mil/cgi-bin/GetTRDoc?Location=U2&doc=GetTRDoc.pdf&AD=ADA259873

Reports

Space, Commerce, and National Security (New York: Council on Foreign Relations Press, 1998) http://www.cfr.org/economics/space-commerce-national-security-cfr-paper/p8617

Chapters

"The President and the Control of Nuclear Weapons," in David C. Kozak and Kenneth N. Ciboski, eds., *The American Presidency: A Policy Perspective from Readings and Documents* (Chicago: Nelson-Hall, 1985)

"Future Soviet-American Arms Control: Implications for NATO," in William H. Kincade, *et al.*, eds., *Approaches to East-West Arms Control* (Washington, DC: Arms Control Association, 1979)

Articles, Op-Eds, etc.

"The Future of Britain's Nuclear Deterrent," *The National Interest* (7/24/2013) http://nationalinterest.org/commentary/the-future-britains-nuclear-deterrent-8768

"Berlin and the Arms-Control Debate," *The National Interest* (6/27/2013) http://nationalinterest.org/commentary/berlin-the-arms-control-debate-8665

"France Isn't Aiming for Nuclear Zero," *The National Interest* (5/8/2013) http://nationalinterest.org/commentary/france-isnt-aiming-nuclear-zero-8440

"Pakistan's Nuclear Past as Prologue," *The National Interest* (3/12/2013) http://nationalinterest.org/commentary/pakistans-nuclear-past-prologue-8209

"The U.S.-Russian Antarctic Thaw," *The National Interest* (12/12/2012) http://nationalinterest.org/commentary/the-us-russian-antarctic-thaw-7837

"Trouble at the Ends of the Earth," *The National Interest* (10/8/2012) http://nationalinterest.org/commentary/trouble-the-ends-the-earth-7561

"China's Growing Space Power," *The National Interest* (7/26/2012) http://nationalinterest.org/commentary/chinas-growing-space-power-7244

"The New Space Race," *The National Interest* (6/6/2012) http://nationalinterest.org/commentary/the-new-space-race-7011

"GPS and the Politics of Scarce Resources," *The National Interest* (4/17/2012) http://nationalinterest.org/commentary/gps-the-politics-scarce-resources-6789

"Scientists Report on the Comprehensive Nuclear Test-Ban Treaty," *cfr.org* (4/2/2012) http://www.cfr.org/arms-control-disarmament-and-nonproliferation/scientists-report-comprehensive-nuclear-test-ban-treaty/p27839

"Defense Budget Tug of War," *The National Interest* (3/27/ 2012) http://nationalinterest.org/commentary/defense-budget-tug-war-6687

"Military Bases and the American Community," *The National Interest* (2/15/2012)
http://nationalinterest.org/commentary/military-bases-american-community-6505

"American Interests in Antarctica," *The National Interest* (1/17/2012)
http://nationalinterest.org/commentary/american-interests-antarctica-6365

"India, Pakistan, and Nuclear Confidence Building," *cfr.org* (12/23/2011)
http://www.cfr.org/south-asia/india-pakistan-nuclear-confidence-building/p26959

"Unfinished Business," *International Herald Tribune* (12/14/2011) (with Susan Koch and Franklin Miller)
http://www.nytimes.com/2011/12/14/opinion/unfinished-business.html?_r=1&emc=eta1

"Obama's Nuclear Arms Control Agenda: Progress and Prospects," *cfr.org* (10/17/2011)
http://www.cfr.org/defensehomeland-security/obamas-nuclear-arms-control-agenda-progress-prospects/p26214

"The Future of Strategic Deterrence and the Intercontinental Ballistic Missile," *High Frontier*, Vol. 2, No. 4, Aug. 2006
http://www.afspc.af.mil/shared/media/document/AFD-060912-044.pdf

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[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate, to complete a form that details the biographical, financial and other information of the nominee. The form executed by Mr. Frank G. Klotz in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Frank Graham Klotz.

2. **Position to which nominated:**
Under Secretary of Energy for Nuclear Security/Administrator, National Nuclear Security Administration.

3. **Date of nomination:**
August 1, 2013.

4. **Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
September 7, 1950; Lubbock, TX.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Nancy Hopper Klotz (maiden name: Hopper).

7. **Names and ages of children:**
Justin Michael Klotz, age 33.
David Matthew Klotz, age 31.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Oxford University, 1973–1976, M. Phil., International Relations (1975) and D. Phil., Politics (1980)
U.S. Air Force Academy, 1969–1973, S.S., International Affairs (1973)

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
Senior Fellow, Council on Foreign Relations, Washington, DC, July 2011–present
Owner/Member, Klotz Consulting Group, LLC, Alexandria, VA, June 2011–present
Commander, Air Force Global Strike Command, Barksdale AFB, LA, August 2009–January 2011
Assistant Vice Chief of Staff and Director of the Air Staff, HQ USAF, Pentagon, August 2007–August 2009
Vice Commander, Air Force Space Command, Peterson AFB, CO, October 2005–August 2007
Commander, 20th Air Force, F.E. Warren AFB, WY, May 2003–October 2005
Director for Nuclear Policy and Arms Control, National Security Council, The White House, Washington, DC, July 2001–May 2003

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
Member, Secretary of State's International Security Advisory Board (ISAB), 2012–present Consultant, Department of State, 2011–2012

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.
Senior Fellow, Council on Foreign Relations, Washington, DC
Owner/Member, Klotz Consulting Group, LLC, Alexandria, VA
Member of the Corporation, The Charles Stark Draper Laboratory, Inc., Cambridge, MA
Member, Committee on International Security and Arms Control, National Academy of Sciences, Washington, DC
Member, Committee on Human Space Flight, National Academy of Sciences, Washington, DC

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Member, Council on Foreign Relations, New York, NY
Member, International Institute for Strategic Studies, London, UK
Life Member, Air Force Association, Arlington, VA
Life Member, USAF Academy Association of Graduates, CO
Member, Association of American Rhodes Scholars, Vienna, VA
Member, Association of Air Force Missileers, Breckenridge, CO
Friends of the National Museum of the USAF, Wright-Patterson AFB, OH

13. **Political affiliations and activities:**
(a) List all offices with a political party which you have held or any public office for which you have been a candidate.
None.
(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.
None.
(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.
None.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

General Larry D. Welch Award, Air Force Association, 2011
U.S. Air Force Academy Preparatory School Class of 2011 "Exemplar"
Gen. Thomas D. White Space Trophy, Air Force Association, 2006
Heritage Hall of Fame Inductee, USAF Academy Preparatory School; 2002
Military Fellowship, Council on Foreign Relations, NY
Senior Research Fellow, National War College, Washington, DC
White House Fellowship, Washington, DC
One of the Ten Outstanding Young Men of America, U.S. Jaycees, 1983
Rhodes Scholarship (Colorado and Trinity, 1973)
Several military awards and decorations, including the Distinguished Service Medal (with three oak leaf clusters), the Defense Superior Service Medal (with two oak leaf clusters), and the Legion of Merit (with one oak leaf cluster)

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Books:

America on the Ice: Antarctic Policy Issues (Washington, DC: National Defense University Press, 1990)

Reports:

Space, Commerce, and National Security (New York: Council on Foreign Relations Press, 1998)
Achieving Consensus for a Sustainable U.S. Nuclear Posture (Washington, DC: Center for Strategic and International Studies, April 2013) [Contained within Stephanie Spies and John K. Warden, Forging a Consensus fora Sustainable U.S. Nuclear Posture: A Report of the CSIS Nuclear Consensus Working Group] http://csis.org/frles/publication/130422 Spies ForgingConsensus Web.pdf

Chapters:

"The President and the Control of Nuclear Weapons," in David C. Kozak and Kenneth N. Ciboski, eds., The American Presidency: A Policy Perspective from Readings and Documents (Chicago: Nelson-Hall, 1985)
"Future Soviet-American Arms Control: Implications for NATO," in William H. Kincade, et al., eds., Approaches to East-West Arms Control (Washington, DC: Arms Control Association, 1979)

Articles, Op-Eds, etc.:

"The Future of Britain's Nuclear Deterrent," The National Interest (7/24/2013)
"Berlin and the Arms-Control Debate," The National Interest (6/27/2013)
"France Isn't Aiming for Nuclear Zero," The National Interest (5/8/2013)
"Pakistan's Nuclear Past as Prologue," The National Interest (3/12/2013)
"The U.S.-Russian Antarctic Thaw," The National Interest (12/12/2012)
"Trouble at the Ends of the Earth," The National Interest (10/8/2012)
"China's Growing Space Power," The National Interest (7/26/2012)
"The New Space Race," The National Interest (6/6/2012)
"GPS and the Politics of Scarce Resources," The National Interest (4/17/2012)
"Scientists Report on the Comprehensive Nuclear Test-Ban Treaty," cfr.org (4/2/2012)
"Defense Budget Tug of War," The National Interest (3/27/2012)
"Military Bases and the American Community," The National Interest (2/15/2012)
"American Interests in Antarctica," The National Interest (1/17/2012)
"India, Pakistan, and Nuclear Confidence Building," cfr.org (12123/2011)
"Unfinished Business," International Herald Tribune (12/14/2011) (with Susan Koch and Franklin Miller)
"Obama's Nuclear Arms Control Agenda: Progress and Prospects," cfr.org (10/17/2011)
"The Future of Strategic Deterrence and the Intercontinental Ballistic Missile," High Frontier, Vol. 2, No. 4, Aug. 2006

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

MAJOR PUBLICATIONS

Books

America on the Ice: Antarctic Policy Issues (Washington, DC: National Defense University Press, 1990) http://www.dtic.mil/cgi-bin/GetTRDoc?Location=U2&doc=GetTRDoc.pdf&AD=ADA259873

Reports

Space, Commerce, and National Security (New York: Council on Foreign Relations Press, 1998) http://www.cfr.org/economics/space-commerce-national-security-cfr-paper/p8617

Chapters

"The President and the Control of Nuclear Weapons," in David C. Kozak and Kenneth N. Ciboski, eds., *The American Presidency: A Policy Perspective from Readings and Documents* (Chicago: Nelson-Hall, 1985)

"Future Soviet-American Arms Control: Implications for NATO," in William H. Kincade, *et al.*, eds., *Approaches to East-West Arms Control* (Washington, DC: Arms Control Association, 1979)

Articles, Op-Eds, etc.

"The Future of Britain's Nuclear Deterrent," *The National Interest* (7/24/2013) http://nationalinterest.org/commentary/the-future-britains-nuclear-deterrent-8768

"Berlin and the Arms-Control Debate," *The National Interest* (6/27/2013) http://nationalinterest.org/commentary/berlin-the-arms-control-debate-8665

"France Isn't Aiming for Nuclear Zero," *The National Interest* (5/8/2013) http://nationalinterest.org/commentary/france-isnt-aiming-nuclear-zero-8440

"Pakistan's Nuclear Past as Prologue," *The National Interest* (3/12/2013) http://nationalinterest.org/commentary/pakistans-nuclear-past-prologue-8209

"The U.S.-Russian Antarctic Thaw," *The National Interest* (12/12/2012) http://nationalinterest.org/commentary/the-us-russian-antarctic-thaw-7837

"Trouble at the Ends of the Earth," *The National Interest* (10/8/2012) http://nationalinterest.org/commentary/trouble-the-ends-the-earth-7561

"China's Growing Space Power," *The National Interest* (7/26/2012) http://nationalinterest.org/commentary/chinas-growing-space-power-7244

"The New Space Race," *The National Interest* (6/6/2012) http://nationalinterest.org/commentary/the-new-space-race-7011

"GPS and the Politics of Scarce Resources," *The National Interest* (4/17/2012) http://nationalinterest.org/commentary/gps-the-politics-scarce-resources-6789

"Scientists Report on the Comprehensive Nuclear Test-Ban Treaty," *cfr.org* (4/2/2012) http://www.cfr.org/arms-control-disarmament-and-nonproliferation/scientists-report-comprehensive-nuclear-test-ban-treaty/p27839

"Defense Budget Tug of War," *The National Interest* (3/27/ 2012) http://nationalinterest.org/commentary/defense-budget-tug-war-6687

"Military Bases and the American Community," *The National Interest* (2/15/2012)
http://nationalinterest.org/commentary/military-bases-american-community-6505

"American Interests in Antarctica," *The National Interest* (1/17/2012)
http://nationalinterest.org/commentary/american-interests-antarctica-6365

"India, Pakistan, and Nuclear Confidence Building," *cfr.org* (12/23/2011)
http://www.cfr.org/south-asia/india-pakistan-nuclear-confidence-building/p26959

"Unfinished Business," *International Herald Tribune* (12/14/2011) (with Susan Koch and Franklin Miller)
http://www.nytimes.com/2011/12/14/opinion/unfinished-business.html?_r=1&emc=eta1

"Obama's Nuclear Arms Control Agenda: Progress and Prospects," *cfr.org* (10/17/2011)
http://www.cfr.org/defensehomeland-security/obamas-nuclear-arms-control-agenda-progress-prospects/p26214

"The Future of Strategic Deterrence and the Intercontinental Ballistic Missile," *High Frontier*, Vol. 2, No. 4, Aug. 2006
http://www.afspc.af.mil/shared/media/document/AFD-060912-044.pdf

17. **Commitments regarding nomination, confirmation, and service:**
(a) Have you adhered to applicable laws and regulations governing conflicts of interest?
Yes.
(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?
No.
(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?
Yes.
(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?
Yes.
(e) Will those witnesses be protected from reprisal for their testimony or briefings?
Yes.
(f) Do you agree, if confirmed, to appear and testify upon request before this committee?
Yes.
(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?
Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

FRANK G. KLOTZ.

This 10th day of September, 2013.

[The nomination of Mr. Frank G. Klotz was reported to the Senate by Chairman Levin on September 24, 2013, with the recommendation that the nomination be confirmed. The nomination was returned to the President at the end of the first session of the

113th Congress, on January 6, 2014, under provisions of Senate Rule XXXI, paragraph 6, of the Standing Rules of the Senate.]

[Prepared questions submitted to Mr. Marcel J. Lettre II by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DUTIES

Question. What is your understanding of the duties and functions of the Principal Deputy Under Secretary of Defense for Intelligence (PDUSD(I))?

Answer. My understanding is that the Principal Deputy Under Secretary of Defense for Intelligence (PDUSD(I)) is responsible for assisting the Under Secretary of Defense for Intelligence (USD(I)) in supporting the Secretary of Defense in discharging his intelligence-related responsibilities and authorities under title 10 and title 50 of the United States Code (U.S.C.).

This includes: serving as the principal intelligence advisor to the Secretary of Defense; exercising authority, direction, and control on behalf of the Secretary of Defense over all intelligence organizations within the Department of Defense (DOD); ensuring that intelligence organizations in DOD are manned, organized, trained, and equipped to support the missions of the Department; ensuring that the DOD components, which are also elements of the Intelligence Community, are responsive to the Director of National Intelligence (DNI) in the execution of the DNI's authorities; ensuring that the combatant commanders, the Joint Chiefs of Staff, and the civilian leadership of the Department are provided with appropriate intelligence support; ensuring that counterintelligence activities in the Department are conducted and managed efficiently and effectively; ensuring that other sensitive activities which the Department conducts or supports are conducted and managed efficiently and effectively; overseeing Defense Department personnel, facility, and industrial security to ensure efficiency and effectiveness; serving as the Program Executive for the Military Intelligence Program, and ensuring that the DOD Components funded by the National Intelligence Program are robust, balanced, and in compliance with the guidance and direction of the DNI; and ensuring that the Department provides the U.S. Congress with intelligence-related information sufficient to execute its oversight responsibilities.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. If confirmed, I believe I have the proper background and experience to effectively perform the duties of the Principal Deputy Under Secretary of Defense for Intelligence. I have been honored to serve as Special Assistant under three Secretaries of Defense from 2011 to the present. In that capacity, I advised the Secretary of Defense on a range of matters pertaining to U.S. national security, including intelligence-related matters. With functional responsibilities as the civilian deputy chief of staff to Secretary Panetta, I supported the Secretary of Defense on defense strategy, budget development, acquisition oversight, national security policy initiatives, and crisis management. I also led two Secretary of Defense transition teams. For my work in support of Secretary of Defense priorities, I am honored that Secretary Panetta awarded me the Defense Distinguished Public Service Award.

As Principal Deputy Assistant Secretary of Defense for Legislative Affairs, I had responsibilities on a team executing legislative programs on Departmental priorities including the defense budget and policy; Iraq, Afghanistan and Pakistan; strategic nuclear arms control matters, including the ratification of the New Strategic Arms Reduction Treaty; acquisition and export control reforms; information operations, and Secretary Gates' efficiencies initiative. For my work on strategic nuclear arms control matters, Secretary Gates awarded me the Exceptional Public Service Award.

As Senior Defense and Intelligence Advisor and then as Senior National Security Advisor to the U.S. Senate Majority Leader, I handled all "Gang of Eight" intelligence matters for the Leader, and shaped legislation and policy initiatives in areas including: Iraq and Afghanistan strategy; counterterrorism; enhancing foreign intelligence collection and sensitive intelligence operations; countering proliferation of weapons of mass destruction (WMD); and assisting in securing passage of defense and intelligence authorization bills, appropriations bills, and war supplementals.

As a Professional Staff Member on the U.S. House of Representatives Permanent Select Committee on Intelligence, I supported the intelligence after-action reviews on the September 11 terrorist attacks and on Iraqi WMD, and advised on the 2004

Intelligence Reform and Terrorism Prevention Act which created the Director of National Intelligence.

Prior to these positions, I served in the private sector, the foreign policy research sector, and on a congressional commission examining the organization and efficiency of the U.S. Government regarding intelligence and programs to counter WMD.

Serving in both the legislative and executive branches of the Government has given me a multi-faceted appreciation for the role of intelligence. I have served as an intelligence consumer, ensuring the Nation's senior decisionmakers are supported with intelligence products on important decisions. I have gained an appreciation of the statutory roles of the Secretary of Defense, the Director of National Intelligence, and other senior leaders in ensuring effective intelligence capabilities. I have familiarity with a range of intelligence operations and capabilities. I have experience working intelligence resourcing issues through the National Intelligence Program and Military Intelligence Program, knowledge of key trajectories for our acquisition and investment programs, and some awareness of key counterintelligence and security priorities. I am personally committed to supporting the Secretary of Defense in focusing on the needs of the warfighter, particularly in intelligence support.

Finally, my experience has given me a deep appreciation for the important role of oversight, from within the executive branch as well as by the legislative and judiciary branches.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the PDUSD(I)?

Answer. If confirmed, I believe the most significant action that I would need to take would be to assist Under Secretary Vickers in executing his priorities, consistent with the priorities of the Secretary of Defense, by enhancing my understanding of, and assessing the effectiveness of, plans and activities to implement and operationalize those priorities. I also believe that I need to more deeply understand the challenges posed by the new fiscal environment, the resource constraints that will be faced ahead, and the opportunities for further efficiencies across the Defense Intelligence Enterprise, as we sustain and strengthen OUSD(I)'s budgetary oversight.

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of Defense would prescribe for you?

Answer. If confirmed, I look forward to speaking with the Under Secretary of Defense for Intelligence and the Secretary of Defense about how best I could support them. I anticipate that my duties and functions would include advising and assisting the Under Secretary of Defense for Intelligence and the Secretary of Defense on intelligence planning, policy and resources. I believe they would expect me to assist the Under Secretary of Defense for Intelligence in ensuring full intelligence support for ongoing operations; ensuring that intelligence operations conducted by DOD are effective and in compliance with all relevant statutes, authorities, directives, and policies; ensuring that the Defense Intelligence Enterprise is postured to prevent strategic surprise; ensuring, without abrogating the Secretary's statutory responsibilities, that the DNI has visibility and oversight over the full range of intelligence activities in the Department; and ensuring that the Defense Intelligence Enterprise is as efficient as possible. They may also assign me other duties as their priorities and my background and experience warrant.

RELATIONSHIPS

Question. In carrying out your duties, how will you work with the following:

The Secretary of Defense.

Answer. Pursuant to the authority, direction, and control of the Under Secretary of Defense for Intelligence (USD(I)), as the USD(I)'s principal assistant, if confirmed as the Principal Deputy Under Secretary of Defense for Intelligence I will serve as an advisor to the Secretary of Defense on all matters concerning intelligence, counterintelligence, and security.

Question. The Deputy Secretary of Defense.

Answer. If confirmed as the Principal Deputy Under Secretary of Defense for Intelligence (PDUSD(I)), I will provide support to the Deputy Secretary similar to that which I would provide to the Secretary, as described above.

Question. The Under Secretary of Defense for Intelligence.

Answer. If confirmed as PDUSD(I), I will provide my full support to the USD(I) in carrying out his duties as the principal advisor to the Secretary of Defense on intelligence, counterintelligence, and security. I will keep him informed, seek his guidance and direction, and support him as he advises the Secretary of Defense on how to exercise his oversight authority on intelligence, counterintelligence, and se-

curity-related matters throughout the Department. At the outset, I will ascertain which responsibilities the USDI delegates to me, including a range of internal management functions within the Office of the Under Secretary, and focus on implementing his and the Secretary's priorities within the Office and across the Defense Intelligence Enterprise.

Question. The other Under Secretaries of Defense.

Answer. Each of the Under Secretaries has vital functions to carry out. If confirmed as PDUSD(I), I will work closely with each of them and their Principal Deputies and senior teams. A close relationship between the Under Secretary of Defense for Policy and the USD(I), and their Principal Deputies, is particularly important, so I intend to fully support those relationships. In both of my former positions within the Department, both as Special Assistant to the Secretary of Defense and as Principal Deputy Assistant Secretary of Defense for Legislative Affairs, I had positive relationships with a number of the Under Secretaries. If confirmed, I would continue to build on these relationships.

Question. The Assistant Secretary of Defense for Network and Information Integration/Successor Organization.

Answer. The Chief Information Officer (CIO), like its predecessor the Assistant Secretary of Defense for Networks and Information Integration, has had oversight of enabling capabilities which are central to the conduct of intelligence and security-related activities. If confirmed, I will work closely with the CIO to ensure that this support remains robust.

Question. The Deputy Assistant Secretary of Defense for Detainee Policy.

Answer. If confirmed, I will work closely with the DASD for Rule of Law and Detainee Policy on the intelligence aspects of detainee policy and operations.

Question. The Assistant Secretary of Defense for Special Operations/Low Intensity Conflict & Interdependent Capabilities (ASD SOLIC&IC).

Answer. USD(I) and the ASD SO/LIC&IC work closely together on several important matters, and this close partnership has grown substantially during Dr. Vickers' tenure as USD(I). If confirmed as the PDUSD(I), I will contribute to ensuring that this close partnership continues.

Question. The Service Secretaries and the Service Intelligence Directors.

Answer. If confirmed as PDUSD(I), I will support the USD(I) as the Program Executive for the Military Intelligence Program. As appropriate, I will work with the Secretaries of the Military Departments and the Service Intelligence Directors to ensure their intelligence requirements are met, that the Military Departments and Services develop intelligence capabilities appropriate for the current and future security environment, and that the intelligence organizations contribute to meeting the intelligence needs of their respective Military Department/Service, the Joint Force, the Department, and the Nation.

Question. The General Counsel of the Department of Defense.

Answer. In my previous positions in DOD, I have worked closely with the General Counsel and his staff. If confirmed as PDUSD(I), I will continue to work closely with the General Counsel, and seek his advice on the legal issues that impact USD(I)'s duties and functions.

Question. The Chairman and Vice Chairman of the Joint Chiefs of Staff.

Answer. In my previous positions in DOD, I have worked closely with the Chairman and Vice Chairman of the Joint Chiefs of Staff, and other senior leaders on the Joint Staff, on a range of issues. If confirmed as PDUSD(I), I would seek to continue this close relationship to ensure that Defense Intelligence and the Intelligence Community meet the requirements of the Joint Staff and Combatant Commands.

Question. The Commanders of the Combatant Commands, including U.S. Special Operations Command (SOCOM) and U.S. Cyber Command.

Answer. If confirmed as PDUSD(I), I will support the USD(I) in ensuring that the intelligence needs of the commanders of the combatant commands, including the Commanders of U.S. Special Operations Command and U.S. Cyber Command, are met.

Question. The Directors of the Defense intelligence agencies.

Answer. If confirmed as PDUSD(I), I will assist the USD(I) in his exercise of the Secretary of Defense's authority, direction, and control over the National Security Agency (NSA), the National Geospatial-Intelligence Agency (NGA), the National Reconnaissance Office (NRO), and the Defense Intelligence Agency (DIA). I will also help sustain the excellent relationship that the USD(I) has with the DNI by working with the Office of the DNI to ensure clear and consistent guidance is provided to the Defense intelligence agencies.

Question. The Director of National Intelligence.

Answer. The USD(I) has an excellent relationship with the DNI. If confirmed as PDUSD(I), I intend to fully support the USD(I) and the DNI in their mutual goal

of greater Intelligence Community integration. Because the USD(I) is dual-hatted as the DNI's Director of Defense Intelligence, if confirmed, I will support the USD(I) as he advises the DNI on Defense Intelligence capabilities.

Question. The Director of the Central Intelligence Agency.

Answer. If confirmed as PDUSD(I), I will work to sustain the already close relationship that the USD(I) has achieved with the Director and Deputy Director of the Central Intelligence Agency (CIA) and their senior team.

Question. The Director of the National Counterterrorism Center (NCTC).

Answer. If confirmed as PDUSD(I), I will work to sustain the already close relationship between USD(I) and the NCTC.

Question. The Director of the National Counterproliferation Center.

Answer. If confirmed as PDUSD(I), I will work to sustain the relationship with the Director of the NCPC.

Question. The Deputy and Assistant Directors of National Intelligence.

Answer. If confirmed as PDUSD(I), I will fully support the USD(I)'s relationship with the Deputy and Assistant Directors of National Intelligence to ensure integration and unity of effort in the direction and oversight of the Defense Intelligence Enterprise.

Question. Officials in the Department of Homeland Security with intelligence responsibilities.

Answer. If confirmed as PDUSD(I), I will assist the USD(I) as he serves as the Secretary of Defense's focal point for intelligence, counterintelligence, and security matters for senior officials from the Department of Homeland Security (DHS).

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the PDUSD(I)?

Answer. If confirmed as the PDUSD(I), the major challenges that are likely to confront me are the continued unprecedented scope and pace of global operations and unmet demand for intelligence in an era of intelligence-driven operations; the need to adapt to a rapidly changing intelligence environment; the need to address longer-term challenges to prevent strategic surprise while fully supporting ongoing operations; and the need to do all this in a more constrained fiscal environment. Additionally, we must improve on protecting intelligence sources and methods and preventing unauthorized disclosure of information. The next PDUSD(I) will have to help the USD(I) overcome these challenges while ensuring Defense Intelligence is postured with the IC to continue to provide world-class intelligence.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If I am confirmed as the PDUSD(I), given the importance of intelligence to ongoing operations, I would do my best to assist the USD(I) in ensuring that sufficient resources are devoted to the Defense Intelligence Enterprise, and that intelligence is shared as widely as possible while also ensuring that it is properly protected. I would also reinforce and seek to effectively implement the USD(I)'s priorities across the Defense Intelligence Enterprise.

Question. What do you anticipate will be the most serious problems in the performance of the functions of the PDUSD(I)?

Answer. The primary near-term challenge to be faced in performing the functions of the USD(I) and, by extension, the PDUSD(I) is preparing for a period of defense budget uncertainty, which will also impact the Defense Intelligence enterprise and the Office of the Under Secretary of Defense for Intelligence.

A second serious challenge that continues to confront the USD(I) and, by extension, the PDUSD(I) is the unauthorized disclosure of classified information, particularly as it relates to the insider threat, and the risks therefore posed to our forces, our military operations, and our foreign relations.

Question. If confirmed, what management actions and timelines would you establish to address these problems?

Answer. If confirmed as the PDUSD(I), I would support Dr. Vickers in managing budget uncertainty as guided by Congress and the Secretary of Defense. I would support the USD(I) in ensuring we continue to provide the best possible intelligence support to current operations, look for opportunities to become more efficient while maintaining and increasing effectiveness, and continue to push to innovate and invest in key capabilities that maintain America's superior technological and operational edge.

In addition, I would support Dr. Vickers' commitment to implementing comprehensive technical, personnel, and administrative solutions to the challenge of unauthorized disclosures, particularly as it relates to the insider threat. I would work

with OUSD(I), other DOD leaders and ODNI leadership as appropriate to ensure that the steps taken to correct and mitigate recently exploited vulnerabilities effectively deter and prevent future unauthorized disclosures.

PRIORITIES

Question. How would you anticipate developing priorities for allocating your time as the PDUSD(I)?

Answer. If confirmed, I would develop priorities for allocating my time consistent with Dr. Vickers' priorities. In general, I would anticipate dividing my time broadly between oversight of intelligence operations, the development of intelligence capabilities, and internal management of OUSD(I) operations, and other duties as the Secretary and the USD(I) may assign. In what will continue to be a resource-constrained environment, I will assist the USD(I) in seeking to ensure that resources are strategically allocated to, and across, the Defense Intelligence Enterprise.

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the PDUSD(I)?

Answer. If confirmed, I would assist Dr. Vickers in continuing to execute what I understand are his overarching priorities, including: (1) ensuring that the full weight of Defense intelligence capabilities are brought to bear to achieve the President's objective of disrupting, dismantling, and defeating al Qaeda, creating and sustaining stability in Afghanistan, Pakistan and Iraq, and supporting other ongoing operations in which the Department is engaged or may be engaged; (2) ensuring that intelligence operations conducted by DOD are effective and in compliance with all relevant statutes, authorities, directives, and policies; (3) ensuring that the Defense Intelligence Enterprise is postured to prevent strategic surprise and fully exploit emerging opportunities; and (4) ensuring that the Defense Intelligence Enterprise is as efficient as possible. As Dr. Vickers has done, I would expect to pay particular attention to ensuring that: we have the right collection and analytical priorities; that we have a robust ISR architecture (both space and airborne), today and in the future; that the Department's clandestine operations are fully integrated with those of the CIA and National Clandestine Service (NCS); that the President's highest priority intelligence programs are fully resourced; that analysis addresses the needs of policy makers and operational commanders; that intelligence is timely, accessible and protected; and, where appropriate, that we aggressively exploit advances in technology to improve our intelligence capabilities.

CHAIRMAN OF THE JOINT CHIEFS OF STAFF RISK ASSESSMENT (CRA)

Question. Section 153 of title 10, U.S.C., requires the Chairman of the Joint Chiefs of Staff annually provide Congress with "an assessment of the risks associated with the most recent National Military Strategy (or update)."

What is your understanding and assessment of the CRA and the role, if any, of the OUSD(I) staff in supporting or participating in the preparation of this risk assessment?

Answer. The same legislation mandating the CRA also requires the Secretary of Defense to plan for mitigating risks the Chairman identifies as significant. My understanding is that while OUSD(I) does not directly participate in the CRA's development, as the principal staff assistant to the Secretary of Defense for all intelligence matters, USD(I)'s role is to support the Secretary's risk mitigation plan by ensuring the Defense Intelligence Enterprise meets national and Department requirements. USD(I) is also responsible for ensuring it has balanced investments towards delivering the right mix of intelligence capabilities to support the combatant commanders in accomplishing their missions and mitigating the risks identified in the CRA.

Question. What is your understanding and assessment of how the CRA is used in DOD's strategic analysis process that informs the National Security Strategy, Quadrennial Defense Review, National Military Strategy, or any other department strategic decisionmaking processes?

Answer. My understanding is that the CRA, a congressionally-mandated report from the Chairman, is used to inform departmental strategic decisionmaking processes by providing the Chairman's assessment of the nature and magnitude of strategic and military risk in executing the missions called for in the National Security Strategy, Quadrennial Defense Review and National Military Strategy. By considering the range of operational, future challenges, force management, and institutional factors, the CRA provides a holistic assessment of the ability of U.S. Armed Forces to meet strategic requirements in the near-term. The Chairman submits the CRA through the Secretary of Defense, who then forwards it to Congress along with his congressionally-mandated annual Risk Mitigation Plan, and additional com-

ments as necessary. The Chairman may also include in the report his recommendations for mitigating risk, such as changes in strategy, development of new operational concepts or capabilities, increases in capacity, or adjustments in force posture or employment.

Question. If confirmed, what changes, if any, would you propose in how OUSD(I) supports the CRA or how it is used to support other strategy decision processes?

Answer. At this time, I do not recommend any specific changes in how OUSD(I) supports the CRA process. However, the CRA may prove useful during the Joint Staff's annual Capability Gap Assessment by underpinning Joint Requirements Oversight Council decisions related to mitigating Combatant Commands' most critical capability gaps. The CRA would be helpful in prioritizing capability gaps and informing Joint Requirements Oversight Council recommendations on where to apply resources or other risk-reduction activities to mitigate the most critical DOD capability gaps. As an advisory member of the Joint Requirements Oversight Council and the DOD Program Executive for the Military Intelligence Program, the USD(I)'s role is to ensure all parts of the intelligence, surveillance, and reconnaissance architecture are integrated and optimized to meet warfighter needs.

COMBATING TERRORISM

Question. What is your understanding and assessment of the Department's comprehensive strategy for combating terrorism, both at home and abroad?

Answer. The President's stated goal to disrupt, dismantle, and defeat al Qaeda and its affiliates is supported by the Department's counterterrorism strategy which focuses first on operational and regional defeat and then strategic and global defeat. Operational defeat of al Qaeda and its affiliates requires conducting operations to render these organizations incapable of planning and conducting attacks, denying them sanctuary and severing relationships to groups providing support to al Qaeda. Strategic defeat could then be achieved by preventing al Qaeda's resurgence.

Achieving both operational and strategic defeat of al Qaeda requires a sustained global counterterrorism campaign with mutually reinforcing direct and indirect lines of operation. Building the capacity of our partners, preventing the acquisition and use of WMD, and countering radicalization is necessary, in addition to conducting operations to directly disrupt and dismantle terrorist groups.

Within areas of hostilities, the Department has a lead role in conducting these activities, along with our international partners. Outside such areas where named operations authorized by the President are being conducted, the Department plays a complementary role to other instruments of national power. Recognizing that al Qaeda and its affiliates remain the most dangerous threat to the United States, my assessment is the Department—in conjunction with the whole of U.S. Government and our international partners—has the correct counterterrorism strategy in place, and it is increasingly more effective.

Question. If confirmed, how would you fulfill your responsibilities related to combating terrorism?

Answer. If confirmed, I will ensure the Defense Intelligence Enterprise is fully engaged in the Department's counterterrorism strategy and supportive of all efforts to defeat al Qaeda. The goal is to ensure we have the intelligence capabilities we need to achieve the President's counterterrorism objectives, by working closely with Military Departments and Services, the Combat Support Agencies, combatant commanders, the wider Intelligence Community, and our international partners.

Question. How can the Department best structure itself to ensure that all forms of terrorism are effectively confronted?

Answer. Close collaboration among U.S. departments and agencies and with our international partners is essential to our counterterrorism success. One example of this was the establishment of the Joint Interagency Task Forces, which have ensured full interagency contributions to the fight. The Department has developed a close operational partnership with the CIA and the Intelligence Community, and substantially strengthened our international capacity building efforts. I believe these types of actions posture the Department to effectively combat terrorism.

Question. Are there steps the Department should take to better coordinate its efforts to combat terrorism with those of other Federal agencies?

Answer. If confirmed, I would seek to build on and extend these interagency and partner collaborations. These previous efforts have resulted in significant improvements in coordination of operations and interagency concurrence; I would work hard to move the Department and its partners toward further integration of intelligence operations and counterterrorism efforts.

Question. If confirmed, how would you ensure intelligence activities carried out by Special Operations Forces are adequately coordinated with other activities carried out by those in the Intelligence Community?

Answer. Special Operations Forces coordinate their intelligence activities with the Intelligence Community as required by applicable law, policy, and agreements. My understanding is that SOCOM liaises with members of the Intelligence Community in the Washington, DC, area, at the Headquarters in Tampa, FL, and on the battlefield. If confirmed, I would work to ensure the demonstrable gains achieved in intelligence coordination with the interagency and international partners over the last 12 years are not only sustained, but continue to improve in order to achieve the U.S. Government's counterterrorism goals.

COMBATING PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

Question. What is your assessment and understanding of the Department's strategy for countering the proliferation of WMD, and how that strategy fits into the broader national strategy to counter WMD proliferation?

Answer. Because of my previous experience on the Office of the Secretary of Defense (OSD) staff, I know that the Department's strategy pursues robust counterproliferation policies and capabilities to prevent, deter, defend against, and respond to WMD threats. The DOD strategy supports the National Strategy to Combat WMD and related national strategic guidance through military force planning and doctrine to organize, train, exercise, and equip U.S. Armed Forces to combat WMD, in addition to preparing appropriate plans to address the defense-related aspects of combating WMD.

Question. If confirmed, how would you fulfill your responsibilities related to countering the proliferation of WMD?

Answer. If confirmed, I will work with the USD(I) to provide guidance and oversight to Defense Intelligence organizations and ensure that the Defense Intelligence organizations respond to the direction and priorities of the Director of National Intelligence, the Secretary of Defense, and DOD components with respect to WMD threats. Furthermore, I will support USD(I) efforts to evaluate the effectiveness of Defense Intelligence capabilities in identifying and assessing WMD threats.

Question. How can the Department best structure itself to support the mission of countering the proliferation of WMD?

Answer. If confirmed, I would continue to make this question a focus, just as I understand it has been for the USD(I). Based on my previous experience on the OSD staff, it is my sense that, consistent with national strategy, the Department has efforts in place to support the mission of countering WMD proliferation in a number of key ways, including interdiction and elimination operations, active and passive defense, consequence management, security cooperation and partner activities, and threat reduction cooperation.

These missions rely on timely and actionable intelligence in a number of areas, including: the state of nations' WMD programs; terrorists' interest in those efforts; existing proliferation networks; national proliferation activities; and the security status of WMD facilities, including possible threats and vulnerabilities.

Question. Are there steps the Department should take to better coordinate its efforts to counter the proliferation of WMD with those of other Federal agencies?

Answer. We must continue robust efforts to counter proliferation of WMD using all available national and international authorities and apply all elements of national power—diplomatic, economic, intelligence, law enforcement, and military. Collaboration and integration among all relevant departments and agencies are key factors for the administration's strategy to combat WMD. Senior level attention can help ensure Federal agencies—as well as other key partners such as at the State and local level and internationally—remain synchronized and focused on the top priorities. If confirmed, I look forward to studying the opportunities for USD(I) to contribute to this important priority.

Question. If confirmed, how would you ensure intelligence activities carried out by DOD entities and forces are adequately coordinated with other activities carried out by other elements of the Intelligence Community?

Answer. If confirmed as PDUSD(I), I look forward to working with IC partners in global layered defenses to prevent, detect, and respond to the threat or use of WMD by terrorists. We must continue to develop tools and capabilities with IC partners to detect and disrupt the movement of WMD including precursor materials. Because we can never be certain of our ability to prevent or protect against all potential WMD terrorist attacks, collaboration among IC partners to manage and mitigate the consequences of such attacks continues to be necessary, as is improving our capabilities to attribute their source. Thus, continued work is necessary to harness,

in an effective multinational way, all relevant collective resources to establish more coordinated and effective capabilities to prevent, protect against, and respond to the global threat of WMD terrorism.

RPA - TITLE 10 VS. TITLE 50 OPERATIONS

Question. According to published reports, U.S. Special Operations Forces (SOF) and the CIA conduct counterterrorism strikes using armed Remotely Piloted Aircraft (RPA). For example, RPA strikes by both U.S. SOF and the CIA have reportedly been conducted in Yemen. Other published reports indicate the Presidential Policy Guidance on Counterterrorism dictates a shift in all lethal RPA operations to DOD.

In your view, what are the advantages and disadvantages from a legal and operational perspective of moving all lethal RPA operations to DOD?

What is your understanding of the milestones that would need to be achieved for such a shift to occur? How long do you believe it will take to achieve these milestones?

Do you expect responsibility for certain geographic areas will transition more rapidly than others? If so, which ones?

Do you expect aircraft and/or personnel will be transferred from the CIA to the operational and tactical control of DOD in the near term as part of this transition?

If confirmed, how would you ensure that lessons learned, including tactics, techniques, and procedures, for the use of armed RPA are captured and transferred to DOD?

In response to a series of questions about counterterrorism operations on Meet the Press, former-Secretary Panetta indicated that "a lot more of this [counterterrorism operations] can be put under title 10" and that "the advantage to it is that it becomes much more transparent in terms of what we're doing."

Do you share former-Secretary Panetta's observation that there has been a limited amount of transparency with respect to title 50 U.S. counterterrorism operations?

Do you believe additional transparency would better enable the United States to push back against claims of civilian casualties resulting from drone strikes?

Answer. With reference to this question set, I am not able to comment in this medium on such activities other than to say that I support the President's policy on the operation of such aircraft, as articulated in his May 23, 2013, speech at the National Defense University and in related Presidential Policy Guidance. I understand the U.S. military has extensive experience in the use of remotely piloted aircraft to conduct intelligence, surveillance and reconnaissance, as well as direct action during armed conflict. The appropriate role of DOD in operating remotely piloted aircraft, weighing the advantages and disadvantages, is essentially a policy decision for the President to make. If confirmed, my focus will be to provide the best counsel possible on the intelligence and operational value for such operations and help ensure compliance with applicable policy in conducting such operations. I also look forward to supporting the USD(I) and other senior administration officials in a constructive ongoing dialogue with the committee on this and related issues.

COUNTERTERRORISM COOPERATION

Question. Non-DOD elements of the Intelligence Community (IC) and the military offer unique strengths with regard to intelligence collection against terrorism targets, spanning across the various forms of intelligence (e.g. human and signals intelligence).

What is your understanding of the extent to which the military and non-DOD IC elements collaborate on counterterrorism objectives?

Answer. My understanding is there is extensive collaboration on counterterrorism objectives with the non-DOD IC elements. This is done in several ways: participation in Joint Interagency Task Forces, sharing information on intelligence sources and methods, and exchanging officers at all levels of operations. I believe the Department and non-DOD IC elements should continue to look for opportunities to leverage each other's strengths and improve collaboration.

Question. If confirmed, how would you seek to strengthen this collaboration?

Answer. If confirmed, I will seek, in concert with counterparts at the DNI, to enable better, faster, and deeper sharing of counterterrorism data, while remaining cognizant of the problem we face with respect to risks of unauthorized disclosure of classified information. There has been significant progress in this area that can stand as an example for future efforts. For instance, my understanding is the move to a common, integrated network in Afghanistan—the Afghan Mission Network—and one common database—the Combined Information Data Network Exchange—supports intelligence, military operations, command and control and logistics across

all U.S. entities and 46 partner nations. This approach of establishing a common network and common database has allowed us to ensure that all releasable national, tactical and commercially available data from across the DOD and IC is available and discoverable.

Question. What are the major obstacles to achieving greater collaboration?

Answer. Two of the longstanding challenges to integrating the intelligence capabilities of DOD with those of the Department of Homeland Security and other associated Federal, State, and local agencies have been IT system compatibility and effective guidance on sharing classified information. With the issuance of Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector (SLTPS) Entities, we have made significant progress on the latter. The Executive order establishes the right balance between sharing classified information with SLTPS entities in support of homeland defense, while ensuring proper safeguards are in place for protecting information from unauthorized disclosure. If confirmed, I will seek to achieve similar progress against the challenge of IT system compatibility.

CYBER AND INFORMATION OPERATIONS

Question. Information operations, as currently defined by DOD, include electronic warfare, operational security, computer network operations, psychological operations, and military deception. Each of these lines of operations is unique and complex, and, in some cases, they are interwoven.

The establishment of U.S. Cyber Command organizationally separated cyber operations from the other elements making up "information operations." How does this separation complicate integration across these elements, and what is your understanding of the Department's efforts to mitigate its impact?

Answer. If confirmed, I look forward to studying this question further. My current understanding is that Information Operations as currently defined refers to the integration of various information activities to achieve effects across the information environment, which includes the cyber domain. The establishment of U.S. Cyber Command does not change the relationship of cyberspace operations to the other capabilities necessary for DOD to conduct information and cyber-related operations. It will, however, enhance our ability to conduct information operations in the cyber domain.

Question. The National Defense Authorization Act for Fiscal Year 2014 (S. 1197) includes a provision (section 941) that would require the Secretary of Defense to designate a Senate-confirmed official within the Office of the Under Secretary of Defense for Policy to provide oversight and resource management of U.S. Cyber Command's offensive cyber mission.

What are your views on the roles assigned to USD(I) and the Under Secretary of Defense for Policy with respect to information operations, and particularly offensive computer network operations? If confirmed, what changes, if any, would you consider recommending to the Secretary of Defense and the USD(I)?

Answer. My current understanding is that the information operations policies as outlined in Directive 3600.01 adequately define the roles and responsibilities of both the USD(P) and the USD(I). If confirmed as PDUSD(I), I will endeavor to support the USD(I) in fulfilling these responsibilities and support the efforts of the USD(P) in the execution of all assigned responsibilities under this Directive. Additionally, I will view it as a priority to play an appropriate role in the oversight of offensive computer network operations, now termed offensive cyber effects operations.

Question. The National Defense Authorization Act for Fiscal Year 2014 (S. 1197) includes a provision (section 901) that would transfer supervision from the Under Secretary of Defense for Intelligence (USDI) to the Chief Information Officer (CIO) of the Information Assurance Directorate (IAD) of the National Security Agency (NSA). This action is recommended because the cybersecurity mission of the NSA IAD falls under the CIO and not the USD(I).

What are your views on the most appropriate oversight of the information assurance and information systems security program by the Office of the Secretary of Defense?

Answer. My understanding is that currently the DOD CIO is responsible for providing policy guidance to the Director, National Security Agency/Chief, Central Security Service, regarding network operations and cybersecurity matters in consultation and coordination with the Under Secretary of Defense for Intelligence. I believe that this relationship is effective and allows for proper oversight of these functions.

INFORMATION SHARING

Question. There are still strong barriers to sharing, or allowing access to, the mass of raw intelligence data that has not been included in finished reports or analyses and approved for dissemination within the Intelligence Community. Countervailing the objective of sharing more broadly is the need to protect sources and methods and the privacy of U.S. persons.

Despite these barriers, we have also seen recent examples of leaking massive amounts of data by DOD employees and contractors who have been given access to data shared across organizations. Leaking such information has the potential to do serious damage to our national security.

What are your views about whether it is possible to provide greater access to counterterrorism data to analysts and Special Forces while adequately protecting intelligence sources and properly minimizing exposure of U.S. persons' information?

Answer. During my tenure on the OSD staff, I have seen the Department make progress towards increasing access to counterterrorism data for those who demonstrate a need for it, while also recognizing both our responsibility to protect sensitive sources and methods and to respect U.S. civil liberties and privacy laws. Mechanisms continue to be developed to better recognize U.S. person information and minimize the chances of human error. These mechanisms include the development of better policies, improved processes, smart systems, and active oversight by both the Intelligence Community and components of the Defense Intelligence Enterprise. Collectively, these mechanisms can help maximize access while minimizing risk.

Question. How should we achieve the proper balance between sharing of information more broadly and protecting sensitive sources and methods?

Answer. I believe that a careful balance should exist between the need to share intelligence information and protecting sources and methods. I agree with an observation Dr. Vickers has made that the need to share cannot trump the need to know, nor can the fear of protecting sources and methods override the necessity to provide necessary information when it is needed most. Finding the proper balance between sharing information and protecting sources and methods is not a static target; it is, in fact, constantly moving, depending upon specific situations, risks, and urgency. The key to success is recognizing the threshold and circumstances for sharing certain information and making sure others recognize it as well.

Question. What role do you expect to play in addressing this issue if confirmed to be PDUSD(I)?

Answer. If confirmed as the PDUSD(I), I will seek to foster continued policy refinements and refinements in training and capability development to help change behaviors and culture within the DOD enterprise. I will ensure that "need to share" remains in healthy tension with "need to protect". I will continue to drive the DNI's and USD(I)'s "Write for Release" policy by ensuring its tenets are taught at our schoolhouses, incorporated into our systems, and practiced at our analytic centers. I will work closely with our DOD and non-DOD partners to identify best practices and develop new incentives to reward prudent and effective information sharing.

HOMELAND DEFENSE

Question. In your view, what progress has been made in integrating the intelligence capabilities of the DOD with those of the Department of Homeland Security and other associated Federal, State, and local agencies?

Answer. From my experience on the OSD staff, I believe DOD considers itself a valuable partner and enabler to the greater homeland defense effort. DOD works with its partners in the Intelligence Community to ensure relevant intelligence information is shared appropriately with domestic law enforcement and security agencies. Recent initiatives include DOD funded interagency collaboration in the areas of counterterrorism, countering transnational organized crime (CTOC), and maritime domain awareness. DOD also provides domestic agencies with valuable instruction in the detection of improvised explosive devices, conducting terrorism analysis, and mapping cultural terrain. Lastly, DOD fosters interagency integration via the embedding of DOD personnel in other agencies, including the National Counterterrorism Center, FBI Field Intelligence Groups, and FBI joint terrorism task forces.

In addition, DOD has moved forward in formally integrating DOD intelligence capabilities with those of our Federal, State, and local partners. For example, in October, 2012, the Deputy Secretary of Defense designated the USD(I) as the DOD Senior Agency Official to implement Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities (SLTPS). Pursuant to this responsibility, DOD is negotiating a memorandum of understanding with DHS to allow State, Local, and Tribal Fusion Centers to access

the Secret Internet Protocol Router Network to support the Fusion Centers' mission of ensuring the safety of the U.S. Homeland.

Question. What challenges lie ahead for achieving better integration?

Answer. I believe that successful integration demands that we promulgate effective guidance for sharing classified information and sustain attention at both leadership and operational levels. The recent publication of Executive Order 13587 "Structural Reforms to Improve the Security of Classified Networks and the Responsible Sharing and Safeguarding of Classified Information" helps enable the sharing of classified information. In addition, the DNI has promulgated guidance that further mandates effective information sharing practices. As architectures and systems connect the Intelligence Community to new partners in national security, ensuring guidance remains current, applicable and fully-coordinated across the U.S. Government will be of continuing importance.

Question. Does the DOD's existing process for setting requirements adequately support the establishment of intelligence requirements for the homeland defense mission?

Answer. My understanding is that DOD's current intelligence requirements process includes the Homeland Defense mission. DOD intelligence requirements continue to compete for finite resources, so ensuring that Homeland Defense priorities are incorporated in Defense intelligence priorities is a challenging, yet worthwhile endeavor. DOD is exploring ways to reconcile these diverse intelligence requirements and is actively working to improve the process.

DEFENSE CLANDESTINE SERVICE

Question. DOD announced an initiative last year to establish a Defense Clandestine Service (DCS) that would be patterned after the National Clandestine Service (NCS).

Do you support the expansion of the DCS? If so, why?

Answer. The implementation of the DCS is an important initiative to improve the operational effectiveness of defense human intelligence (HUMINT) operations and I fully support this initiative. My understanding is the DCS initiative is not an expansion, but a realignment of existing resources, a repositioning and rebalancing of capabilities to improve the Department's collection against our highest priorities. The implementation of the DCS will also incorporate other benefits to the Department by enhancing our strategic partnerships with other Intelligence Community agencies, and by improving the career management and utilization of our clandestine military and civilian collector cadre. If confirmed, I look forward to supporting the USD(I) in a continued dialogue with the oversight committees about achieving our shared goals of enhancing U.S. HUMINT collection in the defense context.

Question. In imagery intelligence, signals intelligence, and overhead reconnaissance, the Intelligence Community operates through a single consolidated agency to meet the needs of national policymakers and DOD. In HUMINT, however, there are two separate organizations funded by the National Intelligence Program budget, one run by the CIA and one managed by DIA.

What is the justification for two organizations in this mission area in a time of severe budget austerity?

Answer. DOD maintains organic HUMINT collection capabilities because it operates under different authorities than the CIA and also responds to different customers, priorities, requirements, and targets. Under title 50, U.S.C., DOD must satisfy the overall intelligence needs of the Department, including the needs of the Joint Chiefs of Staff and the combatant commanders. The Secretary of Defense established DCS on 20 April 2012 to provide enhanced collection against high priority national and defense requirements. It is my current understanding that the DCS will operate within existing resources and will complement rather than duplicate the collection activities of the CIA.

Question. Would you be supportive of a pilot program to assess the feasibility, advisability, and cost effectiveness of establishing a military division within the NCS that is responsive to the needs of the Defense Department yet resides within and utilizes the resources of the Central Intelligence Agency?

Answer. If confirmed, one of my key responsibilities in my new position will be to monitor the effectiveness and cost effectiveness of many different DOD intelligence programs, to include the DCS, and to make program adjustments as necessary. It is my current sense, however, that it is premature at this time to consider a pilot program establishing a military division within the CIA. The Department has provided Congress with a 5 year DCS implementation plan that proposes increased operational integration with CIA. I believe at this time that the Department should first be given the opportunity to assess the performance of DCS and efforts

towards enhanced integration with IC partners before trying a pilot program. I believe the Department's assessments of DCS performance should be shared with Congress, and if confirmed, I look forward to supporting the USD(I) in a continued dialogue with the oversight committees about achieving our shared goals of enhancing U.S. HUMINT collection in the defense context.

USD(I) ROLE IN INTELLIGENCE PERSONNEL, ACQUISITION, AND POLICY

Question. DOD senior leaders include Under Secretaries responsible for personnel, policy, and acquisition matters, yet the OUSD(I) includes staff with responsibilities for each of these areas as they apply to the intelligence mission.

In your view, should the OUSD(I) staff continue to duplicate the functions and resources of these other Under Secretaries? If so, why?

Answer. In support of the USD(I), I look forward to assessing this in more detail, if confirmed, as the current fiscal environment does require a careful look to ensure inefficiencies and unnecessary duplication are eliminated across headquarters elements. As I have observed from my current and previous capacities on the OSD staff, I have not viewed the OUSD(I) staff functions as duplicative, but instead complementary. The USD(I) focuses on the unique authorities and requirements of the Intelligence Community workforce, managing the Defense Civilian Intelligence Personnel System (DCIPS) under title 10 that is designed to respond to the unique requirements of the Defense Intelligence workforce. For the goals of the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) to be realized, the Defense Intelligence personnel system must work in tandem with those of other IC members (the Office of the Director of National Intelligence, the Central Intelligence Agency, the Federal Bureau of Investigation, etc.)

My understanding also is that OUSD(I) provides advice and assistance to OUSD(AT&L) concerning acquisition programs and processes that significantly affect Defense intelligence, counterintelligence, and security components. Specifically, intelligence analysts with acquisition experience provide acquisition decisionmakers the clearest picture of intelligence capabilities, the cost to address shortfalls, and the risk if the intelligence needs cannot be met. In this climate of ever-changing threats, rapid technological advancement, and reduced resources this cross-functional analysis ensures discovery of cross-enterprise efficiencies. Additionally, OUSD(I) works closely with OUSD(AT&L) and ODNI on programs that are funded by the National Intelligence Program and executed in the Department. This advice and assistance is integral to OUSD(I)'s Military Intelligence Program oversight and Battlespace Awareness Capability Portfolio Management responsibilities.

IMPACT OF SEQUESTRATION

Question. What is your assessment of the impact that sequestration would have on intelligence capabilities to support the combatant commands and the Leadership of the Department if it is sustained in fiscal year 2014?

Answer. In a period of unprecedented fiscal uncertainty, the Department, including its intelligence components, has had a significant challenge over fiscal year 2013 to operate as good stewards in meeting near-term operational requirements. The technical mechanism of sequestration—reducing discretionary spending proportionally across all programs, projects, and activities without regard to their relative impacts on national security—creates systemic waste and inefficiency, significantly impeding the ability to support the intelligence requirements of the Combatant Commands and the Department's leadership. I would urge Congress to pass the President's budget as soon as possible to preserve our critical intelligence capabilities.

Question. What is your assessment of the impact of sequestration on intelligence capabilities to support the combatant commands and the Leadership of the Department if it is sustained for the full duration outlined in the Budget Control Act?

Answer. There is a strong case to be made that the threat environment we are facing in the face of fiscally-driven force structure reductions will require greater investments in intelligence. Others advocate a proportionate reduction to intelligence with force structure. It is premature to predict how the Department will resolve these strategic decisions, but we are on a path to provide an answer with the 2015 budget submission and the 2014 Quadrennial Defense Review.

From an intelligence specific perspective, however, although technology is critical to our Nation's intelligence capabilities, ultimately it is the quality of the intelligence workforce that determines the quality of intelligence support. I am deeply concerned with the impact of long-term fiscal uncertainty on the training, compensation, morale, and retention of the intelligence workforce.

NEED FOR INDEPENDENT INTELLIGENCE ANALYSIS

Question. Intelligence Analysis should be independent and free of political pressure that it reach a certain conclusion, including a conclusion that fits a particular policy preference.

If confirmed, how would you ensure that all intelligence analysts within DOD, including those who may be seconded to offices that are not part of the defense intelligence structure, are free from such pressure?

Answer. If confirmed, I would work with IC leaders to reinforce analytical tradecraft standards as established in Intelligence Community Directive 203 (Analytical Standards), and reaffirm the importance of objective and independent analysis at all levels. There is and should be no tolerance for pressure of any kind on analysts to reach certain conclusions.

Question. Under what circumstances, if any, do you think intelligence officers and analysts should be able to testify to Congress on their professional conclusions regarding a substantive intelligence issue even if those views conflict with administration positions?

Answer. If Congress requires testimony on a substantive intelligence issue, it should be provided, whether or not it conflicts with an administration position.

CONTROL OF INTELLIGENCE AGENCIES WITHIN THE DOD

Question. The IRTPA of 2004 granted the DNI control over the preparation and execution of the National Intelligence Program budget and tasking of national intelligence operations. However, IRTPA also contained language asserting that nothing in the act should be construed so as to impair the authorities of secretaries of cabinet departments, and the Secretary of Defense has delegated "direction, control, and authority"—the highest form of authority in the executive branch—over the national intelligence organizations within DOD to the USD(I).

What are your views on the balance of authorities accorded in IRTPA to the DNI and to cabinet secretaries, particularly the Secretary of Defense?

Answer. In my view, IRTPA struck a proper balance of authorities in that it gave the DNI strong authority over core intelligence functions for the National Intelligence Program, such as setting requirements and budgets, as well as determining priorities for and managing the analysis and dissemination of national intelligence. The Secretary of Defense retains the responsibility for execution of DOD intelligence activities, and has primary responsibility for leadership and management. The Intelligence Authorization Act for Fiscal Year 2010 significantly increased the authorities of the DNI regarding leadership and management functions in the IC. DOD and the ODNI staffs have together devoted considerable time and attention to implementing these authorities in a manner that gives full effect to the act while avoiding unnecessary duplication of effort and preserving the Secretary of Defense's ability to execute his statutory responsibilities with respect to DOD's intelligence components.

Question. What are your views on the extent of the grant of "direction, control, and authority" to the USD(I) over DOD national intelligence organizations?

Answer. Statutory provisions in both title 10 and title 50, U.S.C. assign authority, direction, and control to the Secretary of Defense over DIA, NSA, NGA, and NRO as components of the Department, consistent with the statutory authorities of the DNI. In my view, this balance of authorities is appropriate. This is also clearly stated in the current USD(I) charter.

Question. Do you believe that the relationships, authorities, processes, and structures in place between the DOD and the DNI provide sufficient influence for the DOD to ensure that the intelligence capabilities DOD will need in the future to prepare for and conduct military operations will be developed and acquired through the National Intelligence Program?

Answer. Yes. I believe that current relationships, authorities, processes and structures in place between DOD and the DNI have produced highly effective support by NIP resources for military operations.

ANALYTIC CAPABILITIES AND CAPACITY

Question. The DOD Inspector General (IG) recently issued an assessment of DOD long-term intelligence analysis. The assessment concluded that the Department has significant problems in three areas. One is broadly termed "nontraditional support" to the combatant commands in such areas as shaping the environment and deterring potential adversaries, partner engagements, long-term analysis for campaign planning, and evaluation of cyber threats. A second is scientific and technical intelligence support to the acquisition process. A third problem area is lack of in-depth expertise in the analytic workforce.

Do you agree with the IG's assessment? If so, how do you believe the Department can address these problems despite declines in budgets and personnel levels, while sustaining support for counterterrorism and other transnational requirements, and the pivot to the Pacific?

Answer. I am not familiar with this assessment, but if confirmed, I will review it and discuss the IG's observations with Dr. Vickers to ascertain the best way to address the issues raised. In general, I know that the impact of budget and personnel reductions will be factored into the design of these efforts, but I am committed to ensuring that the capabilities of the analytic workforce are systematically and systemically improved. If confirmed I will continue to look for ways to improve effectiveness and efficiency in these areas.

Question. Similarly, the National Commission for the Review of the Research and Development (R&D) Programs of the U.S. Intelligence Community recently concluded that the Intelligence Community makes only a "limited effort" to discern and exploit the strategic research and development intentions and capabilities of our adversaries.

The Director of the Defense Intelligence Agency (DIA) recently established a new Defense Intelligence Officer for Science and Technology Intelligence. Why was this position established; what is the mission of this office; and how does it relate to the findings of the IG and the National R&D Commission?

Answer. My understanding is the Defense Intelligence Officer for Scientific and Technical Intelligence (DIO S&TI) was established in December 2012 in response to a DIA Director Advisory Board recommendation as well as the DIA Scientific and Technical Intelligence Framework—both of which informed the National Commission for the Review of the Research and Development Programs of the U.S. Intelligence Community. The DIO S&TI is the Defense Counterpart to the National Intelligence Mission Manager for Scientific and Technical Intelligence.

The DIO S&TI is charged with developing the first Defense Intelligence Enterprise Scientific and Technical Intelligence Strategic Intelligence Plan (SIP). The SIP is an advisory document to posture and align, over the next 7 years, DIA, the Combatant Command (CCMD) J2s, and the Military Service Intelligence Centers to discern and exploit the strategic research and development intentions and capabilities of our adversaries. It is designed to reduce the risk of strategic technical surprise and assist program and resource managers with mission prioritization across the General Defense Intelligence Program, DIA Military Intelligence Program, and the Department of Defense Foreign Counterintelligence Program. In addition to the SIP, the DIO S&TI directly supports and partners with USD(AT&L) and ASD(A) to improve scientific and technical intelligence support to the acquisition process.

The DIO S&TI has met with members of the National R&D Commission and is sponsoring a meeting with Commission members and the DIA Director and Deputy Director in October 2013. In discussions with members of the Commission, they indicated their support to the DIO S&TI's efforts regarding the SIP. Specifically, both the Commission members and the Principal Deputy Director of National Intelligence have indicated that the SIP will serve as the roadmap to address foreign strategic research and development and support the identification of areas for U.S. exploitation.

SCIENCE AND TECHNOLOGY

Question. What technical challenges does the Intelligence Community face that in your opinion are currently not being addressed adequately by DOD science and technology (S&T) efforts?

Answer. If confirmed, I would continue to address challenges in making the best use of existing and planned sensors in a rapidly changing environment, and then exploiting data coming from those sensors to answer the hard intelligence questions. The Department must continue its significant efforts to protect our critical space systems and data networks from our adversaries.

In my view, however, there are several emerging S&T shortfalls on the horizon that the Department will need to address. The impact of next-generation communications, cryptography, sensors, and computing requires an understanding of adversarial investments and capability developments, as well as whether the Department has the appropriate investment strategy to maintain U.S. capability advantage. The Department needs to better understand the impacts and accelerating rate of change of developing open-source and social media on both offensive and defensive intelligence capabilities and threats. DOD must reinvigorate S&T investments in counterintelligence capabilities to detect and counter the insider threat; identify, track, and counter the cyber activities of Foreign Intelligence Entities; and protect U.S. intelligence personnel from active discovery and targeting.

Question. How should the S&T portfolio contribute to rationalizing intelligence capability as we draw down forces after Iraq and Afghanistan?

Answer. If confirmed, I would ensure an appropriate focus on the development of sources, tools and techniques for new and diverse operating environments. Understanding the complexity of intelligence support to small units in distributed operations while working through international partners is important to shaping the environment for campaign planning. Information sharing with nontraditional partners, law enforcement and coalitions provide additional challenges. Finally, there are lessons learned for the IC across the board from counterinsurgency and counterterrorism operations that will need to be reflected in future partnerships.

The S&T portfolio must support the development of novel collection and analysis capabilities tailored to the future operating environment. We must rationalize intelligence sharing policies with nontraditional partners, law enforcement and coalitions, and ensure we deliver intelligence systems that meet those operational requirements. We must also improve our capacity to ingest and process intelligence information provided by such partners for use in our Defense Intelligence Enterprise.

Question. What are your views on the specific missions, concepts of operation, technical viability, and affordability of airships as long-duration, high altitude ISR sensor platforms?

Answer. The Department recognizes persistence as a key development capability for future intelligence, surveillance, and reconnaissance fleet and continues to advocate for research in the area of stratospheric airships. Theoretically, the potential exists to accomplish multi-year, wide area surveillance, long stand-off distance, airship missions at relatively low operating cost. However, technological and financial hurdles remain before the Department commits to fielding a high altitude airship.

Question. What specific S&T-related efforts should DOD be pursuing to understand the human, social, cultural terrain of adversaries?

Answer. In my time on the OSD staff, I have witnessed the Intelligence Community make significant progress in developing new concepts and methodologies that include social and cultural insight into the operating environment. I believe these concepts and methodologies have proven critical to understanding our national security challenges, and if confirmed, I would support pursuing the necessary science and technology developments to transition these efforts from a labor intensive process today to a more automated process in the future. Advanced automated processing would allow for the automatic ingestion and processing of diverse sources of audio, text, and imagery in order to extract meaning and context from all sources, enabling more rapid and accurate analysis of the human, social, and cultural terrain, enhancing our intelligence capabilities

ROLE OF THE DOD INSPECTOR GENERAL IN SUPERVISING THE DEFENSE INTELLIGENCE AGENCIES' INSPECTORS GENERAL

Question. The Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111–259) established the Inspectors General of the DIA, the National Reconnaissance Office (NRO), National Security Agency (NSA), and the National Geospatial Intelligence Agency (NGA) as statutory IGs. The committee has learned that the IG of the NRO has taken the position that the DOD IG has no authority over the NRO IG as a result of this legislation, even for the purpose of establishing DOD-wide IG policy and directives.

What are your views on the relationship between the DOD IG and the IGs of the Defense Intelligence Agencies?

Answer. My understanding is that the Intelligence Authorization Act for Fiscal Year 2010 amended the Inspector General Act of 1978 to establish the IGs at the Defense Intelligence agencies as statutory IGs and gives them the authority to function independently with respect to the agency they serve. However, the Intelligence Authorization Act did not change the statutory authorities and responsibilities of the DOD IG for the entire department, to include the four Defense Intelligence agencies. Section 8 of the IG Act provides the DOD IG with specific duties and responsibilities relating to its oversight role in DOD. As Defense Agencies, the programs and operations of all four of the Defense Intelligence agencies, to include NRO, fall within those statutory responsibilities. Clearly, all agencies directly concerned and the Department as a whole will benefit from day-to-day cooperation and collaboration between the DOD IG and DIA IGs, and I will certainly encourage a strong relationship among those organizations.

SECURITY CLEARANCE REFORM

Question. The National Defense Authorization Act for Fiscal Year 2014 (S. 1197) includes a provision (section 931) that would require the Secretary of Defense and the Director of National Intelligence to reform the personnel security clearance investigation, adjudication, and transfer processes to improve security and reduce costs.

What are your views on the need for improved security, process reform, greater cost transparency, and cost reductions in this area?

Answer. Based on my previous experience on the OSD staff, I know that the USD(I) and the Secretary of Defense have been and remain committed to examining every opportunity to improve security, process reform, greater cost transparency, and cost reductions. If confirmed, I will work in support of the USD(I) with the DNI, who is the Security Executive Agent responsible for developing uniform and consistent policies and procedures to ensure the effective, efficient, and timely completion of investigations and adjudications relating to determinations of eligibility for access to classified information or to hold a sensitive position.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Under Secretary of Defense for Intelligence?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTION SUBMITTED BY SENATOR ANGUS S. KING, JR.

INTELLIGENCE BUDGET

1. Senator KING. Mr. Lettre, the executive branch reported an unclassified combined intelligence budget in fiscal year 2012 of $75.4 billion ($53.9 billion for the National Intelligence Program and $21.5 billion for the Military Intelligence Program (MIP). Please provide your view on how, if confirmed, you plan to work with Under Secretary Vickers to identify duplication and increase efficiency within the intelligence budget while still providing all of the necessary intelligence support required for our national security.

Mr. LETTRE. Senator King, I appreciate the opportunity to address this important topic. Just as the Department's senior leadership is focusing on realigning the overall defense budget, identifying and eliminating duplication and increasing efficiency, we must do the same in the intelligence budgets. As I mentioned in the committee's hearing, I believe current budget times require us to become leaner, to trim overhead, reduce duplication, and shed underperforming activities. It will not be painless or pretty, but we must make tough choices and become stronger and better even as we become smaller.

During this critical period of declining budgets and shifting focus away from combat operations in Afghanistan, we need to ensure we retain today's intelligence advantage and that Defense Intelligence is aligned with future changes to the Department's larger force structure.

If confirmed, I will aggressively support Under Secretary Vickers' efforts to increase Joint interoperability across the Service intelligence systems and integration

with the Intelligence Community. These efforts create efficiencies by improving discovery of existing intelligence, prioritizing collection and enabling analysis to operate as an enterprise. For example, Under Secretary Vickers hosts Defense Intelligence Offsites twice a year to address the Department's most critical intelligence issues, including how to make the Department's Intelligence, Surveillance and Reconnaissance (ISR) capabilities more effective and efficient.

Further, I will engage fully in the proven processes by which the Office of the Under Secretary for Intelligence (OUSD(I)) identifies duplication and increases efficiency while still providing the necessary intelligence support required for our national security. OUSD(I) currently prioritizes, optimizes and eliminates wasteful redundancy in ISR capabilities via their yearly Battlespace Awareness (BA) Portfolio programming and MIP budgeting processes in order to obtain a collaborative investment strategy with the Services and Defense Agencies. These results are then leveraged through the BA Capability Integration Board (which includes the COCOMs) and the ISR Deputies Council—which, if confirmed, I will chair—to ensure that the budget maximizes efficiencies. Our process culminates yearly when the Under Secretary provides his recommendations to the Secretary on prioritized enhancements and risks for the Department's key ISR capabilities.

In addition to their aggressive engagement in the Department's budget process, OUSD(I) ensures the Departments' intelligence investments are closely synchronized with the investment of the Office of the Director of National Intelligence (ODNI) and the National Intelligence Program (NIP). If confirmed, I will work closely with the Under Secretary in constructing the joint NIP—MIP Consolidated Intelligence Guidance which coordinates the yearly actions and investments between the two programs. In addition, OUSD(I) participates in the ODNI's Strategic Program Reviews and senior budget review processes, where I will be the representative to the Deputy's Executive Committee. Lastly, I will provide oversight on our joint three-Star forum—the NIP–MIP Integration Group (NMIG)—which is charged with ensuring OUSD(I) and the ODNI are in lock-step on all Department-IC related activities. The NMIG has within the last 24 months finalized NIP–MIP Rules for the Road to help guide resource binning, signed several resource cost share Memoranda of Agreement and helped identify areas where the greater Intelligence Community might reduce duplication and achieve efficiencies.

The Under Secretary of Intelligence is well-positioned to lead changes to Defense Intelligence because it has a leadership role in both the Department of Defense and Intelligence Community resource decision processes. By engaging in these aforementioned processes and forums across both the Department and the greater Intelligence Community, I am confident we can closely manage the budget and our critical investments to reduce duplication and achieve the maximum effectiveness required for national security.

[The nomination reference of Mr. Marcel J. Lettre II follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
July 25, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Marcel J. Lettre II, of Maryland, to be a Principal Deputy Under Secretary of Defense (new position).

[The biographical sketch of Mr. Marcel J. Lettre II, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF MARCEL J. LETTRE II

Education:

Harvard University John F. Kennedy School of Government, Cambridge, MA

- 1998–2000
- Masters in Public Policy Degree awarded May 2000

University of the South, Sewanee, TN

- 1990–1994

- Bachelor of Arts Degree awarded May 1994

Employment record:

Office of the Secretary of Defense
- Special Assistant to the Secretary of Defense
- 2011–present

Office of the Secretary of Defense
- Principal Deputy Assistant Secretary of Defense (Legislative Affairs)
- 2009–2011

Office of Senate Majority Leader Harry Reid (Minority Leader 2005–2006)
- Senior National Security Advisor
- 2007–2009
- Senior Defense and Intelligence Advisor
- 2005–2007

U.S. House of Representatives Permanent Select Committee on Intelligence
- Professional Staff Member
- 2002–2005

Booz Allen Hamilton
- Associate
- 2000–2001

Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction
- Senior Policy Analyst
- 1998–1999

Office of the President, American University
- Senior Staff Assistant
- 1995–1997

Carnegie Endowment for International Peace
- Junior Fellow/Program Associate, Nuclear Nonproliferation Project
- 1994–1995

Honors and awards:

Department of Defense Recognitions
- Department of Defense Medal for Distinguished Public Service (2013)
- Office of the Secretary of Defense Medal for Exceptional Public Service (2011)

Academic Recognitions
- Award for Excellence in Student Teaching (2000)
- Nominee for Best Policy Analysis Exercise (2000)
- Phi Beta Kappa (1994)
- Bachelors Degree awarded Magna Cum Laude, with Honors (1994)
- Pi Sigma Alpha Political Science Honor Society (1994)
- Order of the Gown Academic Honor Society (1991–1994)
- Wilkins Scholarship (1990–1994)
- Eagle Scout (1989)

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Mr. Marcel J. Lettre II in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Marcel John Lettre II.

2. **Position to which nominated:**
Principal Deputy Under Secretary of Defense for Intelligence.

3. **Date of nomination:**
July 25, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
August 9, 1972; Gainesville, GA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Simmons Covington Lettre (Simmons), (Maiden name: Renée Fitzsimmons Covington).

7. **Names and ages of children:**
McKinley Covington Lettre, age 11 ("McKinley").
Amelia Mills Lettre, age 9 ("Amelia").

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Terry Sanford Senior High School, Fayetteville, NC, 1987–1990, High School Diploma (June 1990)
University of the South, Sewanee, TN, 1990–1994, Bachelor of Arts in Political Science (May 1994)
American University, Washington, DC, 1995–1996, Non-Degree Coursework (two classes in economics)
Harvard University John F. Kennedy School of Government, Cambridge, MA, 1998–2000, Masters in Public Policy (May 2000)

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
April 2011–Present, Special Assistant to the Secretary of Defense, Office of the Secretary of Defense, Department of Defense, The Pentagon, Washington, DC
April 2009–April 2011, Principal Deputy Assistant Secretary of Defense (Legislative Affairs), Office of the Secretary of Defense, Department of Defense, The Pentagon, Washington, DC,
October 2007–April 2009, Senior National Security Advisor, Office of Senate Majority Leader Harry Reid, U.S. Senate, The Capitol, Washington, DC,
April 2005–0ctober 2007, Senior Defense and Intelligence Advisor, Office of Senate Majority Leader Harry Reid (2007), Office of Senate Minority Leader Harry Reid (2005–2006)

March 2002–April 2005, Professional Staff Member, Permanent Select Committee on Intelligence, U.S. House of Representatives, The Capitol, Washington, DC

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

Member, Council on Foreign Relations

Member, Appalachian Trail Conservancy

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

Contribution to Obama Victory Fund, October 2012, $2,500

Contribution to Friends for Harry Reid, October 2010, $500

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals, and any other special recognitions for outstanding service or achievements.

University and Earlier

Eagle Scout

Phi Beta Kappa

Bachelors Degree awarded Magna Cum Laude, with Honors

Wilkins Scholarship

Pi Sigma Alpha Political Science Honor Society

Order of the Gown Academic Honor Society

Graduate School

Award for Excellence in Student Teaching

Nominee for Best Policy Analysis Exercise

Department of Defense Recognitions

Department of Defense Medal for Distinguished Public Service

Office of the Secretary of Defense Medal for Exceptional Public Service

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Ashton B. Carter, with Marcel Lettre and Shane Smith, "Keeping the Technological Edge," Chapter 6 in Keeping the Edge: Managing Defense for the Future. Cambridge, MA: Preventive Defense Project, Belter Center for Science and International Affairs, Harvard Kennedy School, 2001.

Marcel Lettre, "Observations During the Early Response to the World Trade Center Incident, September 11th, 2001", Personal narrative available on the internet, September 2001.

Marcel Lettre and James Anderson, eds. Passing the Torch: Recommendations to the Next President on Emerging National Security Issues, New York, NY: Council for Emerging National Security Affairs, November 2000.

Marcel Lettre, ed. Former-Soviet Nuclear Weapon and Sensitive Export Status Report, Washington, DC: Carnegie Endowment for International Peace and Monterey Institute, July 1995.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?
Yes.
(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?
No.
(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?
Yes.
(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?
Yes.
(e) Will those witnesses be protected from reprisal for their testimony or briefings?
Yes.
(f) Do you agree, if confirmed, to appear and testify upon request before this committee?
Yes.
(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?
Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

MARCEL J. LETTRE II.

This 23rd day of August, 2013.

[The nomination of Mr. Marcel J. Lettre II was reported to the Senate by Chairman Levin on September 24, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on October 31, 2013.]

[Prepared questions submitted to Mr. Kevin A. Ohlson by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DUTIES

Question. Subchapter XII of chapter 47 of title 10, U.S.C., establishes the U.S. Court of Appeals for the Armed Forces (USCAAF) and provides for its organization and administrative procedures.
What is your understanding of the duties and functions of the USCAAF and its judges?
Answer. The duty of the judges on the USCAAF is to ensure independent civilian oversight of the military courts. This responsibility is accomplished through appellate review of the decisions of the military courts of criminal appeals. The judges also have the duty of serving on the Code Committee which meets annually for the purpose of making an annual survey of the operations of the Uniform Code of Military Justice (UCMJ). This committee also is responsible for preparing an annual report that, among other things, provides information about the number and status of pending cases in the military court system.
The function of the USCAAF is to provide independent civilian oversight of the military justice system through appellate review of the decisions of the military courts of criminal appeals. In exercising this responsibility, the USCAAF is respon-

sible for reviewing those cases where a military court of criminal appeals has affirmed a death sentence, where a service Judge Advocate General orders a case to be sent to the USCAAF after it has been reviewed by a military court of criminal appeals, and where, upon petition of the accused and for good cause shown, the USCAAF has granted review of a decision rendered by a military court of criminal appeals.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. First, I served as a judge advocate officer in the U.S. Army for 4 years. During that time I not only became familiar with the military justice system by serving as a trial counsel and prosecuting a number of criminal cases, I also became familiar with the men, women, mission, and ethos of the U.S. Armed Forces. I achieved the latter by attending Air Assault school, attending Airborne school, being on "jump status" as a parachutist at Fort Bragg for 4 years, deploying to four foreign countries, and serving in Saudi Arabia (with two very brief forays into Iraq) during the Persian Gulf War and being awarded the Bronze Star.

Second, I served as a Federal prosecutor in the United States Attorney's Office for the District of Columbia. In that capacity I indicted and prosecuted a wide variety of cases in a fast-paced, high-volume office, and I became very familiar with the criminal justice system and the duties and responsibilities of prosecutors.

Third, I was appointed as a member of the Board of Immigration Appeals. In that position I served in a judicial capacity deciding appeals in immigration cases. This professional opportunity enabled me to gain an understanding and appreciation of the role and function of adjudicators at the appellate level.

Fourth, I served as a senior manager within the Department of Justice, and the experiences I had in those positions would help me to run an efficient and productive chambers if I were to have the honor of being confirmed by the Senate.

Fifth, I served for 2 years as the Chief of Staff and Counselor to the Attorney General, which provided me with a broad appreciation of the policy issues that confront any criminal justice system.

Sixth, I currently serve as the Chief of the Department of Justice's Professional Misconduct Review Unit. In collaboration with the attorneys who work for me, I review instances where Federal prosecutors have been accused of misconduct, I determine whether misconduct actually occurred, I write detailed memoranda explaining my reasoning, and then I impose discipline, if appropriate. Serving in this position has reinforced for me the vital importance of performing one's duties consistent with the highest standards of honor, excellence, integrity, and fairness.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of a judge on the USCAAF?

Answer. Being considered for a position that is as important, as challenging, and as consequential as serving as a judge on the USCAAF is a tremendous honor, and I would very willingly take any steps that may be helpful in enhancing my ability to perform those duties. Accordingly, if I have the privilege of being confirmed by the Senate, and even during the confirmation process, I will endeavor to obtain a more in-depth knowledge of the legal issues facing the USCAAF by reviewing and refreshing my memory of the UCMJ, the Rules for Courts-Martial, and the Military Rules of Evidence, and by reading key decisions of the USCAAF and scholarly articles about the military justice system.

RELATIONSHIPS

Question. What are the respective roles of each of the following with respect to the military justice system, and if confirmed, what would your relationship be with:

The Secretary of Defense.

Answer. The Secretary of Defense is authorized to be a convening authority for general or special courts-martial, and may promulgate orders and regulations that are actionable under the UCMJ. Further, because the Secretary is responsible for the formulation of policy related to matters directly affecting the Department of Defense, working through the Joint Services Committee the Secretary may propose legislative or other changes to the Manual for Courts-Martial and the UCMJ.

However, Article 141 of the UCMJ clearly states that the USCAAF is located in the Department of Defense "for administrative purposes only". Therefore, although it is unlikely that I would have any interaction with the Secretary of Defense even if I were confirmed, if I did so I would treat him or her with the greatest respect and courtesy, but I would always be mindful of the fact that, when it comes to my professional duties and responsibilities, USCAAF judges are wholly independent of the Secretary of Defense.

Question. The Chief Judge of the USCAAF.

Answer. The Chief Judge of the USCAAF is selected based on seniority of commission among those judges on the court who have not previously served in that position. The term of service is 5 years. The Chief Judge presides at court sessions, and oversees the administrative functions of the court. If confirmed, my relationship with the Chief Judge would be both collegial and respectful, but when it comes to decisionmaking in cases, I would fully exercise my independent judgment.

Question. Judges of the CAAF.

Answer. If confirmed, I would expect my relationship with the other judges on the court to be very collegial, and I would closely listen to and consider their points-of-view on all issues that come before the court. However, when it comes to a vote on a petition, a writ, or a case, if confirmed I would exercise my independent judgment in each and every matter.

Question. The military courts of criminal appeals.

Answer. The USCAAF reviews all cases where a military court of criminal appeals has affirmed a death sentence, where a service Judge Advocate General orders the case to be sent to the USCAAF after it has been reviewed by a military court of criminal appeals, and where, upon petition of the accused and for good cause shown, the USCAAF has granted review of a decision rendered by a military court of criminal appeals. If confirmed, I would give full and due consideration to the analysis and reasoning of members of the military courts of criminal appeals in each and every case that comes before me. However, I ultimately would exercise my independent judgment in deciding each case.

Question. The General Counsel of the Department of Defense.

Answer. Although the General Counsel is the chief legal officer of the Department of Defense, Article 141 of the UCMJ states that the USCAAF falls under the Department for administrative purposes only. Thus, the court does not fall under the purview, management, or supervision of the General Counsel. However, the General Counsel does have the authority to exercise those delegated duties as the Secretary may prescribe, and thus coordinates any proposed legislative changes to the UCMJ that the Joint Services Committee may recommend. If confirmed, my relationship with the General Counsel would be respectful and cordial, but I would act independently in my role as a judge.

Question. The Judge Advocates General of the Army, Navy, and Air Force, and the Staff Judge Advocate to the Commandant of the Marine Corps.

Answer. The Judge Advocates General of the Army, Navy, and Air Force, and the Staff Judge Advocate to the Commandant of the Marine Corps, provide advice on military justice matters to the Service Chiefs and to the Commandant, respectively. They are responsible for such actions as supervising the administration of military justice, overseeing the judge advocates and military judges within their service, and reviewing and taking action on certain records of trial. Additionally, a Judge Advocate General may certify questions to the USCAAF, and serves as a member of both the Joint Services Committee and the Code Committee. If confirmed, my relationship with these senior officers would be collegial and respectful, but I would always maintain my judicial independence and neutrality.

LEGAL ISSUES

Question. What do you anticipate would be the most significant legal issues you will be called upon to address if confirmed as a judge of the USCAAF?

Answer. If confirmed, undoubtedly one of the most significant legal issues I would be called upon to address would be the changes to Article 120 of the UCMJ regarding the offense of rape. I also firmly believe that when deciding cases, the judges on the USCAAF must continue to be vigilant about protecting the integrity of the military justice system from the corrosive effects of command influence and ineffective assistance of counsel. Finally, I believe the court will be confronted with issues arising from the use of emerging technology as it pertains to such issues as possession of child pornography and the right of privacy.

JURISDICTION OF THE U.S. COURT OF APPEALS FOR THE ARMED FORCE

Question. In your view, has the USCAAF fulfilled the expectations of Congress when the Court was established in 1951?

Answer. Yes, very much so. Not only has the court provided the necessary civilian oversight of the military justice system, it also has provided independent judicial review in military justice cases and has served as a bulwark against unlawful command influence.

Question. In your view, are there any legislative changes needed regarding the role and responsibilities or the jurisdiction of the USCAAF?

Answer. I am not aware of the need for any changes at this time.

UCMJ JURISDICTION OVER CIVILIANS

Question. Section 552 of the John Warner National Defense Authorization Act for Fiscal Year 2007 amended the UCMJ to clarify that persons serving with or accompanying an Armed Force in the field are subject to the UCMJ during a contingency operation as well as in a time of declared war.

What challenges, if any, do you anticipate that the armed services and the USCAAF will encounter in implementing the UCMJ with regard to persons serving with or accompanying an Armed Force in the field?

Answer. As with any new law that has not been thoroughly reviewed by the courts, there likely will be a number of challenges to this piece of legislation when and if it is invoked in any additional cases in the future. First and foremost, if it is a United States citizen who is prosecuted pursuant to this provision of the UCMJ, the issue will undoubtedly arise whether its application to a civilian violates a defendant's constitutional guarantees, such as the right to a trial by a jury of one's peers. Second, the CAAF will have to wrestle with determining the scope of the law. For example, issues that may arise in any specific case will likely include determining the definition of such phrases as "serving with or accompanying an Armed Force," "in the field," and "contingency operation." Third, there will be issues about whether the appropriate person within the military command structure exercised jurisdiction in any particular case.

The armed services also will likely encounter challenges when implementing this UCMJ provision. I anticipate that when confronted with a case where this UCMJ provision is potentially applicable, the Armed Services may become concerned about the need to delay taking action until the Department of Justice has reviewed the case to determine whether the Department of Justice will exercise jurisdiction. Further, when a particular case arises, depending upon the circumstances of the alleged offense, the American public may express concerns about the invocation of this provision of the UCMJ and the resulting prosecution of a civilian who is a United States citizen in the military justice system.

DECISIONS OF THE USCAAF

Question. Please describe the three decisions of the USCAAF since 2005 which you believe to have been the most significant.

Answer.

- *United States* v. *Lewis*, 63 M.J. 405 (C.A.A.F. 2006). This case reiterates the fact that unlawful command influence is the mortal enemy of military justice and that, where it is found to exist, judicial authorities must take those steps necessary to preserve both the actual fairness, and the apparent fairness, of criminal proceedings.
- *United States* v. *Prather*, 69 M.J. 338 (2010). In this case the accused was charged with aggravated sexual assault for engaging in sexual intercourse with a person who was substantially incapacitated. The court held that an accused's burden to prove the affirmative defense of consent by a preponderance of the evidence unconstitutionally shifted the burden onto the defense to disprove an element of the offense.
- *United States* v. *Lee*, 66 M.J. 387 (2008). After conviction at court-martial, the accused alleged that his detailed defense counsel failed to adequately disclose a conflict of interest. The USCAAF held that counsel provided to or retained by the accused must provide reasonably effective assistance, and that where a constitutional right to counsel exists, there is a correlative right to representation that is free from conflicts of interest.

Question. What is your view of the role of stare decisis in terms of prior decisions of the USCAAF?

Answer. The doctrine of stare decisis is an essential guiding principle for any appellate court. In the military justice system this doctrine is especially important because it provides both commanders and servicemembers with needed stability, consistency, and predictability regarding the handling of criminal offenses. However, there may be rare instances where applicable precedent should be overturned. This step should only be taken after long and careful consideration, and in those instances when it does occur, I believe the judges of the USCAAF are obligated to explain their rationale for doing so clearly, fully, and persuasively.

Question. In view of Article 36 of the UCMJ, what is your view as to the hierarchy of sources of law that must be applied by the USCAAF in determining appropriate rules of evidence and procedure in courts-martial?

Answer. First and foremost, the USCAAF must ensure that its decisions are consistent with the Constitution. The USCAAF is also bound by the decisions of the

U.S. Supreme Court. Next, the court should look to the provisions of the UCMJ, other applicable Federal statutes, and its own precedents. Then the court should apply the rules and procedures set forth in the Manual for Courts-Martial. Finally, the court should look to DOD and Service regulations.

Question. In your view, what is the appropriate standard for determining when the USCAAF should apply a rule that is different from the rule generally applied in the trial of criminal cases in the Federal district courts?

Answer. When the Manual for Courts-Martial and the Military Rules of Evidence provide guidance in a particular matter, and when that guidance is not contrary to or inconsistent with the Constitution, binding Supreme Court precedent, or the UCMJ, then those rules are applicable. It is only when the Manual for Courts-Martial or the Military Rules of Evidence are silent on an issue that the court should look to analogous rules applicable in the Federal civilian courts.

MILITARY JUSTICE SYSTEM

Question. In your view, what are the major strengths and weaknesses of the military justice system?

Answer. In my view, the following are the major strengths of the military justice system. First, every accused in the military is entitled to a free, qualified defense counsel at every step of the judicial process. Second, there are sufficient resources devoted to criminal cases in the military so that every case receives the necessary and proper amount of attention. Third, in the military justice system there is no undue pressure for either the Government or the defendant to plea bargain a case. Fourth, the accused's right to be present at, and to participate in, the Article 32 proceeding far exceeds any rights that a similarly-situated defendant would have in the civilian justice system. Fifth, the jurors in the military are uniformly educated, informed, and engaged.

In my view, the two greatest weaknesses of the military system are the potential for command influence to play a role in the ultimate outcome of a criminal case, and the flawed perception among some that the military system doles out "drumhead justice" because of their mistaken belief that the rights of the accused are not adequately protected.

Question. What is your view of the relationship between the rights of service personnel and the disciplinary role of commanders?

Answer. At the core of the UCMJ is the delicate balance that exists between the rights of servicemembers on one hand and the need for commanders to maintain good order and discipline on the other hand. In the military justice context, an effective military force is grounded both on the high morale that is sustained by the knowledge and belief of the average servicemember that he or she will be treated fairly and that his or her rights will be protected, and on the ability of commanders to enforce high standards of behavior in a wide variety of situations, some of which are not analogous to those found in civilian society. In striking this balance, the UCMJ empowers a commander to take such steps as serving as the convening authority and selecting court members, while at the same time providing servicemembers with a variety of rights and with strong protections against command influence. The fact that fundamental changes to the military justice system have been relatively rare over the last 6 decades serves as a testament to the fact that the UCMJ has struck this balance correctly.

Question. Do you think that changes to the military justice system are called for in light of the experiences of the armed services in Iraq and Afghanistan?

Answer. I believe the military justice system has proven itself to be remarkably adept at adjusting to the varied situations arising out of the many operations, missions, and deployments of our Armed Forces during the last decade. Accordingly, I am not currently aware of any changes that are needed in light of the experiences of the Armed Services in Iraq and Afghanistan. However, if confirmed I would always be keenly interested in any recommendations that may be generated by the Joint Services Committee or the Code Committee, as well as any legislative proposals that may be made by, or to, Congress, including the Senate Armed Services Committee.

CAPITAL CASES IN THE ARMED FORCES

Question. The ability of the military justice system to provide qualified personnel and resources necessary to capably defend and prosecute death penalty cases and respond to the constitutional requirements associated with such cases has come under scrutiny.

What is your understanding of the requirements under constitutional precedent for the defense of a capital case?

Answer. In *Strickland* v. *Washington*, 466 U.S. 668 (1984), the Supreme Court established a framework for determining whether the performance of a defense counsel in a capital case was constitutionally adequate. Specifically, Strickland requires the defendant to prove both that the counsel's representation was deficient, and that there is a reasonable probability that, but for the counsel's deficiency, the outcome of the trial would have been different. In later cases the Supreme Court held that failure to conduct a thorough investigation of potential mitigating factors may constitute ineffective assistance of counsel. (See *Wiggins* v. *Smith*, 123 S. Ct. 2527 (2003); *Porter* v. *McCollum*, 130 S. Ct 447 (2009).)

Question. Based on your review of military jurisprudence regarding death penalty cases since the U.S. Supreme Court ruling in *Furman* v. *Georgia*, what are the issues or errors that have most frequently resulted in overturning of death sentences on appeal?

Answer. In the vast majority of death penalty cases in the military that have been overturned on appeal, the reason for the reversal has been due to ineffective assistance of counsel.

Question. What do you consider to be the essential elements in preparing court-martial practitioners for the prosecution and defense in capital cases?

Answer. In capital cases it is critically important for both the trial counsel and the defense counsel to be top-notch lawyers of the highest caliber. Next, these lawyers must receive the necessary training in order to ensure that they are fully aware of all the facets of handling a capital case so that they will be informed and effective advocates at each stage of the proceedings. Further, these lawyers must have significant experience litigating cases; training is vitally important, but there is no substitute for hands-on litigation experience in the courtroom when handling a capital case. Next, the lawyers must have ready access to assistance and support in handling certain legal aspects of issues that are unique to capital cases. Lastly, the lawyers on both sides must have adequate time to prepare their cases. Even great lawyers with great training, great experience, and great access to resources cannot perform at a level commensurate with what we must demand in all capital cases unless they have adequate time to analyze and prepare the case.

COMMAND INFLUENCE

Question. The problem of command influence, including instances involving judge advocates as well as commanders, is a constant threat to the military justice system.

What is your view as to the role of the USCAAF in addressing this problem?

Answer. As the USCAAF reiterated in *United States* v. *Lewis*, unlawful command influence is the mortal enemy of military justice, and where it is found to exist, judicial authorities must take those steps necessary to preserve both the actual and apparent fairness of criminal proceedings. Accordingly, the USCAAF has been, and must continue to be, vigilant against the corrosive effects of unlawful command influence at every stage of legal proceedings. Further, the court must ensure that all allegations of unlawful command influence are fully litigated at trial and on appeal. Finally, in those cases where unlawful command influence has occurred, the court must take strong, appropriate action to remedy the problem.

PRECEDENT UNDER MILITARY COMMISSIONS ACT

Question. The Military Commissions Act of 2009 (MCA) provides that the judicial construction and application of the UCMJ, while instructive, is "not of its own force binding on military commissions established under this chapter." In addition, the MCA amended Article 39 of the UCMJ to provide that the findings, holdings, interpretations, and other precedents of military commissions "may not form the basis of any holding, decision, or other determination of a court-martial."

What is your understanding of the relationship between the judicial construction of the UCMJ and the judicial construction of the MCA?

Answer. The rules of evidence and procedure in the Manual for Military Commissions (MMC) differ in several important respects from those in the Manual for Courts-Martial (MCM). For example, the MMC allows for admission of certain hearsay evidence "not otherwise admissible under the rules of evidence applicable in trial by general courts-martial". The Manual notes that these differences "reflect the [Secretary of Defense's] determinations that departures are required by the unique circumstances" arising out of the conduct of certain military and intelligence operations. However, despite these differences, the procedures for military commissions are generally based on the procedures for trial by general courts-martial under the UCMJ. Nonetheless, as noted above, while the judicial construction and application of the UCMJ are to be considered instructive, they "are not of their own force bind-

ing on military commissions." Therefore, the judges within the military commission system are authorized to interpret the MMC provisions that are the same or similar to provisions in the UCMJ in a different manner than they otherwise would be required to interpret them if USCAAF precedential decisions were binding upon them.

[The nomination reference of Mr. Kevin A. Ohlson follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
March 21, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Kevin A. Ohlson, of Virginia, to be a Judge of the U.S. Court of Appeals for the Armed Forces for the term of 15 years to expire on the date prescribed by law, vice Andrew S. Effron, term expired.

[The biographical sketch of Mr. Kevin A. Ohlson, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF KEVIN A. OHLSON

Education:

Washington and Jefferson College
- September 1978–May 1982
- Bachelor of Arts Degree awarded May 1982

University of Virginia School of Law
- August 1982–May 1985
- Juris Doctorate Degree awarded May 1985

Employment record:

U.S. Department of Justice Professional Misconduct Review Unit
- Chief
- January 2011–present

Office of the Attorney General
- Chief of Staff and Counselor to the Attorney General
- January 2009–January 2011

Executive Office for Immigration Review
- Director
- Deputy Director
- Member of the Board of Immigration Appeals
- March 2001–January 2009

Office of the Deputy Attorney General
- Chief of Staff to the Deputy Attorney General
- June 1997–March 2001

Office of the U.S. Attorney for the District of Columbia
- Special Counsel to the U.S. Attorney
- Assistant U.S. Attorney
- December 1989–June 1997

Headquarters, XVIII Airborne Corps, Saudi Arabia
- Judge Advocate Officer
- October 1990–April 1991

Office of the Staff Judge Advocate, Fort Bragg
- Judge Advocate Officer
- January 1986–December 1989

Honors and awards:

Department of Justice Edmund J. Randolph Award (2011)
Department of Justice Distinguished Service Award (2010)
Department of Justice Edmund J. Randolph Award (2001)

Bronze Star (1991)
Kuwait Liberation Medal (1991)
Southwest Asia Service Medal (1991)
National Defense Service Medal (1991)
Army Achievement Medal (1989)
Honduran Parachutist Badge (1988)
Army Parachutist Badge (1986)
Phi Beta Kappa (1982)
James G. Blaine Political Science Prize, Washington and Jefferson College (1982)
George C. Marshall Award (1981)
Army Air Assault Badge (1980)
Four-Year Army R.O.T.C. College Scholarship (1978)

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Mr. Kevin A. Ohlson in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Kevin Alan Ohlson.

2. **Position to which nominated:**
Judge, U.S. Court of Appeals for the Armed Forces.

3. **Date of nomination:**
March 21, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
March 29, 1960; Town of Holden, Worcester Couty, MA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Carolyn Florence Davis.

7. **Names and ages of children:**
Matthew Edward Ohlson, age 16
Katherine Elizabeth Ohlson, age 14

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.

Wachusett Regional High School; attended 1974 to 1978; high school diploma received in June 1978

Washington and Jefferson College; attended 1978 to 1982; Bachelor of Arts degree received in May 1982

University of Virginia School of Law; attended 1982to1985; Juris Doctorate degree received in May 1985

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Deputy Director, Executive Office for Immigration Review. I supervised the Board of Immigration Appeals and the Office of the Chief Immigration Judge; my employer was the United States Department of Justice; my office was located at 5107 Leesburg Pike, Falls Church, VA; I served in this position from December 2002 to March 2007.

Director. Executive Office for Immigration Review. I served as the head of the agency which is responsible for adjudicating all immigration cases nationwide; my employer was the U.S. Department of Justice; my office was located at 5107 Leesburg Pike, Falls Church, VA; I served in this position from March 2007 to January 2009.

Chief of Staff and Counselor to the Attorney General. I advised the Attorney General on legal issues, and I managed the attorneys and staff who worked within the Office of the Attorney General; my employer was the U.S. Department of Justice; my office was located at 950 Pennsylvania Avenue, NW, Washington, DC; I served in this position from January 2009 to January 2011.

Chief, Professional Misconduct Review Unit. I handle disciplinary actions and State bar referrals in all instances where the Office of Professional Responsibility has made a preliminary finding that a Federal prosecutor has engaged in professional misconduct; my employer is the U.S. Department of Justice; my office is located at 800 Follin Lane, S.E., Vienna, VA; I have served in this position from January 2011 to the present.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

I served on Active Duty as an officer in the U.S. Army from January 1986 to December 1989. I then was recalled to Active Duty from October 1990 to April 1991 and served overseas during the Persian Gulf War. I also served on inactive Reserve duty from January 1990 to September 1990, and from June 1991 to October 1995.

I served as an Assistant U.S. Attorney in the District of Columbia from December 1989 until June 1997 (with a break in service during the time I was recalled to Active Duty, as mentioned above).

I served as Chief of Staff to the Deputy Attorney General at the Department of Justice from June 1997 to March 2001.

I served as a member of the Board of Immigration Appeals at the Department of Justice from March 2001 to November 2002.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

Not applicable.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

Member, American Legion (1992 to present)

Member, Veterans of Foreign Wars (1992 to present)

Member, Virginia State Bar (1985 to present; on inactive status since 1995)

Member, Bar of the District of Columbia (1992 to present)

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

Not applicable.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Not applicable.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

06/27/2008, $1,000 contribution to Obama for America

07/01/2008, $200 contribution to ActBlue

02/15/2012, $250 contribution to Dwight Holton for (Oregon) Attorney General
09/17/2012, $500 contribution to the Obama Victory Fund

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Four-year Army R.O.T.C. college scholarship (1978)
Phi Beta Kappa (1982)
James G. Blaine Political Science Prize, Washington and Jefferson College (1982)
George C. Marshall Award (1981)
Bronze Star Medal (1991)
Southwest Asia Service Medal with Two Bronze Service Stars (1991)
Kuwait Liberation Medal (1991)
National Defense Service Medal (1991)
Army Achievement Medal (1989)
Army Air Assault Badge (1980)
Army Parachutist Badge (1986)
Honduran Parachutist Badge (1988)
Department of Justice Edmund J. Randolph Award (2001)
Department of Justice Distinguished Service Award (2010)
Department of Justice Edmund J. Randolph Award (2011)

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Co-author of "Dealing with the Media in High Profile White Collar Crime Cases: The Prosecutor's Dilemma," in the 1995 edition of the American Bar Association's publication, White Collar Crime.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

Not applicable.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

KEVIN A. OHLSON.

This 16th day of May, 2013.

[The nomination of Mr. Kevin A. Ohlson was reported to the Senate by Chairman Levin on September 24, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on October 16, 2013.]

NOMINATIONS OF MR. MICHAEL D. LUMPKIN TO BE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT; HON. JAMIE M. MORIN TO BE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION (CAPE), DEPARTMENT OF DEFENSE; AND HON. JO ANN ROONEY TO BE UNDER SECRETARY OF THE NAVY

THURSDAY, OCTOBER 10, 2013

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:37 a.m. in room SD–G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, Nelson, Hagan, Gillibrand, Blumenthal, Donnelly, Kaine, King, McCain, and Ayotte.

Committee staff members present: Peter K. Levine, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Jonathan D. Clark, counsel; Creighton Greene, professional staff member; Michael J. Kuiken, professional staff member; Gerald J. Leeling, general counsel; Jason W. Maroney, counsel; Mariah K. McNamara, special assistant to the staff director; William G.P. Monahan, counsel; Michael J. Noblet, professional staff member; Roy F. Phillips, professional staff member; and William K. Sutey, professional staff member.

Minority staff members present: Adam J. Barker, professional staff member; Steven M. Barney, minority counsel; William S. Castle, minority general counsel; Allen M. Edwards, professional staff member; Thomas W. Goffus, professional staff member; Anthony J. Lazarski, professional staff member; Daniel A. Lerner, professional staff member; Natalie M. Nicolas, minority staff assistant; and Lucian L. Niemeyer, professional staff member.

Staff assistants present: John L. Principato and Brendan J. Sawyer.

Committee members' assistants present: Carolyn A. Chuhta, assistant to Senator Reed; Christopher M. Cannon, assistant to Senator Hagan; Mara L. Boggs, assistant to Senator Manchin; Chad R. Kreikemeier, assistant to Senator Shaheen; Moran Banai and

Brooke Jamison, assistants to Senator Gillibrand; Ethan A. Saxon, assistant to Senator Blumenthal; David J. Park, assistant to Senator Donnelly; Mary A. Naylor, assistant to Senator Kaine; Stephen M. Smith, assistant to Senator King; Paul C. Hutton IV, assistant to Senator McCain; Lenwood A. Landrum, assistant to Senator Sessions; Todd P. Harmer, assistant to Senator Chambliss; Bradley L. Bowman, assistant to Senator Ayotte; and Craig R. Abele and Marissa Prianti, assistants to Senator Graham.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody.

The committee meets this morning to consider the nominations of Jamie Morin to be Director of Cost Assessment and Program Evaluation (CAPE), Michael Lumpkin to be the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD(SO/LIC)), and Jo Ann Rooney to be Under Secretary of the Navy.

Before we proceed, we all wish our colleague, Jim Inhofe, well. He is doing well. I spoke to him shortly after his operation. It was quite amazing actually. He sounded in great shape. He was raring to go, and it was not too many hours after his operation. We all look forward to his rejoining us soon. In the meantime, we have our former ranking member with us again. We are delighted that Senator McCain is able to fill in for him.

We welcome our witnesses and their families. We extend our gratitude to the family members who support our nominees through the long hours, the countless demands of their careers in public service. We all recognize the essential role that families play. Without support, our nominees and the people who hold these offices just simply cannot succeed. Our witnesses, during their opening statements, should feel free to introduce family members or others who are here to support them.

We are delighted to welcome Senator John Hoeven. John, there you are. You will be introducing Mr. Morin in a few moments following Senator McCain's remarks.

The positions to which our witnesses have been nominated are some of the most demanding in the Department of Defense (DOD).

The Director of Cost Assessment and Program Evaluation provides independent analytic advice to the Secretary and Deputy Secretary of Defense on issues spanning the entire defense landscape. In some ways this is an unenviable role as a truly independent cost estimating director will never be popular in the Department, but he will make our acquisition system stronger and more precise by forcing the Department to take a hard look at current requirements and highlighting those that are unrealistic.

Mr. Morin, we are pleased to note, is a Michigan native, by the way. We are very proud of you and that qualification alone, as far as I am concerned, would be enough for your confirmation, but you are also well qualified for this undertaking because you have served as Assistant Secretary of the Air Force for Financial Management and Comptroller and as the Senior Defense Analyst for the Senate Budget Committee prior to that.

The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD(SO/LIC)) has one of the most demand-

ing and diverse portfolios in the Department. If confirmed, Mr. Lumpkin will have policy responsibility for DOD efforts in many critical areas, including counterterrorism, counternarcotics, stability operations, building partner capacity, counterthreat finance, and transnational criminal organizations.

Fortunately, Mr. Lumpkin is no stranger to these issues, having served previously as Principal Deputy ASD(SO/LIC), and the committee looks forward to hearing how he would balance the various responsibilities that he would have.

The Under Secretary of the Navy serves as the Deputy and Principal Assistant to the Secretary of the Navy and is responsible for the day-to-day management of the Department. If confirmed, Dr. Rooney will be tasked to lead and manage the Navy's Senior Executive Service and undertake the role of Chief Management Officer for the Navy charged with improving departmental business practices in support of its warfighting mission. This vital management function is made all the more essential by the austere budget environment that we currently face.

Dr. Rooney will surely draw on her experience in the private sector as a former university president and financial attorney, as well as draw on her time as the Principal Deputy Under Secretary of Defense for Personnel and Readiness.

All of our nominees are well-qualified for the positions to which they have been nominated. We look forward to their testimony.

Senator McCain?

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman. I echo your sentiment and hope for the speedy recovery of Jim Inhofe. He says he feels like an Olympian, and I do not doubt it. We wish him well and hope to have him back here soon, which I am told will be very soon, and we certainly look forward to his continued energetic and informed participation as ranking member of this committee.

I welcome the families and thank Senator Hoeven for his testimony on behalf of Dr. Morin. That may bring his nomination into doubt in my mind. [Laughter.]

If confirmed, these nominees will enter DOD in the midst of great difficulty, caused in large part by the failure of Congress to address budget sequestration or authorize and appropriate in a timely and predictable way, but also by systemic departmental shortcomings which contribute to a "culture of inefficiency" that is robbing warfighters of reliable equipment and absolutely failing the taxpayers.

Mr. Lumpkin, if confirmed as Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, you will be asked to set policies and practices for our Special Operations Forces. As we draw down conventional forces in Afghanistan, the worldwide demand for special operations remains high. Threats to American interests and international stability persist and grow.

In Syria, Bashar Assad placates the international community with overtures about destroying stocks of chemical weapons, his country fractures, threatening our friends and allies in the region.

Iran's new figurehead, President Hassan Rouhani, has commenced a charm offensive that does nothing to change the fact that

the Ayatollah's regime continues to destabilize the Middle East, support terrorist organizations that have killed Americans, espoused the destruction of Israel, oppressed its own people, developed ballistic missiles, and assists Assad in the slaughter of more than 110,000 Syrians.

All the while, our forces continue to distinguish themselves prosecuting operations against terrorists throughout the world.

We as a Government have been, as Secretary Bob Gates articulated so well, utterly unable to predict what future threats we may face and what forces we will need to respond to them. We will look to you to ensure that our asymmetric military capabilities remain strong.

Unfortunately, some of the most serious risks to the institution of DOD and, by extension, our national security are right here in our Government. Congress has provided the Government with precious little certainty about future funding, which has caused untold amounts of scrapped planning, administrative double work, and waste. The sequester, an embodiment of a divestiture of moral courage, has created budgetary instability that is causing well-performing programs to be cut, program officials to be furloughed, and readiness accounts to be plundered, all of which undermine any attempts to properly husband taxpayers' dollars.

In the midst of these across-the-board reductions, Congress and the White House have pushed the Government into a partial shutdown, replete with examples of how we are failing our troops and our constituents.

But DOD's own difficulty in efficiently and effectively managing large programs and business processes have also contributed to the position it finds itself in. After more than a decade of profligate spending and lax internal oversight, senior defense leaders must now impel cultural change throughout the Department regarding procurement practices, financial improvement, and business transformation.

Dr. Rooney, if confirmed, as Under Secretary of the Navy, you will be charged with executing the full scope of the Department of the Navy's business activities, a requirement akin to being the chief operating officer at a Fortune 500 company. You would be responsible for changing a Navy culture that permits inefficient buying of goods and services and management of resources. The *Gerald R. Ford* aircraft carrier and the Littoral Combat Ship (LCS) are only the most recent examples of programs that have been undertaken without regard for affordability or what our combatant commanders and servicemembers actually need. The Navy faces severe management challenges that require, perhaps more so than ever, world-class skill and judgment of those in management. We are keen to know what about your background qualifies you to manage such an organization at a time when the Navy not only needs established leadership but demonstrated results.

Dr. Morin, in this era of declining budgetary resources, the need for independent, unbiased, and auditable cost assessments of current and future programs is paramount. We simply cannot afford to pour treasure into programs that under-perform, deliver unreliable capability, or for which we are unable to determine lifecycle costs. If confirmed as Director of Cost Assessment and Program

Evaluation, one of your most important functions will be to provide accurate cost and schedule analysis of major defense acquisition programs. This analysis is vital since cost estimates prepared by the Services for major weapons systems have historically proved inaccurate.

You are well aware that this committee created the position you have been nominated to fill, and I believe CAPE has demonstrated some success in driving cost-consciousness into the Services. But as budgets continue to shrink and entrenched interests fight even harder for resources, your job will be more difficult than your predecessors. I look forward to hearing how you attempt to accomplish your charter.

Mr. Chairman, I thank you for convening this hearing. DOD desperately needs strong leadership, and I hope to leave today confident that our witnesses will provide it.

I'd like to submit a statement on behalf of Senator Inhofe.

Chairman LEVIN. Thank you so much, Senator McCain. The statement will be entered into the record.

[The prepared statement of Senator Inhofe follows:]

PREPARED STATEMENT BY SENATOR JAMES M. INHOFE

Thank you, Mr. Chairman. I join you in welcoming our witnesses today and thank them and their families for their willingness to serve our great Nation.

Mr. Lumpkin, this administration has repeatedly downplayed the threat from al Qaeda and its terrorist affiliates to our national security. Just the other week before the United Nations General Assembly, the President made a statement that I found deeply troubling. He stated that "The world is more stable than it was 5 years ago." I couldn't disagree more. Over the last decade, the number of countries al Qaeda and its affiliates operate from has increased dramatically. Rising chaos throughout the Middle East and Africa is allowing al Qaeda and other terrorist groups to regain their balance and expand their spheres of control. From newfound safe havens, these groups remain determined to plan and launch attacks against the United States and our interests. Despite premature claims by this administration about the demise of al Qaeda and its affiliates, it's increasingly clear that the threat from these groups isn't declining, it's evolving. As such, we must remain vigilant and on the offensive. Underpinning these efforts must be a comprehensive strategy to combat what are increasingly global terrorist networks. We cannot simply kill our way to victory. We must attack their safe havens by empowering regional partners through sustained security assistance and engagement and we must enhance our efforts to disrupt the illicit financial networks that fund their operations. I look forward to hearing your assessment of our current efforts and how you believe we can improve their effectiveness.

Dr. Rooney, if confirmed you will be the second-highest ranking civilian in the Navy and will serve as the Navy's Chief Management Officer. In this capacity, you will be responsible for the overall performance of the Navy's business operations. To be candid, I am concerned by your lack of experience with the Navy and apparent lack of qualifications for this position. I look forward to hearing why you feel you are qualified for this position and the right person to help lead the Navy as it confronts unprecedented budget uncertainty, declining readiness, and mounting strategic instability.

Mr. Morin, if confirmed as the Director of the Cost Assessment and Program Evaluation, you will be responsible for providing the Secretary of Defense with unbiased analysis and cost and schedule assessments for the entire defense program. To date, this program has been plagued by cost overruns and schedule delays, withholding important capabilities from the battlefield. A significant contributing factor to these problems has been a lack of accountability throughout the acquisition process. Without accountability, our ability to provide the best possible equipment for our men and women in uniform on budget and on schedule will be severely undermined. As Director, you will play a vital role in informing the decisions of the acquisition community by conducting upfront risk assessments and feasibility studies to ensure we maximize each of our increasingly scarce acquisition dollars. I believe your time as Comptroller of the Air Force will serve you well in as you take on these challenges.

Again, I thank our nominees for being with the committee today and look forward to their testimony.

Chairman LEVIN. Senator Hoeven, we are really delighted to have you here today, and we know that you have the kind of schedule that we all have. We are going to call on you first for your introduction, and then you are free to leave.

STATEMENT OF HON. JOHN HOEVEN, U.S. SENATOR FROM THE STATE OF NORTH DAKOTA

Senator HOEVEN. Thank you, Mr. Chairman. It is good to be with you, also the former ranking member, Senator McCain.

Like both of you and all of our colleagues, I want to extend my best wishes for a full and speedy recovery to Ranking Member Senator Inhofe. From what I have heard, the doctor said he will have two or three times as much energy as he had before the bypass surgery. That is bad news for his staff. I am telling you right now. [Laughter.]

Chairman LEVIN. As though we did not have enough problems before his surgery.

Senator HOEVEN. Yes, because he went full speed before.

It is an honor to have this opportunity to make a few comments and to introduce and to recommend very strongly to you Dr. Jamie Morin. If I could take a few minutes to do that, I would appreciate it very much.

I am here to strongly support the nomination of Dr. Jamie Morin to be the second Director of CAPE for DOD. I know that you and your staffs know Jamie from his work over the last 4 years as Air Force Comptroller, and before that, you know him from his 6 years working for our friend and former colleague, Senator Kent Conrad, as the senior defense analyst on the Budget Committee. I think it goes without saying that he is very highly regarded in this chamber.

The Director of CAPE—and Senator McCain made, I think, some comments that are absolutely right on the mark in regard to CAPE. But the Director of CAPE is a critical person in the Pentagon. He or she needs to be clearly independent, needs to be a strong analyst, a leader, and above all, needs to be fair. I think that goes exactly to what Senator McCain was talking about in terms of understanding both costs and lifecycle capabilities for our weapons systems.

I have had the pleasure of working with Jamie for almost the entire 10 years he has been working in Washington, including most of my tenure as Governor of North Dakota. Although he has never worked for me, there have been many times that I have relied on his absolutely well-informed and first-rate advice.

Based on my experience, I think he has exactly those attributes that we need in CAPE, attributes like independence, fairness, and skill in leading analysis and, Mr. Chairman, as you have said, at such a critical time for our armed services. Truly we need somebody with his skill and background to provide people with your skill and background with the information that you need to make these important decisions.

He is an excellent match for Secretary Hagel's needs in these very challenging times. His past experiences provide him with the

best possible preparation to become the CAPE Director. Based on his experience in Congress, Jamie understands that it is vital for DOD to estimate costs as accurately as possible. The time he spent as Comptroller of the Air Force only reinforces the large fiscal challenges facing the Defense Department and the critical need to make the right choices now to preserve and enhance our armed services for the coming years. That is the perspective we need in a CAPE Director.

As I was thinking through this introduction today, I spoke with Senator Conrad, and he emphasized that Jamie has exceptionally good judgment that will serve him very, very well in this position. In fact, he told me that Jamie developed his great interest in the military as a youngster because he used to sit and read the encyclopedias, something I know that Senator McCain did extensively as well. In reading the entire encyclopedia set, the thing that really grabbed his interest was military power, air power, aviation, military equipment, and that has been a passion of his ever since. Who better, with that kind of interest and passion, to be the leader at CAPE?

From my personal experience, I would note that I have heard over and over from our military leadership about the great work Jamie has done for our Air Force, and I have witnessed it firsthand. He has kept a strategic perspective and a calm head in today's very turbulent times, and I can attest that Jamie has provided excellent, unbiased information and assessment to me whenever I have asked him about Air Force programs.

Not surprisingly, Jamie also hasa very strong academic background, a Ph.D. from Yale, a master's degree in public policy from the London School of Economics, and a bachelor's degree in the foreign service studies from Georgetown.

Outside of Government, he has worked as a strategist, an analyst, and an economist. Our country needs able people to volunteer for public service, and our military needs the support of dedicated civilians like Jamie. I am very glad to see that he has been nominated for this important position, and I am very confident that this committee will see more great contributions from him in the years to come. It is my hope that this committee can act quickly on his nomination and that we can move with similar speed on the Senate floor so that the Defense Department can benefit from his expertise as soon as possible in this very critical time.

One other personal note that I will mention in closing is that I can remember about 8 years ago during the base realignment and closure (BRAC) process, Jamie was extremely involved in that very difficult and arduous process putting together incredible amounts of information not only for Senator Conrad. At that time, I was Governor and we were working with BRAC. It was, needless to say, a difficult, challenging environment, one that required a tremendous amount of information, intelligence, somebody that knew what was going on and could work well with many different people in many different capacities. I would have to say that Dr. Morin went 24/7 for I do not know how long, but at the very same time, his son Liam, who is here today, was born. I think that just reflects on the kind of dedication that this individual has for our country and for our Armed Forces. Isn't that just exactly what we want in

the people that work at DOD in these very, very important positions, so important not just for our armed services but for our country?

Thank you so much, Mr. Chairman and Acting Ranking Member Senator McCain. Thank you so much for this opportunity to provide some comments.

Chairman LEVIN. Thank you very much, Senator.

Senator MCCAIN. Mr. Chairman, that might be one of the longest introductions of a witness——[Laughter.]

But I loved every word of it. Thank you.

Chairman LEVIN. Senator Hoeven, your reference to Senator McCain reading the encyclopedia will be placed in the classified portion of this record. [Laughter.]

Thanks so much.

First, we are going to ask our standard questions at this time. I think all three of you know that because of our legislative and oversight responsibilities, we must be confident that we are going to receive testimony, briefings, and other communications and information that are accurate, prompt, straight from the shoulder. Let me ask you all the following questions.

Have you adhered to applicable laws and regulations governing conflicts of interest?

Mr. LUMPKIN. Yes.

Dr. MORIN. Yes.

Dr. ROONEY. Yes.

Chairman LEVIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

Mr. LUMPKIN. No.

Dr. MORIN. No.

Dr. ROONEY. No.

Chairman LEVIN. Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Mr. LUMPKIN. Yes.

Dr. MORIN. Yes.

Dr. ROONEY. Yes.

Chairman LEVIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

Mr. LUMPKIN. Yes.

Dr. MORIN. Yes.

Dr. ROONEY. Yes.

Chairman LEVIN. Will those witnesses be protected from reprisal for their testimony or briefings?

Mr. LUMPKIN. Yes.

Dr. MORIN. Yes.

Dr. ROONEY. Yes.

Chairman LEVIN. Do you agree, if confirmed, to appear and testify upon request before this committee?

Mr. LUMPKIN. Yes.

Dr. MORIN. Yes.

Dr. ROONEY. Yes.

Chairman LEVIN. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner

when requested by a duly constituted committee or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Mr. LUMPKIN. Yes.

Dr. MORIN. Yes.

Dr. ROONEY. Yes.

Chairman LEVIN. Thank you very much. We will start with Dr. Morin.

STATEMENT OF HON. JAMIE M. MORIN, TO BE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION, DEPARTMENT OF DEFENSE

Dr. MORIN. Chairman Levin, Senators, it is a delight to come before this committee again today as a nominee of President Obama, in this case for Director of Cost Assessment and Program Evaluation. Thank you for the opportunity to appear before a committee that continues to make a real difference for our Nation and our men and women in uniform.

I, of course, want to join each of you in wishing a very speedy recovery to Ranking Member Inhofe and we all look forward to seeing him back.

It was a real honor to be nominated by the President to be just the second Director of Cost Assessment and Program Evaluation, to have the chance to support Secretary Hagel in these very challenging and interesting times. If this committee and the Senate consent, I will certainly be privileged to serve in that position and to continue the progress that has been made to institutionalize CAPE and to implement the recommendations of the Weapons Systems Acquisition Reform Act that occurred under Christine Fox's leadership as the first director.

CAPE is a remarkable organization really that builds on the history of two incredibly important groups in DOD that have done great work over many years. The systems analysts, who started out life as Secretary McNamara's whiz kids and became the respected and sometimes feared gurus of program analysis and evaluation, have I think been recognized widely as the best analytic team in Government. It would be a privilege to lead them. The hard-core number crunchers in cost assessment are also world-class and sometimes the first in DOD to see problems with our major programs and a crucial check on what can be undue optimism in starting and carrying out our acquisition programs.

I have had the pleasure of working over the last 4 years closely with both of those teams, and again, it is humbling to be asked to be the leader of such an impressive group of dedicated public servants.

I appreciated very much Senator Hoeven's generous introduction, maybe too generous of an introduction. It was a pleasure getting to know him and Senator Conrad during my tenure working for the Budget Committee and, by extension, the great people of the State of North Dakota. I think team North Dakota was always a very tight-knit group, and I appreciate that tight-knit group coming forward to introduce me here. Even as a proud Michigander that never lived in the State, I am honored to have a second State to call my home.

I do think my time observing those two leaders, Senator Hoeven and Senator Conrad, I got to see them in action quite a bit, and despite the fact they did not always agree on specific positions or policies, they managed to get a remarkable amount done for their State and for the Nation. I think that should be an example to all of us about how we can partner to do better to serve this Nation and to serve the men and women who take an oath to defend us and our Constitution.

I wanted to take just one moment to introduce some family members here today, if I may. My wife Megan sitting behind me here has been just a wonderful partner throughout my time in public service. She is making her own distinguished contributions to this Nation. She and my son Liam, sitting next to her, returned just a year ago from a 2-year Foreign Service assignment in Ethiopia.

Chairman LEVIN. Your son we are talking about? A 2-year assignment.

Dr. MORIN. He is a distinguished diplomat. [Laughter.]

He has cocktail party stories, too. [Laughter.]

They did great work there and they did it despite the fact that Meg had to carry a lot of weight without an accompanying spouse. They have put up with my unpredictable schedule both in the Senate and at the Pentagon.

I am also deeply grateful that my parents, Bridget and Michael Morin, were able to come out from Michigan to be with us here today, as well as a number of other family and friends to support me in this hearing, including my brother-in-law, Rick Baker.

Mr. Chairman, I will just close briefly by saying this committee has vested very serious responsibilities in the Director of CAPE. They are going to require first-class analysis. They are going to require very much an independent attitude to the problems that come before me. As a scholar of the defense budget process and now after 4 years in the Pentagon, I know that, if confirmed, my job will be to support the Secretary of Defense in developing a program and a budget in a time of extraordinary uncertainty.

The most helpful thing that could come to DOD right now would be greater certainty and ability to plan. Planning in the face of this level of uncertainty is extraordinarily difficult. But if I am confirmed, you can have confidence that I will continue to provide the top leadership of DOD and this Congress with independent, responsive, analytically rigorous advice on the toughest issues facing our military and our Nation.

Again, my thanks to the President and to Secretary Hagel for their confidence, and I look forward to the committee's questions. Thank you.

Chairman LEVIN. Thank you so much.

We will now go to Mr. Lumpkin.

STATEMENT OF MR. MICHAEL D. LUMPKIN TO BE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT

Mr. LUMPKIN. Thank you, Mr. Chairman, Senator McCain, members of the committee. It is a privilege to appear before you this morning. I appreciate the opportunity to answer any questions you

may have regarding my nomination as Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

I wish to thank President Obama, Secretary Hagel, and Under Secretary Miller for their support of my nomination.

I would like to thank my family and friends whose continued support through the years has been essential.

Also, I would be remiss if I did not thank the soldiers, sailors, airmen, marines, and their families with whom I have had the honor to serve during my career in the special operations community. Their selfless commitment to our Nation and to each other is a testament to the strength of our military community and to our Nation. If confirmed, it will be my deepest honor to serve.

The mission of the Special Operations and Low Intensity Conflict Secretariat is critical to national defense. Succeeding at the tip of the spear requires intensive training, state-of-the-art equipment, speed, agility, and also important is the decisive so-called soft skills such a problem-solving, relationship-building, and collaboration. I believe my operational and policy background as Principal Deputy Assistant Secretary of Defense for SO/LIC and as Special Assistant to the Secretary of Defense, in conjunction with my career as a U.S. Navy SEAL in both wartime and peace, has prepared me for this nomination. Additionally, my work in the private sector has equipped me with executive level management capabilities that are required to be successful in today's constrained fiscal environment.

If confirmed, I look forward to working with this committee and Congress as a whole to address the national security challenges we face in order to keep America safe, secure, and prosperous. I will make every effort to live up to the confidence that has been placed in me.

I am grateful for your consideration, and I look forward to your questions. Thank you very much.

Chairman LEVIN. Thank you, Mr. Lumpkin.

Dr. Rooney?

STATEMENT OF HON. JO ANN ROONEY, TO BE UNDER SECRETARY OF THE NAVY

Dr. ROONEY. Good morning. Thank you, Chairman Levin, Senator McCain, other members of the committee. I also join in wishing a continued speedy recovery for Senator Inhofe.

I would also like to thank Secretary Mabus and Secretary Hagel for their support, as well as President Obama for the confidence he has shown by placing my name into nomination to be the next Under Secretary of the Navy.

This opportunity is both a privilege and an honor, but it is also very humbling. If confirmed, I will work tirelessly to ensure that I live up to what is an enormous amount of trust that will be placed in me.

I would like to take a moment to recognize some very important people in my life who have traveled from Florida, Massachusetts, and Pennsylvania to be with me here this morning. My mom, Patricia Rooney, is with me today and I want to introduce her and offer her my heartfelt and special thank you. It is because of her support and that of my late dad John that I am with you today. My dad, an Army veteran, and my mom, a retired public school ele-

mentary teacher, taught me that anything is possible, I must embrace opportunities and challenges, and that I should always strive to leave an organization and the people in it better for my efforts.

I am also so fortunate to have several other special people in my life here today. My dearest friend of over 30 years and sister of the heart, Linda Pitsorni, along with her daughter Veronica, a freshman in college, are here. Veronica, along with her sister Alessia, who is completing a semester abroad and here in spirit, are in so many ways my nieces.

Father Jim Rafferty, a very dear friend and extended family member, is someone with whom I have logged many nautical miles sailing the waters throughout New England and the East Coast.

A retired teacher, John Danes, a retired engineer from the National Aeronautics and Space Administration, traveled with mom from Florida to lend their support.

Finally, Ann McGill and Teresa Bacola, also retired public school teachers, have been special friends for many years.

Thank you all for being here.

Particularly in the next few years, the role of Under Secretary of the Navy will require a breadth of experience and perspective to support many key priorities, including the number one asset, our people: sailors, marines, civilians, and their families. We must assure they are supported and we acknowledge their service and sacrifices through our actions; that we maintain operational readiness for today's requirements, as well as those into the future, even in an era of fiscal uncertainty; that the shipbuilding and industrial base are strengthened, supporting a fleet that is affordable and sustainable for the long term; that the acquisition process is efficient, effective, and maintains the highest level of integrity and accountability. Being good stewards of taxpayer dollars is particularly critical given the fiscal realities we face now and into the future.

I have had the privilege of serving under and learning from both Secretary Gates and Secretary Panetta. The experiences from my service in Personnel and Readiness, addressing many difficult issues, as well as the opportunities I have had to work side by side with senior military and civilian leadership in the development of the strategic plan and supporting budgets are invaluable. My work as a university president, business executive, and board member for numerous nonprofit and for-profit organizations, along with my educational background, provide me with the range of experiences and perspectives needed to bring to this role, if confirmed. Along with the dedicated team of men and women in the Department of the Navy, I am confident that this breadth and depth of experience to think strategically, foster innovation, improve effectiveness, enhance accountability, and address changes both in the fiscal and operational environments will support the priorities of people, platforms, power, and partnerships.

My goal, if confirmed, is to ensure that the decisions made and the plans executed over the next few years further support the Navy and Marine Corps for missions now and into the future, retaining our place as the world's most capable and most versatile expeditionary fighting force.

In closing, I would like to thank all the members of the committee for their time and consideration both during this hearing

and in our previous conversations. If confirmed, I pledge to work diligently and give my best efforts to serve the men and women and their families who are all part of the Department of the Navy.

I am sure I speak not only for myself but also for many others in extending my appreciation and gratitude to all of our sailors and marines for their selfless service. We are all so very proud of you and cannot thank you and your families enough for all of your sacrifices.

Thank you.

Chairman LEVIN. We are going to start with an 8-minute round this morning. Let me start with you, Secretary Morin, with a question on sequestration.

Tell us what you expect the impact of sequestration and the Secretary's directive to reduce staffing by 20 percent is going to have on the organization and staffing of the Office of the Director of CAPE.

Dr. MORIN. Mr. Chairman, it is very clear to me that the Secretary's direction to make a roughly 20 percent reduction in headquarters budgets to include substantial reductions in all of the human resource sources that we use to do the Department's mission will have an effect on CAPE if we do not do a good job of structuring and managing the organization in order to apply the incredibly talented staff to the top priorities of the Department. As I understand it, the current leadership of CAPE has worked with former Secretary Michael Donely, who was charged by the Deputy Secretary of Defense with leading the Office of the Secretary of Defense staffing review to lay out some options.

I have not been briefed in detail on those options, but I will certainly approach that problem, if confirmed, in the same way that I have approached the need as Assistant Secretary of the Air Force to make some very significant reductions in the size of my own organization there by looking at the business processes we follow and the practices that we use in order to find ways to prioritize and to take out wasted effort. That is hard in a smaller organization like CAPE, but I think we can make it happen.

Chairman LEVIN. We, a few years ago, passed the Weapons Systems Acquisition Reform Act, and I am wondering if you are familiar with it?

Dr. MORIN. Yes, sir.

Chairman LEVIN. Do you know whether it has achieved some benefits yet already? It is still fairly young, but can you tell us what your knowledge is about that?

Dr. MORIN. Senator, I have seen enormous progress inside DOD over the last 4 years. I had the privilege of sitting on the Senate floor actually as a number of the debates on the Weapons Systems Acquisition Reform Act were taking part. I was struck when I arrived in DOD by the degree to which the unification of the cost assessment and the program evaluation shops into CAPE had made a difference.

Senator McCain spoke at the outset about the degree to which we need the Military Services to be rigorous about cost estimates, and I have tracked that data, in fact, with regard to the Air Force and have found that over the last 4 years, the range between independent cost estimates out of CAPE and the Air Force service cost

positions coming out of the Air Force Cost Analysis Agency have narrowed significantly. It is a limited number of observations, so you cannot do a lot of great statistics——

Chairman LEVIN. I think it would be helpful, when you get there, that you write that up for us because we are interested in tracking what the impacts of our legislation have been.

Dr. MORIN. Absolutely.

Chairman LEVIN. Let me ask you, Mr. Lumpkin, about the authorization for the use of military force (AUMF), the 2001 authorization, and whether you believe that the current legal authorities, including that AUMF enabled the Department to carry out counterterrorism operations and activities at the level that you believe is necessary and appropriate.

Mr. LUMPKIN. Thank you, Mr. Chairman.

The Department's position is that the AUMF meets the needs to be able to do what needs to be done in the ongoing counterterrorism efforts.

Chairman LEVIN. Is your position the same or is it different or do you not have a position?

Mr. LUMPKIN. No, no. I agree with it.

Chairman LEVIN. Now, do you share the views of Secretary Panetta and Central Intelligence Agency Director John Brennan that many of the counterterrorism operations conducted by the United States today could better be carried out under title 10 Department of Defense authorities?

Mr. LUMPKIN. I think that title 10 is the preferred way to do things when we can, and I think we should strive to make title 10 the principal method of conducting these operations.

Chairman LEVIN. Now, earlier this year, the office of ASD(SO/LIC) completed a report on authorities used by the special operations forces to engage with partner nation security forces and said, among other things, that, "The existing patchwork of authorities taken together is inflexible and incoherent." Do you believe that there are gaps in the current engagement authorities?

Mr. LUMPKIN. Mr. Chairman, I think there are probably some gaps in seams, and if confirmed, I would look to identify what those would be and to work with this committee in order to rectify that.

Chairman LEVIN. All right. Would you do that promptly, please, when you are confirmed?

Mr. LUMPKIN. If confirmed, yes, sir.

Chairman LEVIN. Thank you.

Let me ask you now, Dr. Rooney. What does your understanding of the impact that the shutdown is having on the Department of the Navy, including the morale of military, civilians, and contractors serving there with the department?

Dr. ROONEY. Yes, sir. The impact has been significant in all areas, and let me break that down a little bit more. In terms of the military and the readiness and, frankly, the morale, it is the uncertainty of the ability to have repair work done and the work done to support them, the programs that support the families, which impacts the readiness directly. That uncertainty, along with the cost, is a concern there.

The civilian workforce. Particularly on top of the budget uncertainties, the known caps and furloughs that have occurred, we are

starting to lose some of the most senior people in the Department and also we know that there have been continuing challenges to staff up in the areas of experienced acquisition people, program managers, medical personnel, and that will continue to be exacerbated.

In terms of the contractor workforce, any work stoppages or anything that would slow down the production will go right to that industrial base and jeopardize our ability to keep those contractors engaged and keep those people employed and moving to conclusion of the program.

Frankly, it is across all three levels, sir.

Chairman LEVIN. Thank you.

Now, Dr. Rooney, your experience as President of Mount Ida College and Spalding University and your experience as the Principal Deputy Under Secretary of Defense for Personnel and Readiness and Acting Under Secretary of Defense for Personnel and Readiness give you a unique experience on the issue of sexual assaults involving young women and young men in the military, as well as in colleges and in universities. Does the military have an advantage over colleges and universities in preventing and responding to sexual assaults?

Dr. ROONEY. You are correct, sir, and I share everyone's concern that sexual assault in the military and elsewhere in the colleges and universities is a significant issue.

The advantage, if you can call it that, that the military has is several-fold.

One, the ability to get data across the Services is an opportunity that is unique. Colleges and universities do not have that ability to look across every college and university and gather that data in a central area. There is the ability to get good information going in.

Also, there is a different structure of command and control and oversight that commanders have in military installations that, frankly, university presidents, deans of students, and others do not have.

However, I think on the other hand, there are lessons to learned from both. I think that while the military is in a position to get good information, influence through our command structure, there is the opportunity to look out to especially colleges and universities and see what they have done in the area of alcohol and substance abuse programs, which we know are critical factors that often are tied to issues of sexual assaults. What programs have worked in those settings to educate students, to develop bystander programs, and all of these, the military has already incorporated in terms of training programs and bystander awareness. But I think that ongoing awareness, frankly, can help both sides really go after a problem that is very, very significant.

Chairman LEVIN. Just to conclude, you made reference to the commander. Does the role of the commander give the military and should it give the military a special capability of dealing with sexual assaults?

Dr. ROONEY. It should for a number of reasons. The commander has a number of tools that they can use not just judicial but also non-judicial type of punishment and tools. The commander is also

very responsible and must be held accountable for the command climate, what is actually going on, what are the attitudes and the behaviors of the people around him or her in command. Yes, in fact it does create a significant tool and ability to influence.

Chairman LEVIN. Thank you very much.

Senator McCain?

Senator MCCAIN. Thank you, Mr. Chairman.

In other words, Dr. Rooney, do you support the commander's role in disposing of Uniform Code of Military Justice violations, including the case of sexual assault?

Dr. ROONEY. Yes, I believe the commanders do need to be in that chain, sir.

Senator MCCAIN. In your response to written committee questions, you said you did not have enough information to say whether the Navy will meet its legal obligation to meet the financial audit deadlines for 2014 and 2017. What is your opinion today?

Dr. ROONEY. I still, sir, do not at this point have the detailed information. I know that they have a number——

Senator MCCAIN. Until you find out, then I will not be supporting your nomination. I want an answer whether the Navy can meet its legal obligations. If you do not know the answer, then you are not qualified for the job yet.

[The information referred to follows:]

Dr. ROONEY. Based on the Department's currently favorable risk assessment of the remaining efforts, today I am cautiously optimistic that the Navy will achieve the fiscal year 2014 mandate.A brief summary Department of the Navy's progress toward achieving audit readiness on its Statement of Budgetary Activity (SBA) by the end of fiscal year 2014:

- The Marine Corps' portion of this statement has been under audit for several annual cycles, and has made great strides towards obtaining a favorable opinion.
- In addition to the Marine Corps effort, the Navy has asserted audit readiness on seven SBA-related business areas. These areas include: E–2D Advanced Hawkeye Major Defense Acquisition Program (MDAP), Appropriations Received, Civilian Pay, Transportation of People (TOP), Reimbursable Work Orders (RWO), Military Pay, and Fund Balance with Treasury (FBWT).Of these seven, four (E–2D MDAP, Appropriations Received, Civilian Pay, TOP) received favorable opinions after independent examinations were completed on them.
- Exams on two more of these SBA-related areas (RWO, Military Pay) are currently underway, and the Navy expects the third examination (FBWT) to commence soon.
- Three remaining business areas (Contract/Vendor Pay, Requisitioning, and Financial Statement Compilation/Reporting) comprising the SBA are on schedule to be asserted in fiscal year 2014.

Senator MCCAIN. Dr. Rooney, last month, the Government Accountability Office (GAO) provided an analysis of the personnel strength, and the GAO said the Navy, "could not provide how many civilians it has as of July 2013 because, according to Navy officials, there is a problem with its information system." We are telling the taxpayers we do not even know how many civilian employees we have?

Dr. ROONEY. Sir, I am familiar with that GAO report, but data I have seen and even the input that the Navy has had into the contractor analysis has been significant, and I have not seen a direct evidence of their inability to count. But if confirmed, I would clearly make sure that that system is in place because the human re-

source and being able to understand not only our civilians but our contractors is critical.

Senator MCCAIN. I think our taxpayers ought to at least know how many employees the Department of the Navy has.

The LCS. The GAO recently criticized the program as being over budget, behind schedule, deficient in proven capabilities needed by the warfighter. The report concluded—and I quote from the GAO—"The apparent disconnect between the LCS acquisition strategy and the needs of the end users suggested that a pause is needed." Do you agree with that conclusion?

Dr. ROONEY. Sir, I am familiar with the recommendations. I think that the LCS had several mission-driven platforms to it. I know there has been some controversy in it. But I am also aware that every Chief of Naval Operations (CNO) since Admiral Vernon Clark have supported the program because it provides the capability that they need, and chief among that is forward presence. However, I also share the concern that the acquisition must be based on very stringent requirements going forward.

Senator MCCAIN. I hope you will answer the question, and that is, do you believe a pause is needed as recommended by the GAO?

Dr. ROONEY. The concern with a pause at that point was any gains that have now been achieved, particularly in the production with the unit cost—and at this point, that cost curve since the GAO report has continued to go down, but if that program is slowed down, those efficiencies in the building will also suffer and again those costs will go up.

Senator MCCAIN. Mr. Lumpkin, your response to a request from this committee for an assessment of al Qaeda was, "As the President said, the remaining operatives in al Qaeda—we now confront a less capable but still lethal threat from geographically diversified groups affiliated with al Qaeda." Do you stand by that statement? "Less capable"?

Mr. LUMPKIN. I do in the sense of the core al Qaeda in itself.

Senator MCCAIN. I am not asking about core al Qaeda. I have heard that dodge a number of times. Do you believe that al Qaeda is more capable or less capable today than they were 5 years ago, whether it is the core or not? I am talking about al Qaeda.

Mr. LUMPKIN. I would argue less capable to attack the Homeland directly, but U.S. interests—it still has the capability to hit U.S. interests abroad.

Senator MCCAIN. Al Qaeda is gathering strength in the ungoverned regions of northern and eastern Syria. The Washington Post reports that fewer than 1,000 Syrian rebels have been trained. Do you think the training cited by the Washington Post is capable of altering any balance of power in Syria?

Mr. LUMPKIN. As it sits right now, I do not see a significant balance changing based on that.

Senator MCCAIN. Do you believe that the surge was a success in Iraq?

Mr. LUMPKIN. I do believe the surge was successful in Iraq.

Senator MCCAIN. Did you support it at the time?

Mr. LUMPKIN. I did.

Senator MCCAIN. On al Qaeda again, is it true that al Qaeda in Iraq has now grown into a larger organization called the Islamic

State of Iraq and al Sham or ISIS, which now enjoys a safe haven in the area encompassing parts of Iraq and Syria?

Mr. LUMPKIN. That is my understanding, yes, sir.

Senator MCCAIN. They operate active terrorist training camps in Iraq and Syria?

Mr. LUMPKIN. That is my understanding.

Senator MCCAIN. Is it correct that the ISIS senior leaders are believed to be in Syria?

Mr. LUMPKIN. I do not have an answer to that one, to be honest with you, sir.

Senator MCCAIN. Do you believe that situation might have been different if we had left behind a residual force in Iraq than it is today?

Mr. LUMPKIN. I think the preference would have been to have a residual force, absolutely. As we look as an exit strategy in Afghanistan, the benefit of a residual force is absolutely there.

Senator MCCAIN. That is not coming along very well in Afghanistan.

Mr. LUMPKIN. There are challenges, yes, sir.

Senator MCCAIN. Do you think maybe Mr. Karzai is looking at what happened in Iraq and what is happening in Syria and what is happening all over the Middle East and maybe drawing the appropriate lessons from that?

Mr. LUMPKIN. Senator, I cannot speculate to what President Karzai is thinking or his motivation.

Senator MCCAIN. I see.

You do believe, though, that we should leave a residual force behind in Afghanistan?

Mr. LUMPKIN. I do.

Senator MCCAIN. Do you have an estimate of the size of that force that should be left behind?

Mr. LUMPKIN. I do not. I would have to do some analysis, and candidly, Senator, I have not dug into that. If confirmed, I would be happy to look at that with the rest of the Department.

Senator MCCAIN. Maybe you can look at it before you are confirmed.

[The information referred to follows:]

Mr. LUMPKIN. Our core goal—to defeat al Qaeda and prevent its return to Afghanistan and Pakistan—remains unchanged. Over the past 4 years, due to the dedication and sacrifices of our forces, our coalition partners, and the Afghan security forces, I have been encouraged by the progress made toward our goal and believe this progress can continue beyond 2014.

The executive branch is reviewing options for the size of our contribution to the post-2014 North Atlantic Treaty Organization (NATO) mission, as well as a limited U.S. counterterrorism mission, and that decision will be based on a number of factors, including:

- Conclusion of a U.S.-Afghan Bilateral Security Agreement and the NATO Status of Forces Agreement;
- Progress toward our core goal of disrupting, dismantling, and defeating al Qaeda and preventing its return to Afghanistan and Pakistan;
- Continued progress and development of the Afghan National Security Force;
- A peaceful Afghan political transition centered on the elections in April 2014;
- The potential for peace talks between the Afghan Government and the Taliban.

If confirmed, one of my priorities would be to confer with our operational commanders to get their views of the situation at hand. I would then work with colleagues to provide my recommendations and participate in this review process to help senior leaders continue to make informed decisions that protects U.S. interests in Afghanistan and the region.

Senator MCCAIN. I have no more questions, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

Senator Reed?

Senator REED. Thank you very much, Mr. Chairman.

Dr. Rooney, could you talk about the issue of readiness in the Navy and your perspective as you prepare to assume these responsibilities?

Dr. ROONEY. Yes, sir. I believe Admiral Greenert is certainly on the record as saying that there is definite concern of readiness among the Navy at this point and, particularly under the current budget and uncertainty of the budget, some risks going forward to the overall readiness. That remains a concern. Being able to get equipment repaired on time and be able to get people deployed on those ships is a concern if it slows down, the training. Training budgets have been greatly affected, and frankly at this point, we are sacrificing potentially some long-term readiness in order to meet short-term needs, and that is a grave concern to everyone in the Department.

Senator REED. Another issue that you will have to face in your particular responsibilities, in your managerial responsibilities is the shipbuilding program which is related to readiness, obviously, but has a longer term typically. With respect to shipbuilding, any comments on the decisions you might have to make going forward, given the budget constraints?

Dr. ROONEY. Yes, sir, and it is not only the budget constraints, but it is also based on some of the historical facts and the cost challenges and issues that I know this committee has looked at and other committees have looked at and raised a concern. It points to the necessity for any of our shipbuilding programs to make sure that we have the appropriate requirements initially, that we are engaging industry earlier on in the process so that we get better cost estimates and better cost controls. We build in a process to make sure that what is being built is meeting requirements so that, more importantly, those requirements continue to meet the needs outlined by the warfighters.

Senator REED. One of the issues that Senator McCain brought up and I think very correctly as the ranking member of the Seapower Subcommittee is the *Ford* carrier program, the significant cost increases on the first ship to be built and additional cost added in as complications arose. We are on the point of negotiating a second ship.

Can you comment specifically about—and that might be just emblematic of the overall challenges, as he alluded to of managing better the resources you have. Given a $580-plus billion budget, most Americans believe there are ways through management that some money can be saved. That is not the silver bullet, but I think one of the major things you are going to have to do is manage better the resources you have, whatever they are.

Dr. ROONEY. I agree, Senator, and if confirmed, will certainly do that and definitely build on the lessons from the past, particularly

in that case of what was learned from that first one before any second contract or actually construction on a CVN–79 is started.

Senator REED. Dr. Morin, recently the Pentagon Inspector General (IG) released a report on the F–35 and the construction particularly in the Lockheed Martin facility at Fort Worth suggesting that the attention to detail necessary and just the dedication to the task was not only inadequate but it was costing the program millions of dollars in avoidable costs. The company indicated that information might be out of date, that changes have been made. But one of your key challenges will be not just this program but many other programs. But can you comment on that report? You had quite a bit of interest, I think, on the Budget Committee also.

Dr. MORIN. Yes, sir. I have looked at the Inspector General's report in brief, although I have not seen the detailed analysis of the contractor and the program office's response to it yet. Based on my reading of that report, though, it appears that the ISO–9001 quality control processes 2–3 years ago were deficient. I understand, based on the program office's response and DOD's response to the Inspector General's analysis, that a great deal of actions have been taken to close those specific deficiencies and that the program office is using the report as a tool to identify the continued deficiencies that need to be closed out, which is exactly what I would expect them to be doing. I view IG and GAO reports as a tool for the public to have visibility but also a tool for the management of the Department to identify problems and rectify them.

Senator REED. There are many different ways you have deal with the issue, and it goes to some of the questions I raised with Dr. Rooney.

But two are having contracts in which the contractor has skin in the game, as well as the Government—and I think we are moving that way from a cost-plus to cost-share—and also provisions in the contract where there are, indeed, penalties if good practice is not adhered to.

The other aspect is having the people who monitor these contracts, DOD personnel or contractors, but hopefully DOD personnel, who really on a day-to-day basis are there with their feet on the ground making sure that everyone is working hard.

Do you have any comments on those two dimensions?

Dr. MORIN. Absolutely, Senator. I will start by noting just given recent experience that furloughing all of those personnel does not contribute to a mission accomplishment, and that it is unfortunate that we were in that position. It will set back numerous programs.

There has been a great deal of effort over the last 4 years by both Under Secretary Hale and former Under Secretary, now Deputy Secretary Carter and Under Secretary Kendall in working their two respective parts of the acquisition process, contract audit and contract management, to ensure that we are providing better incentives and that we are holding people to account. Those workforces have grown as part of the acquisition improvement efforts, although, of course, with the Department-wide reductions in staffing, a lot of planned growth is now not going to occur.

But I have seen what I think is real improvement in the Department's acquisition performance over the last 4 years, some of which is clearly attributable to the Weapons Systems Acquisition Reform

Act and some of which I believe is attributable to an aggressive management effort. But it is clear there is much more work to be done.

Senator REED. Thank you.

Mr. Lumpkin, first, thank you for your dedicated service in the U.S. Navy to the Nation.

Mr. LUMPKIN. Thank you.

Senator REED. Thank you very much.

U.S. Special Operations Command (SOCOM) is scheduled to increase its force structure of about 65,000 to 71,000 because of the enhanced missions and, indeed, the worldwide global missions that you are going to undertake. Do you see any obstacles to achieving that force level and maintaining the extraordinary quality of the force?

Mr. LUMPKIN. Thank you, Senator. Actually I do. One of our challenges, of course, is the Quadrennial Defense Review (QDR) in 2006. What it did is basically scoped the size of the operational force, and it saw a glide slope of growth. The QDR 2010 showed that there are enabling requirements of those forces of intelligence, surveillance, and reconnaissance and things to support the force. Sequester is putting some of those gains the program of the QDRs in jeopardy to achieve the growth of the force the way we had originally programmed in those two QDRs.

Senator REED. Thank you very much.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Reed.

Senator Ayotte?

Senator AYOTTE. Thank you, Mr. Chairman.

I want to thank all of you for being here today.

Dr. Rooney, I want to congratulate you on your nomination for this position. You and I have had a chance to meet previously when you came to New Hampshire and was able to learn about our deployment cycle support program and what we are doing in New Hampshire to help those who are returning from the war and particularly our Guard and Reserve members who go back to a civilian type setting. I wanted to get your impression of whether that is a program that, given your new position, you would take some of those experiences as a model of what we might be able to do in other States.

Dr. ROONEY. Senator, thank you. The short answer on that is yes for a number of reasons. First of all, it is critical that the programs that we put in place and whether those are personnel programs or acquisition programs, that we have some accountability and measures and we use those things that are working. Anytime that there is a working model that we can show has effective results, that is not only good for the individuals but, frankly, it gets us to the point of use of resources. We have to be very critical when we have programs in place that we cannot have outcomes. To use the models such as the one there—and I thank you for that time in New Hampshire.

Senator AYOTTE. I thank you.

Dr. ROONEY. I learned a great deal, and it is exactly that type of thing. If confirmed, one of the key areas that I will spend time on is looking even outside of the Department to the industries. I

have worked in the financial industry, health care, education—and see if there are some models for both people, as well as acquisitions, that we could use those best practices.

Senator AYOTTE. Great.

Also now in the position that you are nominated for, one of the important roles you have in the Navy is maintaining our attack submarine fleet. Of course, the Portsmouth Naval Shipyard plays a key role as one of our four public shipyards in doing that.

Senator Shaheen and I, who both serve on the committee, obviously feel very strongly about particularly the workforce at the shipyard, the skills they have, the apprenticeship program we have in place. I am very worried about the impact that the furloughs have had on the civilian workforce, and obviously the uncertainty because of the Government shutdown. I look forward to working with you to maintain that tremendous workforce.

I am going to invite you to come to New Hampshire again, on behalf of Senator Shaheen and I, to come to the Portsmouth Naval Shipyard to see the excellent work. Oh, I forgot Senator King. How could I forget Senator King? It is technically in Maine. [Laughter.]

Yes. Most importantly, I see Senator King here, and I know how much pride he takes in the Portsmouth Naval Shipyard, too. We would love to have you come up—jointly the three of us on the committee and I am sure Senator Collins would as well with the years spent on this committee—to our shipyard. That is the invitation that I am extending in your new role to come to New Hampshire again and then see the work that is being done here by a very talented workforce.

Dr. ROONEY. Thank you, Senator. If confirmed, I will certainly take all of you up on that and do share personally, but also I know the Department shares the concern about losing the key civilians, losing the expertise. It is not easy then, if you do lose it, to try to gain that back. In the period of uncertainty we are now, that remains a very, very critical, critical concern going forward.

Senator AYOTTE. Great. Thank you, Dr. Rooney.

Mr. Lumpkin, let me just say thank you so much for your distinguished service to our country.

I want to commend the Special Forces and the Intelligence Community and the administration for the recent capture of al-Libi. That was tremendous work, obviously important raids that were recently done in Somalia and Libya. How important is the capture of someone like al-Libi with regard to our fight against al Qaeda? Is he a pretty significant player?

Mr. LUMPKIN. He is, and we will know more as the intelligence is gathered after his capture and we will find out how significant he really was and has been.

Senator AYOTTE. We certainly know that he has had prior associations with Osama bin Laden and also with al Zawahiri. Is that right?

Mr. LUMPKIN. That is my understanding, yes.

Senator AYOTTE. In terms of the intelligence gathering, how important is it that we have the opportunity to gather intelligence from someone like al-Libi to find out what knowledge he has about al Qaeda and obviously any of the associates or members of al Qaeda?

Mr. LUMPKIN. I think it is absolutely crucial. Whenever we can capture somebody of that stature, the intelligence we can and will gain is significant that can lead to future operations that ultimately save American lives.

Senator AYOTTE. Let's assume we do not know, obviously, what this individual knows, but given his, as I understand it, decades of involvement in al Qaeda, that it is important in terms of the interrogation. Do you think that we should put a timeline on that interrogation?

Mr. LUMPKIN. I am always hesitant on timelines.

Senator AYOTTE. Why is that?

Mr. LUMPKIN. Because as things flow, you do not know necessarily what you are going to get and you do not want to be up against a clock. Candidly, in my current capacity at the Department, I was not involved in the planning or have not been debriefed on the operations that happened over the past weekend. On these particular operations, I can provide no granularity or fidelity. I am sorry.

Senator AYOTTE. But in terms of a timeline, you would agree with me that it is best to take as much time as you need to interrogate someone that may have valuable information to shed light on al Qaeda and perhaps prevent future attacks.

Mr. LUMPKIN. From an operational standpoint, that is the preferred methodology, yes.

Senator AYOTTE. I thank you very much, and I appreciate the question that Senator Reed asked about the impact on SOCOM of sequester. Obviously, I think the role of SOCOM has become even more important. I look forward to working with you in your new position.

I would also like to ask Secretary Morin where are we on the audit with regard to the Air Force and how do you see us meeting those timelines for a statement of budgetary resources and then moving forward from there?

Dr. MORIN. Senator, the Air Force is continuing to press forward aggressively on the 2014 and 2017 audit readiness timelines. Candidly we lost progress last year due to a 6-month contract protest that took our independent public accountant (IPA) advisors out of work. So that was unfortunately timed, and we have resolved it now. We have a contract awarded and IPAs, public accountants, on site helping us with certain tasks.

We have made some continued progress in identifying the actions we need to take in the near term with our existing legacy information technology (IT) systems, our legacy financial systems in order to give ourselves the best chance at meeting that 2014 deadline. As I have testified to this committee and subcommittees before, that is not a sustainable long-term approach, and we will not have our objective future financial systems fully fielded by the 2014 deadline. There is some risk in the 2014 deadline. Pressing aggressively on the 2014 deadline for the budgetary resources, though, has helped us significantly reduce the risk on that 2017 deadline for full audit readiness.

Senator AYOTTE. I know my time is up, but would you agree with me that this is a very important thing for us to get done?

Dr. MORIN. Absolutely. It has been certainly a core focus area of mine over the last 4 years and the Department as a whole. Secretary Panetta, during his tenure, put just enormous attention on this issue based, in part, on the feedback he received from members of this committee about how crucial it was. We saw really significant progress that is now continuing under Secretary Hagel's leadership. The American taxpayer has a right to expect that the Department will be good stewards of the taxpayer resources, that we will get the most combat capability out of each dollar. Part of giving them that confidence is getting to audit readiness and getting to that clean audit opinion. It is an enormous enterprise and it is a challenging undertaking, but it is crucial.

Senator AYOTTE. I want to thank all of you. I appreciate it.

Chairman LEVIN. Senator Nelson?

Senator NELSON. First of all, thanks to all of you for your public service.

Dr. Rooney, please pay attention as you look at the issue of sexual assault, that it is not just an issue for DOD with regard to the military, but also in the contractors. This Senator had found, back during the Iraq War, quite a few examples of sexual assault among contractors of where nothing was done. The most recent examples we have seen in the actual Active Duty military personnel, but there were a number of issues when I chaired a hearing on this back in the Iraq War where it was completely swept under the rug with regard to contractors.

Now, I think we, as a result of that, got the U.S. attorneys sensitized to this so that they would start their investigations and prosecutions. But since the contractors were basically overseen by DOD, this problem surfaced first there and then we see it later in all of the discussion. Please keep that in mind.

Mr. Lumpkin, the attention rightly is being given to the Special Operations Forces, as it should be, as we meet the new threat of a new type of enemy. What is the relationship that you will have in your position as a civilian in DOD with our Special Operations Forces and Admiral McRaven in the SOCOM?

Mr. LUMPKIN. Thank you, Senator.

The relationship between the ASD(SO/LIC) and the Commander of SOCOM—it is a civilian oversight and it is a Service Secretary-like relationship, and this is overseeing the operations and budgetary and acquisition programs within SOCOM.

Senator NELSON. That is pretty key, and of course, it is going to be these kind of raids that we are going to hear in the future as we are meeting this new kind of enemy and we have to find them. Of necessity, that is going to be the special operations working with their counterparts in some of the civilian agencies.

Mr. LUMPKIN. Yes, sir.

Senator NELSON. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Nelson.

Senator Blumenthal?

Senator BLUMENTHAL. Thank you, Mr. Chairman.

I thank each of you for your service in both civilian and military roles and your willingness and your families' willingness to take on this new responsibility.

Let me begin, Dr. Morin—by the way, I understand your wife is a native of Connecticut which, for me as for the chairman, is more than ample reason to support your confirmation.

Chairman LEVIN. You have two votes so far. [Laughter.]

Senator BLUMENTHAL. Well, I would vote to confirm your wife, not you necessarily. [Laughter.]

I want to thank her for her service in Ethiopia as well.

I am sure you are familiar with the M–17 helicopters that the U.S. taxpayers are funding to buy from Russia. Rosoboronexport is selling those helicopters to Afghanistan for purchases with U.S. funds. DOD, evidently, is continuing with the policy of making use of the exception that we made in the last National Defense Authorization Act (NDAA) for the purchase of those helicopters. I strongly disagree that those purchases should continue. I think they should stop. The Afghans cannot use them because they do not have people trained to fly them or to maintain them, and if we buy helicopters for the Afghanistan Army, they should be U.S. helicopters.

Could you give me an update on the review, and would you agree and can you commit that you will undertake a review of those purchases before they are made?

Dr. MORIN. Senator, if I am confirmed in the position, I will certainly look forward to working with my teammates in the acquisition enterprise and the policy community that have come to the judgments about that program so far to ensure you get full answers to any questions on it.

Senator BLUMENTHAL. I would like to press you a little bit. I would like to know that you will undertake a review of those purchases and come back to the committee and to me with your view as to whether or not they are, in fact, justified under that national security exception.

Dr. MORIN. Sir, I can personally take a look at it. I think the legal judgments on the national security exception are not typically made in the cost assessment and program evaluation sphere, but I am happy to make a commitment to you to look at it. I will be, of course, relying on others in the Department with the specific expertise on the policies, though.

Senator BLUMENTHAL. Thank you.

Dr. Rooney, I have been informed that as of this morning, Naval Superintendent Vice Admiral Mike Miller has referred for general court martial two of the three midshipmen who have been potentially charged with sexual assault or other improper activities in connection with the alleged wrongdoing involving Midshipman Bush, the assault on her that has been alleged.

I am sure you are familiar with the process that took place, the Article 32 proceeding. As a lawyer and also as someone who knows the military system, would you agree with me that the current Article 32 procedures really need complete revision and change?

Dr. ROONEY. Sir, I would definitely agree with you that the Article 32 process needs significant revision in regards to the issues for two reasons, both in terms of ensuring that we do not discourage future reports or future victims to come forward and also to ensure that we maintain that balance between both the victim and accused and also the necessary privacy in these matters. I absolutely agree that Article 32 does need to be reformed.

Senator BLUMENTHAL. I strongly support an alternative to the current command structure, complete responsibility for the charging process. I believe it ought to be taken out of the command structure and that it ought to be the responsibility of a separate trained, experienced prosecutorial office, which is contrary to the view that you have expressed here. I respect that view, and obviously it has substantial support from other members of this committee. The proposal I support has been advanced by Senator Gillibrand.

But is the problem with the current Article 32 process not reflective of some of the deficiencies and weaknesses in the current system more fundamentally as a whole?

Dr. ROONEY. Sir, I would think that the Article 32 by itself is something that can be reformed very quickly.

In terms of the overall process, I am aware that there has been a panel convened to look at independently this entire process. I would look forward to seeing what they saw in terms of that process, any weaknesses that they identified, as well as any strengths, and based on that, then make a very informed decision going forward and ensure that as we correct the system and as we create greater support and attack this problem quite bluntly that we are doing it in a manner that we are aware of all of the implications and ramifications. I remain open and really would look forward, if confirmed, to that panel report and working with this committee to really solve this problem.

Senator BLUMENTHAL. Working with the committee to solve the problem in terms of considering additional measures besides the Article 32 reform and perhaps besides the revisions that have been suggested so far by the committee in the NDAA?

Dr. ROONEY. Absolutely. I think what we need to do is definitely be open to look at what does work, as I mentioned to Senator Ayotte, to really step back and see what types of measures can we put in place and how can we assure that what is changed—that we are able to track that and make sure we are getting the results that we need, that there is the accountability in there. As a result, yes, I would definitely be willing to work with this committee, if confirmed, and find a solution.

Senator BLUMENTHAL. I welcome your willingness to work with the committee and your openness to additional ideas. I think the more the public understands about the differences between the civilian and the military system and the more we understand, the more support there will be for ending the kind of really abusive and intolerable questioning that took place in the Article 32 proceeding involving this midshipman case and probably countless other cases where victims of sexual assaults, survivors are subject to this kind of interrogation without counsel, without support, and without advocacy. I hope that you will take a very active interest in the sexual assault problem and in encouraging and emboldening additional reporting, which is necessary for the kind of data, the full and complete and accurate data, that you suggested is very important in these cases.

Thank you, Mr. Chairman. My time has expired.

Chairman LEVIN. Thank you, Senator Blumenthal.

Senator Donnelly?

Senator DONNELLY. Thank you, Mr. Chairman.

To all of you, thank you for your service to the country, and to the families, thank you for coming up here today and being with your loved one.

Mr. Lumpkin, in your questions that we had asked you and information that you had given us, you talked about SOCOM's ability to conduct rapid evaluations of technology and the emerging off-the-shelf technologies as well.

Being from Indiana, I wanted to invite you. In Dr. Rooney's continuing travel log going to New Hampshire and Maine—we talked about you going to Indiana as well to see Crane Naval Warfare Center. Mr. Lumpkin, I think that would be a great spot for you to come by to see. The work that is done there is the very cutting-edge technology work that SOCOM uses for much of the operations. I just wanted to invite you to come by and see the place where much of what our fighting force will be using is made, is put together, and for you to be able to sit down and tell them what else you might need.

Mr. LUMPKIN. Thank you, Senator. In my previous assignment within SO/LIC, when I was the Principal Deputy, I did have a chance to visit Crane and to see the amazing work that is being done there on behalf of the special operations community. You have my commitment, if confirmed, that I will make a trip out to Crane in short order.

Senator DONNELLY. Thank you very much.

Dr. Rooney, this year's NDAA will require DOD to provide a report outlining the effectiveness of computer-based testing in the identification of individuals at risk of suicide. We lost more Active Duty young men and women to suicide than in combat last year. You have great academic experience. We would value your input into this report, and I ask that in the role as Under Secretary of the Navy, that you keep an open mind to recommendations as to how to turn this around, how to put this in a better place, how to have each of our service men and women come home safe at the end of their service.

Dr. ROONEY. Sir, if confirmed, I would definitely pledge to do that. As you said, it is a problem for which there is no single solution, but it is one that we have to continue to work and find better ways, obviously, to support our men and women because those numbers are not acceptable.

Senator DONNELLY. Doctor, you saw or I presume you saw the series of articles in the papers here regarding the pretrial testimony of the young midshipman and the incident there. What it brings to mind is who would ever report sexual assault again, to follow up on my colleague, Senator Blumenthal? Who would ever report that that happened to them if they knew that kind of treatment awaited them by making that report and trying to protect their dignity?

Dr. ROONEY. Sir, you absolutely hit upon the reason why my response was, if confirmed—but I know the Department is already looking at it—how to in a very short order, reform at least Article 32 so that we do not do exactly what you are suggesting, which is discourage other people from coming forward. The only way that this issue will be changed, we will be able to attack this issue, the

climate will be changed is in fact people come forward, they feel comfortable coming forward, they are protected coming forward, and we are able to continue to successfully prosecute and hold people accountable for it. That is a critical aspect of solving this issue.

Senator DONNELLY. We have taken an extraordinary interest in this because it is an extraordinary problem. One of my colleagues in past hearings mentioned that if they had a daughter, they would not recommend to them at this time that they go into the Service. I cannot think of a more damning indictment than that. We are going to make this right, work nonstop to make this right. I know we have your commitment, if you are confirmed, to make sure that that happens as well. There have to be significant changes made because for that young man or woman—it could be either—to undergo hours and hours, whether it was 23, 24, or 25, 30, without their own counsel, without their ability to be treated with a certain dignity, something is very wrong with the way the process is handled now.

Dr. ROONEY. I agree, Senator, and I will reiterate my pledge, if confirmed, to work tirelessly on this issue, but also work directly with this committee and others, so together we are able to move forward and address the many issues surrounding this.

Senator DONNELLY. Secretary Morin, the Active versus Reserve makeup that we have, the CAPE report, similar things. I had mentioned to you in a meeting we had about how they tried to close down the A–10 base in Fort Wayne, IN. At a time when they were delivering the same services that could be delivered by Active Duty, the Reserve was doing it at 28 cents on the dollar. We have to look to ways to fund our military better, to lessen the pain of sequestration, but we also have to save money where we can and where it makes sense.

I want your commitment that you are going to take a look at this and try to make decisions not based on this group or that group but where the numbers fall, where it is right for our Nation, and where it is right for our fighting force moving forward that there be no protection of one group or the other in this process, but that we make the decisions that make the most sense.

Dr. MORIN. Senator, you have that commitment from me. This is exactly the sort of issue where independent, unbiased, rigorous analysis is critical. The specific cost factors associated with any particular force element depend on a number of assumptions about how you are going to use it, when you are going to use it, and how intensely you will use it. But it is clear, as the Department grapples with significant reductions in our top line budget, that we need to optimize across the total force.

Senator DONNELLY. Primarily for Dr. Rooney and yourself but, Mr. Lumpkin, if you would like to chime in on this too. I am getting a little short on time.

I met recently with some Navy folks who said that within a certain number of years looking forward, two-thirds of the funds that go to the Navy every year for operations would be for personnel costs, health costs, similar things. In effect, what you have is a health and personnel plan with a couple of ships in the water as well. How do we change that destiny?

Dr. ROONEY. The numbers you cite, based on information that I have seen, are accurate, that the personnel costs are quickly escalating to the point where they are not sustainable because they are, in fact, taking away not only from short-term but long-term investments. It comes down to making sure that we are understanding what is driving those costs and having the difficult decisions based, as you indicated, on analysis, on facts, and on an understanding of where we can make adjustments in those budgets so that we can have sustainability and having those very difficult conversations.

I had seen that information when I was in Personnel and Readiness. It was something that we were tracking very, very closely. While our people are our number one asset, it cannot be at the expense of a balance in terms of total force and the necessary equipment.

We would have to very closely look at it and, frankly, be very open and honest and work with this committee and having those discussions about where those levers are that we can actually pull and understanding what the ramifications are not only in just one budget cycle year, but quite frankly going forward.

Senator DONNELLY. Thank you. I am out of time.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you.

With the understanding, I hope, of my colleagues, just on the Article 32 to embellish just for one moment. Would you agree, Dr. Rooney, that we have to look at Article 32 in addition to the sexual assault victim who is put through a wringer on Article 32, but that it is broader than that in terms of the way Article 32 is used in general? Would you agree with that?

Dr. ROONEY. Yes, sir, I absolutely would. If I implied differently——

Chairman LEVIN. No, no. You did not. You did not imply anything at all. I just think it is important, while we were on that subject, anyway, I think it clarifies it.

Senator Kaine is next.

Senator KAINE. I have two general questions that I would like to ask, and maybe with Dr. Rooney to begin, if you could each respond.

The first deals with planning. My service on the committee, though brief, has made me more and more aware that good planning is at the core of so much of our military success, whether it is planning about a battlefield operation or a special operation or planning about a weapons system acquisition. I am increasingly disturbed about the budgetary uncertainty and how that messes up planning in each of your corners of the world and how it takes the planning expertise, and instead of having that expertise devoted toward proactive missions and responsibilities, the planning expertise kind of gets diverted toward, we do not know what the budget will be and so we have to run all these scenarios because of the uncertainty of the budget operation.

I would just like you to each talk about how you see the budgetary uncertainty, sequester, shutdown, et cetera affecting planning functions in your current capacities.

Dr. ROONEY. Sir, I will speak to, if confirmed, the issues that I am aware of that Navy would face, and they are several-fold.

Senator McCain had asked if I felt that I could state emphatically whether in fact Navy would have audit readiness by 2014, and I said I did not have the information to make that determination. Part of that is because with the inability to make sure that there is the appropriate hiring to fill those slots—and those have been difficult to fill—as you indicated, with the uncertainty in budgets and how to make last-minute adjustments and not be working towards a strategy but frankly moving towards a budget role, moving people off of the planning, that has exacerbated that issue.

In order to do good planning, you have to start with a good base whether that is understanding your inventory, whether that is understanding your people. As we continue with not only the fiscal uncertainty but also the uncertainty with our people and being able to allow them that opportunity to sit back and think on a time horizon that is longer term with certainty, we are going to continue to have an ever-increasing problem with planning, not a decreasing problem.

Dr. MORIN. Senator, I would just add that one of the key reasons that our DOD is the envy of the world and our military establishment is the envy of the world is the really robust planning, programming, budgeting, and execution process that we use. I have been approached in my job as Air Force Comptroller by senior officials from other nations, ministries of defense, saying we would love if you would have people come over and educate us as to how the Air Force, how DOD does this long-range plan.

The Cost Assessment and Program Evaluation organization is the keeper of what is called the Future Years Defense Plan, the database of the programmatic decisions that the Department is making for that 5-year time horizon. I can tell you very directly that the rigor and intelligence that needs to be put into making those choices sensibly is enormously demanding. The process of simultaneously doing that sort of planning at multiple budget levels, while you do not know what your previous year's jumping off point is—so right now, we are in the midst of 2015 to 2019 planning horizon with absolutely no idea what we are going to be doing in 2014, if and when we end the shutdown and get to start executing 2014—that is enormously difficult. I think the instability really puts at risk that entire well-articulated, effective set of institutions that strive to squeeze that maximum amount of combat capability out of each taxpayer dollar. It is doing enormous and untold damage to the institution.

Mr. LUMPKIN. Thank you for the question, Senator, because I think this one is absolutely key, especially with regard to the special operations community. Special operations cannot be massed produced. It is not one of those things that you can just turn it on and off like a light switch. It takes time and there is a significant process that goes into making a special operator who tends to be more seasoned, older, more experienced than what we see in the general purpose forces.

The plans that we had developed in QDR 2006, which I had mentioned earlier, about growing the force and then those enablers that were identified in the 2010 QDR—we are just now seeing a lot of those operationally hit into our units that we can deploy and use

in the future. To shrink and scale that back, there is what we call the "flash to bang". There is a delay to get those people on the front lines. If we retract from where we are at right now, it takes a long time to turn it back on. The uncertainty causes significant problems with force management and overall readiness as we go into the future, especially in these uncertain times.

Senator KAINE. Let me just extend the discussion. I want to talk about morale of your people. Last week I was asked and I was honored to be asked to give someone the oath of office for a promotion in the Air Force from major to colonel. It was an exciting thing, but it happened 2 days after the individual had been furloughed from his job as a DOD civilian. He was an Air Force veteran C–17 pilot but now working as a civilian in the Pentagon. He gave a couple of comments with friends and family gathered around on a day that should have been a day of just unalloyed pride and happiness. It kind of had a worm in the apple there because of the furlough.

He said something that really kind of struck everybody. He said we hear a lot of talk about American exceptionalism. I was furloughed earlier this year because I am serving my country, and there was a sequester, and I have just been furloughed a second time because I am serving my country and there is a shutdown. I am not feeling that we are that exceptional right now. It really struck me as there has to be significant morale effects of all this uncertainty, wondering whether the political leadership is behind you or not. That has to have a short-term morale effect and a long-term as well. Do I want to stay and do this? Do I want to keep making the sacrifice?

Again, maybe starting with Mr. Lumpkin and working back across, if you would each explain how you see this affecting the folks that you are working with.

Mr. LUMPKIN. I will talk on two different fronts with regard to morale. Within the special operations community—we will talk about that first—we have some highly energetic men and women who want to do great. They want to serve this Nation. When they see the uncertainty of the future, they are wondering. I cannot speak for everybody, but there is apprehension about what does the future hold and what is my perceived value.

Now, if you look in the civilian workforce, which I am surrounded by at the Pentagon as well now, the furloughs took their toll on morale. The shutdown has even been greater. The certainty of what is ahead is not there, of where is this going to end and what is it going to look like in the future and where do they fit in. I have real concerns about the morale of both our Armed Forces and the Federal workers based on the current climate.

Senator KAINE. Mr. Chairman, my time has expired, but could the other two witnesses briefly respond?

Chairman LEVIN. Sure, please.

Senator KAINE. Thank you.

Dr. MORIN. Senator Kaine, the impacts have been very serious. I spent a couple hours yesterday walking through and talking with members of the really impressive staff that supports me in my current job as Air Force Comptroller, a staff that makes me look good and makes the Air Force very effective and efficient. It is a group I rely on enormously, about two-thirds civilian and a third military.

Both parts of that community are under enormous strain. What we have asked the military folks to do in a time of successions of civilian furloughs and the uncertainty we have asked our civilians to take on is heartbreaking, and it is deeply disruptive. People are holding together well and they are pulling together as a team. I saw that now that a large portion of our workforce has been recalled, and there were actually people in the office. But it has been one blow after another, and we are asking a lot of our mid-level supervisors to keep their teams focused in the face of all of that.

Again, it is very hard to quantify the effect that it will have. I am sure we will see more retirements of highly valued performers. We have seen that across the Air Force already. I am sure we will see people seeking greener pastures. The American public needs dedicated public servants willing to come into Government and put up with some of the unique challenges working there for the purpose of the mission. If we keep giving them this level of uncertainty, this level of personal pain, we may lose them, and we will not know that damage until we have seen it and we will deeply regret it then.

Senator KAINE. Dr. Rooney?

Dr. ROONEY. Sir, it is interesting. I bring a slightly different perspective than my two colleagues because I have been out of the Department for just over a year. Looking at the difference between when I left the Department where people were working tirelessly long hours, but as Secretary Morin said, some of the best people that make all the senior leadership look good, to go back now and see the angst, the uncertainty, key people discussing that they think it is time to be able to move on because the uncertainty is affecting them not only in the work arena but home has been absolutely heartbreaking to see. These are critical people.

If I could just look at the Navy, of the roughly 200,000 civilians in the Department of the Navy, over half of those people are engineers, acquisition specialists, scientists, technology. Over 50 percent are veterans. I have heard the same thing. Retired colonels, who would be exactly the kind of people you want on your team, saying I would go to private industry because I just cannot face that uncertainty, really creates not only the problem now, but it is a problem that I do not think we even will see the results of for years to come, and at that point it is going to be virtually impossible recover.

Senator KAINE. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Kaine.

Now a 100 percent Mainer, Senator King.

Senator KING. I could say that New Hampshire is technically a State, but I would not say that. [Laughter.]

Especially not with Senator Ayotte here.

I want to associate myself with Senator Kaine's questions. I am infuriated that we are in this situation. We are now seeing the fruits of—I do not know—25 or 30 years of disparaging Government employment, bureaucrats, and that kind of talk.

Senator Levin and I went to the Middle East this summer, and people have asked me about my reaction to that trip. There are lots of policy reactions, but the most overwhelming reaction that I have told my friends of that trip was the amazing quality of the young

people that we have working for this country, whether it is in the Intelligence Community, the military, or the State Department. They are wonderful people who are idealistic and trying to serve their country, and we are treating them shabbily. These are people who have not had a raise in 3 years. They have been furloughed. They have now been furloughed again.

It is beyond my comprehension why we are not doing better on solving the problems. I mean, the most serious threat to national security right now is the U.S. Congress, and it is shocking that we cannot do this. I understand maybe some are talking about something and we may postpone these deadlines for another month or so, but that we cannot do better by our people is terrible. I think part of it is this public repeating of this disparagement of public servants, and it includes teachers, by the way, I mean, some of our most important public servants. It is shameful.

I am sorry. That is not a question because you have all answered the question.

I do, Dr. Rooney, want to follow up. As I understand it, one of the big problems with the projection of costs, which is moving toward two-thirds being personnel, is health care costs. Is that in fact the case?

Dr. ROONEY. Yes, sir, it absolutely is.

Senator KING. That points up the fact that—and there are two ways to deal with those health care costs. One is for the Government to shift those costs to somebody else. I believe the more important role that we have is to try to figure out how to lower those costs for everyone, not just for the Government or for Social Security or for Medicare, but for the entire society.

I am worried about the shipbuilding program. We have a 30-year shipbuilding plan supposedly to go to 306 ships, but we are not going to make it during much of that 30 years. If we do not replace sequestration and get this budget situation in order, is that not going to be one of the casualties?

Dr. ROONEY. Yes, sir, absolutely. In fact, I think the CNO came in front of this group or Members of Congress and started to outline the immediate impacts of shipbuilding that would be extended, useful lives of equipment hopefully being extended, early decommissioning of potential ships because it just comes down to an affordability and choices. Again, any of these impacts that we are talking about have, of course, a short-term impact, but I do not think we are taking the time to recognize the long-term implications of that not only for the immediate readiness of our forces and our ability to defend around the world, but also from the industrial base and the shipbuilding skills necessary to move it forward. He was very clear, I believe, in outlining that.

Senator KING. In the State of Maine, we have two naval facilities, the Brunswick Naval Shipyard and a civilian facility in the Portsmouth Naval Shipyard. I can tell you once those welders go somewhere else, you cannot get them back. That is not something that you can turn off and on. It is a capacity that we are losing, and people are going to look back in 10 years—Congress is very good at making problems and then looking back 10 years later or 5 years later and blaming other people for creating the problems.

We are going to look back and say what happened, why did we not have a ship available to go to the Gulf or whatever it was.

Mr. Lumpkin, to change the subject rather dramatically, I think September 11 was the first battle of World War III, and I think we are in a fundamentally different military situation and you are right in the middle of it. The question I want to ask—and it is a question I asked the day before yesterday in the Intelligence Committee—is how do we rethink our strategy for dealing with worldwide terrorism which seems to be spreading and multiplying. We now have groups we never heard of a few years ago, al Shabaab and al Nusra and these other groups associated with al Qaeda. The strategy of trying to kill these people one at a time is like dealing with the Hydra. You cut off one head and two grow back.

Talk to me about a broader strategy for dealing with worldwide terrorism because it is going to be with us, and I just do not know if we are going to be able to afford to or will be able to effectively cut it off by strikes and raids.

Mr. LUMPKIN. Thank you, sir.

I think you are absolutely correct. We are not going to be able to kill our way to victory in the sense of one at a time and getting one "eaches" work forward. I think the key is, through building partner capacity, we need to reduce areas where there are security vacuums for groups like al Qaeda or al Shabaab to exist and to flourish. I think the key for us, as we build our strategy moving forward, is to make sure we focus on those security reforms that we can help in other nations through building partner capacity to remove the environment that fosters such behaviors that al Qaeda has. If confirmed, I will do my part to shape that strategy.

Senator KING. The implication of what you just said—part of that leads logically to Afghanistan and 10 or 12 years of occupation in order to do that. I hope you are not suggesting we need to occupy Somalia, Mali, Lebanon, you name it.

Mr. LUMPKIN. No, I am not. I am not advocating nation building in a sense. I am talking about building a capacity with selected partners who can bring security to where there are security vacuums. This is not a one-size-fits-all. Rather, it has to be a tailored approach based on the specific region and/or country in question.

If you look at the in securities we had in Colombia back in the 1980s and 1990s, it has been a concerted, sustained effort. But I would argue that we have made significant progress with Colombians as partners to make that a much more stable and vibrant economy and allowed more of a secure situation for the populace and the people of that area, subsequently reducing the flow of narcotics and creating stability within the region.

Senator KING. One of the answers would be to study that situation and figure out how to replicate it.

Mr. LUMPKIN. I think it is a good case study to look at.

Senator KING. Dr. Morin, you are in an incredible job because I hate to tell you this, but I do not think there is going to be a lot more money. Nobody is going to wake up tomorrow morning and say, gee, I want to pay more taxes so we can spend more money. I hope the sequester is not going to stay with us, but certainly limits are going to stay with us. You have to be rigorously objective, it seems to me. You are in one of the most important jobs in DOD

in my view because you are going to be dealing with constrained resources from the day you walk through the door.

Dr. MORIN. Yes, sir.

Senator KING. There was not a question there.

But I think acquisition costs—the taxpayers just are not going to tolerate it. You did not have the pleasure of Senator McCain, I do not think, talking to you about the F–35, but you probably will before it is all over and it is not going to be fun, I can tell you.

Thank you very much. Thanks to all of you for your service.

Chairman LEVIN. Thank you, Senator King.

Senator Hagan?

Senator HAGAN. Thank you, Mr. Chairman.

I echo Senator King's comments and that is, we thank all of you for your service. Thank you very much for your past service and your current.

Mr. Lumpkin, I want to build on Senator Nelson's question. Title 10 states that the principal duty of the ASD(SO/LIC) is the overall supervision, including oversight of policy and resources of our special operations activities. In other words, the ASD(SO/LIC) is to provide civilian oversight of acquisition, budget, and related matters for SOCOM. In recent years, these responsibilities have competed with current operations for the main attention of the ASD(SO/LIC).

If confirmed, will you make oversight of SOCOM a top priority?

Mr. LUMPKIN. Thank you, Senator.

Absolutely. Being in SO/LIC when budgets were increasing, the opportunity presented itself to focus, I am sure, on operations. As we are in this fiscally constrained environment, civilian oversight of SOCOM and the major force program 11 funding line is absolutely key and paramount.

Senator HAGAN. How will you be different than in the past?

Mr. LUMPKIN. I think it is about time. For me this is one of those issues, if confirmed, I will put significant time, effort, and resources against making sure we can do the proper oversight for SOCOM.

Senator HAGAN. Thank you.

Mr. Lumpkin, again. The Commander of our U.S. Special Operations, Admiral McRaven, has publicly highlighted the contributions that women have made to our special operations missions, including serving as members of the cultural support teams, military information support teams, civil military support elements, and in other roles. The Department earlier this year eliminated its so-called ground combat exclusion policy and will open all positions to service by women by 2016, unless excepted. The Department continues to study occupational standards required of all of our military specialties, and I expect this effort will eventually open up thousands of new positions to women, possibly including many in special operations.

I also want to note that we just lost one female cultural support member who was killed in the improvised explosive device attack this past week with the three other servicemembers. We certainly have women not only being a part of these teams, but certainly giving the ultimate sacrifice as part of this effort.

Mr. Lumpkin, what is your understanding of the current role of women in supporting our special operations missions, and if con-

firmed, what criteria would you use in assessing whether our special operations units should remain closed to service by women?

Mr. LUMPKIN. Thank you for that question.

Women are ever-present in the special operations community. When I commanded a team, I had numerous women who were within the structure of that team. I think that the special operations community has been very open to having women within its ranks.

I do know that Admiral McRaven have been charged to do a study, and his results are due, I think, by January 2016 on where the community is and where the assimilation of women throughout the ranks within special operations. If confirmed, I will work with Admiral McRaven to make sure that SOCOM does a complete and comprehensive study to make the best recommendation forward.

Senator HAGAN. The study is not due until January 2016. It is another 2-plus years?

Mr. LUMPKIN. My understanding is that that is when the recommendations or exclusions need to be submitted. But I can take that for you and confirm that date.

[The information referred to follows:]

The study on occupational standards is expected to be completed by July 2015. As I understand, the goal is to implement the findings by January 2016.

Senator HAGAN. It seems like that is a long time for a study. Okay. Thank you.

Dr. Rooney, in the current budgetary environment, there are significant pressures facing the broader DOD—of our science and technology (S&T) community. There are two significant challenges that I am sure you are aware of, given your last position. The first is the decreasing ability to recruit and retain our best scientists and engineers that obviously are being drawn into other competitive and lucrative sectors. The second is the decreasing ability to revitalize, much less maintain the infrastructure of the DOD's laboratories and our warfare centers to the standards being set in academic and private sector facilities.

If confirmed, what would you do specifically working with the Assistant Secretaries of the Navy for Research, Development, and Acquisition, Manpower and Reserve Affairs, and Installations and Environment to really ensure that the Navy's S&T enterprise can hire, can retain the best and the brightest scientists and engineers to work in a world-class environment that allows them to develop the next generation of capabilities for our future sailors and marines?

It really concerns me greatly that our education system is not up to the speed it needs to be from a science, technology, engineering, and math (STEM) background and a STEM education, our K–12 and our universities. We typically lose our girls in the middle school going into these engineering and math and science programs, but also the fact that there is such a competitive environment for these limited numbers of individuals. We certainly want to be sure we have the best and the brightest within DOD to be sure that we can compete on a global basis in this area.

Dr. ROONEY. Senator, I agree that it has been a problem in the past. In order to attract, as well as retain, because I think this is a two-pronged problem, we have to make sure that we have an en-

vironment in which these individuals can work, that they are supported in their creativity, that they have the tools that they need to work on new designs and the opportunities to do that, all of the areas of STEM. There have been STEM programs within the Department.

The problem comes in that we are in a competitive environment, and frankly the uncertainty of the last few years, the budgets, the lack of being able to have raises or have some of the tools that are available in private industry are only making this challenge even greater. It is very difficult to recruit. As I mentioned, over half of the Department of the Navy civilians fit in many of the categories you described. It is very difficult not only attracting newer and our younger and maybe our very creative different thinkers, but retaining when we are putting people on furloughs. We have challenges with hiring, and we have had little or no raises through the years.

We cannot compete with private industry, similar concerns that, frankly, I faced in higher education where you were trying to attract the best of the scientists and medical people to be not only researchers but your teachers, and you had to provide that level of environment and really show that you not only were willing to engage but that you valued the service. I think we have some basic foundational work to do in order to be an attractive place long-term for these individuals.

Senator HAGAN. Can you give me any recommendations that you think you might be sharing with us in the near future I hope?

Dr. ROONEY. I was going to say if confirmed, I absolutely will dive deeper into our specific programs, look at the types of things, particularly since I have been away from the Department for a year, that we have been trying to do, look at the data of who have we lost. Have they been our most senior people? Have we not recruited? That way we can tailor those tools. This is not a case of saying just throw money at it. There are specific things.

Senator HAGAN. Do you know what the retention is?

Dr. ROONEY. I do not, Senator, at this point, but if confirmed, I would definitely look into it. I started off as an engineer in college, and I was encouraged in math and science. I know the challenge. I challenge that young woman back there, who is the freshman in college, to do the same.

Senator HAGAN. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Hagan.

Senator Gillibrand?

Senator GILLIBRAND. Thank you, Mr. Chairman.

I would like to direct my questions to the Honorable Jo Ann Rooney.

I understand earlier in your testimony Senator McCain asked you your views on sexual assault in the military, and your stated opinion was that you would like the decisionmaking about whether to go to trial to be done within the chain of command.

I have looked at your written statement, and I am extremely troubled by what you said. The question is, "In your view what would the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted? Your answer is, "A judge advocate outside

the chain of command will be looking at a case through a different lens than a military commander. I believe the impact would be decisions based on evidence rather than the interest in preserving good order and discipline. I believe this will result in fewer prosecutions and therefore defeat the problem that I understand it seeks to address."

You are an attorney. Correct? Under what world would you recommend the decision about whether a serious crime, meaning a conviction could mean more than a year or more, should not be based on the evidence?

Dr. ROONEY. That statement meant that someone outside the chain of command—and often as an attorney, you are bound by the rules of evidence as to whether you will take a case forward for any prosecution. A commander also must look at evidence, and the implication was not that the commander would not, but a commander also has some additional tools that they could use that are non-judicial punishment in order to be able to address that command climate and change the attitudes towards it. That is what that statement——

Senator GILLIBRAND. Under our proposed legislation, Article 15, non-judicial punishment, is retained by all commanders, as are all crimes of mission. I am highly concerned that you believe there should be any context or that decision should not be based solely on evidence about whether you try a case.

Members of the military still retain civil liberties. They still have basic rights of justice, and if you are trying to tip the scales in favor of a defendant or in favor of a victim, that is also inappropriate. You want cases going forward that have evidence that merit a prosecution. You want nothing else because if you drive cases forward because you feel like it or because you do not like the perpetrator or do not like the accused or really like the victim, you are using bias. Bias is not effective in making a prosecutorial decision. You should have an objective review based only on the evidence because we do not want a justice system that favors victims. We do not want a justice system that favors defendants. We want an objective justice system that provides justice for an accused, for a perpetrator who is going to be reviewed fairly and for a victim who is looking for a fair shot. You need an objective justice system.

I do not believe that the chain of command should be using the threat of prosecution as a cudgel or a tool to manipulate or determine how their troops will behave. They have other means to do that. They are the ones solely responsible for command climate, solely responsible for good order and discipline. But that decision point, that legal decision point, should be made solely on the basis of evidence.

Do you believe a commander should base that decision on something other than evidence about whether to go to trial for a serious crime?

Dr. ROONEY. No, ma'am. As I just said, they must look at the evidence, of course. That is key to it. They have legal teams around them that can help them understand those. But they also have other tools and other ways to impact what is clearly an issue that also goes to command climate and also goes to changing a culture. We have to be able to hold that commander accountable.

Senator GILLIBRAND. Those tools remain within the commander's purview entirely. That commander is solely responsible for good order and discipline. That commander is solely responsible for command climate. Those responsibilities will never change. What we are urging is that the legal decision that requires training, legal training, prosecutorial discretion, prosecutorial judgment, and an objective review. A review that does not entail knowing the perpetrator and knowing the victim, having preconceived notions of whether women should be in the armed services, having preconceived notions about whether you can serve if you are from the lesbian, gay, bisexual, and transgender community.

Have you reviewed this legislation, this proposed change?

Dr. ROONEY. Yes, I am aware of the legislation, and I am also aware of the panel that has been put together to have an independent assessment, be able to outline both the challenges and the implications going forward. As I mentioned to Senator Blumenthal, I would remain very open to the information that comes out of that group in order that, if confirmed, I would work with this committee and Congress to move forward on a sustainable and true solution going forward.

Senator GILLIBRAND. When Dick Cheney was the Secretary of Defense some 20-odd years ago, he said there was zero tolerance for sexual assault in the military. Since that time, there have been dozens of reports. Have you reviewed those reports and recommendations? Do we really need another report and recommendation to finally protect victims within the armed services?

Dr. ROONEY. I believe that what that panel's job to do is to really take the time now not just to make a report, but to outline just so all of us are basing any conversations and decisions and best paths forward on an independent assessment. It is not, from my understanding, designed to either slow this process down or come to a foregone conclusion. That is why seeing what that group did and working together on a common solution is something, if confirmed, I would be very open to doing.

Senator GILLIBRAND. I have seen boxes of reports, boxes, over 25 years on the same issue.

Are you familiar with what the Defense Advisory Committee on Women in the Services (DACOWITS) panel is?

Dr. ROONEY. Yes, I am.

Senator GILLIBRAND. Do you understand that they have just issued a report recommending this change?

Dr. ROONEY. Yes, I am.

Senator GILLIBRAND. What do you think the value of that recommendation is since the sole responsibility of the DACOWITS panel is to recommend to Secretary Hagel ideas about how to protect and preserve and to maintain a strong armed services with regard to women in particular?

Dr. ROONEY. I believe that they have fulfilled their role to make that recommendation going forward. I also know that based on what I have seen in the history of our military, that they have been using the existing command structure and using a commander's ability to influence climate and control have been very successful in making some very significant changes, whether it was integrating the forces on down to the recent implementation of the re-

peal of Don't Ask/Don't Tell. There is also support for how that command structure can be part of and, frankly, drive significant cultural change.

Senator GILLIBRAND. Do you remember what the response was from our commanders when we tried to repeal Don't Ask/Don't Tell, when we tried to integrate women into the Services, when we tried to integrate the Services with African Americans? Do you remember what their response was?

Dr. ROONEY. Not word for word.

Senator GILLIBRAND. You cannot possibly do this because it will undermine good order and discipline.

Do you know what their response was when we had a hearing on sexual assault in the military and we suggested that Article 60 should be removed, the authority to overturn a jury verdict? Do you know what the response was? From the commanders that testified, it was you cannot possibly do this because it will undermine good order and discipline.

The day after Secretary Hagel recommends that Article 60 authority is no longer necessary, the commanders said that is fine. It is a vestige of pre-World War I. Of course, we can implement that.

I think this is the same excuse we have heard over and over again. To have the DACOWITS panel, who has been investigating these issues for 20 years, to make a recommendation to the Secretary of Defense that not only should you take the decisionmaking for all serious crimes out of the chain of command, but you should give that decisionmaking to trained military prosecutors as a way to create a more objective system so justice is possible is a recommendation I think you should take seriously.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Gillibrand.

We are going to have a brief second round.

Following up on Senator Gillibrand's questions, you have been a university president. Is that correct?

Dr. ROONEY. Yes, sir, I have.

Chairman LEVIN. You have had situations where you have had sexual assaults and have had to deal with civilian prosecutors and what their attitude is towards prosecuting sexual assaults. Is that correct?

Dr. ROONEY. Unfortunately, sir, yes, I have.

Chairman LEVIN. What has been that experience?

Dr. ROONEY. It has actually been mixed. It has not been an unwillingness of prosecutors to take on cases, but if they felt they did not have very strong evidence going forward, they were unwilling, frankly, to move those forward. I do not mean to imply that that is all prosecutors. I am just narrowing that down to my experience in two different university settings. It really was not a tool we were able to use to actually impact what was happening on the campuses.

Chairman LEVIN. Because of the reluctance of civilian prosecutors in difficult cases to proceed?

Dr. ROONEY. Yes, and for the victims to feel that nothing was going to happen at that level. It was not something that they used as a way to feel confident that moving forward, something would be done. It continues to remain a vexing challenge.

Chairman LEVIN. In the civilian world?

Dr. ROONEY. Yes, sir.

Chairman LEVIN. A commander does not have that same kind of reluctance in tough cases. He can proceed or she can proceed because it needs to be prosecuted in their judgment. Is that correct?

Dr. ROONEY. That is it. If there is not the ability to take it forward on a prosecution, again there are other ways to be able to make sure that that climate is changed and victims are protected and that no tolerance for that type of behavior is reinforced. It is the commander's job.

Chairman LEVIN. Are you familiar with the decision which was made relative to race that we were going to get rid of racism in the military? Commanders were ordered and because they are commanders and in a chain of command, that they in fact implemented finally a policy against racism and prejudice in the military with some real success, as a matter of fact. Are you familiar with that?

Dr. ROONEY. Yes, sir. In fact, that was one of the examples that I mentioned, that as well as the most recent one that I have had the most direct experience with.

Chairman LEVIN. Are you familiar with the Don't Ask/Don't Tell situation where, although we had commanders, in fact, top commanders right here, urging us not to do it, that we did it anyway, and that they then directed their commanders to implement the repeal of Don't Ask/Don't Tell and end discrimination against gay people in the military? They have done it with real success because of the power of the commanders.

Dr. ROONEY. Yes, sir, I am very familiar with that, in fact, was very much involved during my tenure in the Department with that initiative.

Chairman LEVIN. Let me ask Mr. Lumpkin this question. You have testified that from an operational point of view, it is helpful that an interrogation not have a fixed deadline. In your view, is it also important that an interrogation comply with the requirements of common article 3 of the Geneva Conventions and that the detainee or detainees not be subject to cruel, inhuman, or degrading treatment at any time?

Mr. LUMPKIN. Absolutely, sir.

Chairman LEVIN. Okay. Senator Kaine?

Senator KAINE. I have just one question, Mr. Chairman, for Mr. Lumpkin.

Mr. Lumpkin, as we are pursuing a troop drawdown in Afghanistan, the special forces have been deeply instrumental in training efforts of Afghan security around special operations and others. What is your current assessment of Afghan readiness and force effectiveness in preparation for 2014 and beyond?

Mr. LUMPKIN. Significant strides have been made during the past decade of building the Afghan capability. We are going to make use of the remainder of the known time we have because there is always further progress that can be made. I think one of the reasons why we would want to keep some sort of force there is to continue that partnership to make sure we can continue to work with them post-2014, if possible.

Senator KAINE. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Kaine.

Senator King?

Senator KING. Dr. Rooney, just another follow-up on this question. I find this question of chain of command and sexual assault a very difficult one. I have decided to come down on the side of not making that change.

One of the things that convinced me was I want the commander to feel responsible for this issue. Is that a legitimate way of thinking about this?

Dr. ROONEY. Yes, sir, it absolutely is. I know in particular in the Navy, the commander's ability and the result of their command and control and command climate is a critical piece that is considered for any promotion or any future command. That is absolutely true. There are many ways to hold that commander accountable. As I said, that is their job.

Senator KING. I am sure you are aware, but in the National Defense Authorization Bill that has been reported out of this committee, there are numerous changes in the law in regard to this problem. The one that is not made is the one that we have been discussing about taking the decision out of the chain of command, but there are many other changes to strengthen the military.

On the other hand, you are bearing the brunt of this because you are here today for the Navy. This is clearly a DOD issue. But Senator Gillibrand's point is well taken, that this has been a problem for a long time and at some point, this committee and Congress is going to say enough is enough and we are going to make much more dramatic changes. I hope that as you are working with the naval commanders, that you will make it clear that this really does require a culture change and it has to start right away because time is running out on patience for this problem to be resolved.

Dr. ROONEY. Yes, sir. All of our collective patience should be challenged on this to get a solution that works and that we can prove that works moving forward.

Senator KING. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Dr. Rooney, in terms of the experience you have had with the Department at large, you have been, as I understand it, the Principal Deputy Under Secretary of Defense for Personnel and Readiness and the Acting Under Secretary of Defense for Personnel and Readiness, I gather at the same time. Is that correct?

Dr. ROONEY. Yes, sir, it is.

Chairman LEVIN. For how long a period was it?

Dr. ROONEY. The overlap was for a period of——

Chairman LEVIN. No, not the overlap, but together how long?

Dr. ROONEY. Oh, together? Just under 2 years.

Chairman LEVIN. Dr. Rooney, you were asked a question by Senator McCain and you committed to get an answer for the record about the audit schedule I believe for the Navy.

Dr. ROONEY. Yes, sir.

Chairman LEVIN. Okay, and that was a very important question, an appropriate question. If you can promptly get us that answer for the record as to whether that audit schedule for 2014 and 2017 I believe. You did not know the answer here as to whether it is on schedule, but if you could promptly find out as much as you can

and then give us your opinion the best you can as to whether or not it is on schedule and do that for the record, it would be very helpful in terms of proceeding with this.

Dr. ROONEY. Yes, sir.

Senator KING. That is another area where patience is wearing thing.

Chairman LEVIN. Where patience has not worn thin this morning is Liam. You have really been a big help to your dad because you have sat there now for I do not know many hours looking interested in every single question that was asked, and you have been a big help to your dad. I want to commend you. I know how proud your parents are of you and your grandparents sitting here are of you. I have six grandchildren, one of whom is a boy just about your age. I know he would be just as patient and supporting as you have been. I do not want to compare it in any way.

Thank you to all of the people who have come with our nominees today. We thank you and I know they thank you for your support. We thank our nominees.

We will stand adjourned and hope we can proceed with these nominations very expeditiously. Thank you all.

[Whereupon, at 11:53 a.m., the committee adjourned.]

[Prepared questions submitted to Mr. Michael D. Lumpkin by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the special operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act or special operations reform provisions? If so, what areas do you believe might be appropriate to address in these modifications?

Answer. No. The Goldwater-Nichols Act and current special operations authorities have served the Department and our Nation well and enhanced the Department's capabilities to respond when required. If confirmed, I will make proposals for modifications if and when required.

DUTIES

Question. Section 138(b)(4) of title 10, U.S.C., describes the duties and roles of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (ASD(SO/LIC)).

What is your understanding of the duties and functions of the ASD(SO/LIC)?

Answer. The ASD(SO/LIC) is the principal civilian advisor to the Secretary of Defense on special operations and low intensity conflict matters. The ASD(SO/LIC) has overall supervision (to include oversight of policy and resources) of special operations and low-intensity conflict activities which encompass policies pertaining to Department of Defense special operations' capabilities and authorities, counternarcotic efforts and resources, humanitarian assistance and disaster relief, strategies for building partner capacity, and stability operations in accordance with the Under Secretary of Defense for Policy's priorities and guidance.

Question. What Department of Defense (DOD) activities are currently encompassed by the Department's definition of special operations and low-intensity conflict?

Answer. Special operations and low intensity conflict activities, as defined section 167 of title 10 U.S.C., include direct action, strategic reconnaissance, unconventional

warfare, foreign internal defense, civil affairs, psychological operations, counterterrorism, humanitarian assistance, theater search and rescue, and such other activities as may be specified by the President or Secretary of Defense.

Question. If confirmed, what changes, if any, in the duties and functions of ASD(SO/LIC) do you expect that the Secretary of Defense would prescribe for you?

Answer. At present, I do not expect the Secretary of Defense would make any changes to the duties and functions assigned of ASD(SO/LIC).

Question. In your view, are the duties set forth in section 138(b)(4) of title 10, U.S.C., up to date, or should changes be considered?

Answer. Yes, I believe the duties of the ASD(SO/LIC) as prescribed in section 138(b)(4) of title 10 continue to remain relevant and provide the ASD(SO/LIC) appropriate and clear authority to serve as the principal civilian advisor to the Secretary of Defense on special operations and low intensity conflict matters. I do not believe any changes are needed at this time.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the ASD(SO/LIC)?

Answer. Not at present, but if confirmed I would make an assessment of this and provide recommendations as needed to improve my oversight of Special Operations.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. I believe I am uniquely qualified for this position because of my broad background in all aspects of the SO/LIC portfolio.

I have been directly involved in the arena of special operations since the 1980's when I began a career as a naval officer and U.S. Navy SEAL. During my time on active duty, I served throughout the world in places such as Afghanistan, Colombia, El Salvador, the Horn of Africa, and Iraq. As a U.S. Navy SEAL, I held every leadership position from Platoon Commander to Team Commanding Officer. During my time in uniform, I garnered significant experience in counternarcotics, counterterrorism, counterinsurgency, and security sector assistance.

After my military service, in addition to serving in other Federal departments, I served as Principal Deputy Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and Acting ASD(SO/LIC).

Additionally, I have a strong management background and served in the principal leadership positions of Chief Executive Officer and Director in the private sector.

RELATIONSHIPS

Question. In carrying out your duties, how will you work with the following:

The Secretary of Defense.

Answer. If confirmed, I will perform my duties as the principal advisor to the Secretary of Defense on all special operations, assisting the Secretary in the development and employment of Special Operations Forces (SOF) to achieve U.S. national security objectives. I will engage the Secretary on U.S. counterterrorism strategy and operations, offer policy guidance and oversight of international efforts to combat narcotics trafficking and transnational organized crime, and inform the Secretary regarding the Department's support to peacekeeping, humanitarian assistance, and stability operations across the globe.

Question. The Deputy Secretary of Defense.

Answer. If confirmed, I will keep the Deputy Secretary informed as well as provide advice and support on current and future special operations activities, capabilities, plans, and authorities, ongoing and projected counterterrorism efforts and priorities, and the development and employment of stability operations, counternarcotic programs, and peacekeeping efforts.

Question. The Under Secretary of Defense for Policy.

Answer. If confirmed, I will work very closely supporting the Under Secretary of Defense for Policy. I will keep the Under Secretary informed as well as provide advice and support on current and future special operations activities, capabilities, plans, and authorities, ongoing and projected counterterrorism efforts and priorities, and the development and employment of stability operations, counternarcotics programs, and peacekeeping efforts.

Question. The Under Secretary of Defense for Intelligence.

Answer. Special operations and intelligence are mutually supporting, so, if confirmed, I will continue to foster the close working relationship with the Under Secretary of Defense for Intelligence.

Question. The Assistant Secretary of Defense for International Security Affairs, the Assistant Secretary of Defense for Asian and Pacific Security Affairs, and the

Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs.

Answer. If confirmed, I expect to work closely with the regional Assistant Secretaries of Defense in the Office of the Under Secretary of Defense for Policy, providing advice regarding special operations and stability operations that are ongoing or in the planning stage. We would also work together on policies to build partner capacity, counternarcotics, and combat global threats. I would also anticipate working very closely with the Assistant Secretary of Defense for Global Security Affairs on our counterproliferation and cyber policy efforts.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. If confirmed, I plan to maintain a close working relationship with the Chairman, the Chiefs, and the Chairman's staff. Effective policy and resource oversight of special operations to include successful implementation of our counterterrorism strategies requires continued close coordination and collaboration with the Chairman of the Joint Chiefs of Staff, the Chiefs of Staff, and the Chairman's staff.

Question. The Service Secretaries and Service Chiefs.

Answer. If confirmed, I will work with the Military Department Secretaries and Service Chiefs to ensure that the requirements to organize, train, and equip personnel and units that enable or support Special Operations Forces are met and maintained. I would also work with them to ensure adequate resourcing of Service-common requirements and infrastructure for Special Operations Forces.

Question. The Geographic Combatant Commanders.

Answer. The geographic combatant commands are at the forefront of the global fight against terrorists and violent extremists. They are responsible for maintaining a forward posture to deter and dissuade adversaries and assure and build the capabilities of our allies. If confirmed, I will work closely with the geographic combatant commands in all of these areas.

Question. Commander, U.S. Special Operations Command.

Answer. The Commander, U.S. Special Operations Command (SOCOM) and the ASD(SO/LIC) have a close relationship in defining and meeting the needs of our Special Operations Forces. If confirmed, I am committed to maximizing that relationship in order to fulfill my responsibilities in accordance with the ASD(SO/LIC)'s statutory requirement to oversee the policy and resources for special operations activities.

Question. The Commanders of the Service Special Operations Commands.

Answer. If confirmed, I will work closely with the Service special operations commands to ensure they have the policies and resources needed to develop and provide the capabilities needed by the Commander, SOCOM, and the regional combatant commanders.

Question. Chief, National Guard Bureau.

Answer. If confirmed, I will work closely with the Chief, National Guard Bureau, to ensure they have the policies and resources needed to develop and provide the capabilities supporting the priorities of our geographic combatant commands.

Question. The Director of National Intelligence.

Answer. As mentioned above, special operations and intelligence are mutually supporting. If confirmed, I will work closely to support the Director of National Intelligence and his subordinates ensuring both parties are appropriately engaged and informed on items of shared national security interest.

Question. The Director of Central Intelligence.

Answer. Again, special operations and intelligence are mutually supporting. If confirmed, I will work closely to support the Director of Central Intelligence and his subordinates ensuring close, continuing collaboration on items of shared national security interests.

Question. The Director, National Counter Terrorism Center.

Answer. SOF activities are central to counterterrorism; the NCTC helps ensure coordination of all U.S. Government counterterrorism activities. If confirmed, I will maintain ASD(SO/LIC)'s role as the primary Office of the Secretary of Defense's interface on SOF and counterterrorism matters.

MAJOR CHALLENGES AND PRIORITIES

Question. In your view, what are the major challenges confronting the ASD(SO/LIC)?

Answer. With growing fiscal constraints in the Department, it will be a challenge to protect our vital defense capabilities. ASD(SO/LIC) must continue to ensure SOF has the adequate resources, training, and equipment as well as authorities to execute and support U.S. counterterrorism strategies as an essential component of our U.S. national security policies. As the Department rebalances efforts and resources

toward the Asia Pacific region coupled with the approaching draw down of forces in Afghanistan, ASD(SO/LIC) must continue to shape policies and provide expertise on all special operations and Department of Defense (DOD) support to peacekeeping, humanitarian assistance and stability operations across the globe. Terrorism remains a persistent threat to our national security, and while al Qaeda core has been degraded, the evolving threat of al Qaeda-affiliated networks endures. Many of these terrorist networks that directly threaten American interests are not confined to the geographic boundaries of any one country; therefore, it is vital that the Department remain focused on denying al Qaeda and its affiliate's their transnational safe havens.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I will work within the Department and the interagency to ensure that programs key to effective counter terrorism operations are properly supported. While ASD(SO/LIC) will remain the focal point for coordinating the Department's strategic counterterrorism guidance, I would engage my counterparts across the interagency to implement effective programs building our partner's capacity and thereby advancing mutual security interests. I will balance my effort to ensure the Department remains capable of supporting peacekeeping, humanitarian, and stability operations across the globe.

Question. If confirmed, how would you seek to balance responsibilities for operational issues within your portfolio with the "Service Secretary-like" responsibilities for Special Operations Forces?

Answer. Balance is very important as we enter into a resource constrained environment. Ensuring that our SOF retains their qualitative advantage into the future and that they and their families are taken care of is a top priority. To achieve this, SOF must be properly resourced to include having the best equipment and training available, and a well-educated force. If confirmed as ASD(SO/LIC), I will make every effort to assert the ASD(SO/LIC) role in the resourcing process. This would include participation in SOCOM's Commander's Roundtable which is the SOCOM resource decision forum. Through constant collaboration with the senior leadership at SOCOM, we would ensure that Major Force Program (MFP) 11 funds are used to maintain a strong and ready force. I would also work closely with the Services to ensure that service common support is identified and provided.

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the ASD(SO/LIC)?

Answer. If confirmed, my broad priorities would be to ensure our Nation continues to have the world's premier special operations capabilities to win the current fight against al Qaeda and its affiliates, while shaping the force for future operations in a very uncertain global security environment. Drivers of success—namely the operational readiness of the force, the care of our people, and sustainment of resources will be among the key issues I will address.

CIVILIAN OVERSIGHT OF THE U.S. SPECIAL OPERATIONS COMMAND

Question. The legislation creating the U.S. Special Operations Command (SOCOM) assigned extraordinary authority to the commander to conduct some of the functions of both a military service and a unified combatant command.

Which civilian officials in the DOD exercise civilian oversight of the "service-like" authorities of the Commander, SOCOM?

Answer. Per title 10, U.S.C. § 138 and DOD Directive 5111.10 (in accordance with Under Secretary of Defense for Policy priorities and guidance), the ASD(SO/LIC) is the principal civilian oversight for all special operations activities. Other DOD civilian officials also exercise oversight in some capacity:

- Under Secretary of Defense for Intelligence (USD(I)) coordinates on intelligence issues
- Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) coordinates on acquisition issues
- Under Secretary of Defense for Personnel and Readiness (USD(P&R)) coordinates on personnel policies such as SOF-unique incentives and readiness issues
- Under Secretary of Defense for Comptroller (USD(C)) coordinates on SOF budget and year-of-execution program issues
- Military Department Secretaries coordinate on SOF manpower issues
- Director, OSD/Cost Assessment Program Evaluation (CAPE), coordinates on SOF Program development and issues

Question. In your view, what organizational relationship should exist between the ASD(SO/LIC) and the Commander, SOCOM?

Answer. ASD(SO/LIC) provides civilian oversight of all special operations matters as required by title 10, U.S.C. § 138. As such, the ASD(SO/LIC) provides Service Secretary-like oversight of special operations policy and resource matters and advice to implement Secretary of Defense and Under Secretary of Defense for Policy priorities. The relationship with the Commander, SOCOM should be collaborative and cooperative to develop the best possible special operations forces and employ them effectively. Ultimately, the ASD(SO/LIC) represents the Secretary of Defense and provides recommendations regarding special operations that are in the best interest of the Department.

Question. What should be the role of the ASD(SO/LIC) in preparation and review of Major Force Program (MFP) 11 and SOCOM's Program Objective Memorandum (POM)?

Answer. The ASD(SO/LIC) provides policy oversight for the preparation and justification of the Special Operations Forces' program and budget. Ensuring that the SOCOM POM is aligned with national priorities and in support of the national defense strategy is key. The ASD(SO/LIC) currently attends the SOCOM Commanders' Roundtable—the SOCOM resource decision forum—to help ensure the POM is aligned to the Department's guidance. During program reviews, the ASD(SO/LIC) works closely with the Deputy Secretary of Defense and the Director, CAPE, to resolve issues across the Department. If confirmed, I will work closely with all parties to ensure our Nation sustains a ready, capable Special Operations Force, prepared to meet the fiscal, operational, and global challenges we face today and into the future.

Question. What is the appropriate role of the ASD(SO/LIC) in the research and development and procurement functions of SOCOM?

Answer. The appropriate role of ASD(SO/LIC) is to provide policy oversight in resolving special operations acquisition issues. As the lead Office of the Secretary of Defense official for SOF acquisition matters, the ASD(SO/LIC) represents SOF acquisition interests within DOD and before Congress. The responsibilities and relationships between the ASD(SO/LIC) and the Commander, SOCOM are defined and described in a Memorandum of Agreement between the ASD and Commander, SOCOM. The ASD directs and provides policy oversight to technology development programs that address priority mission areas to meet other departmental, interagency, and international capability needs.

Question. What is the appropriate role of the ASD(SO/LIC) in the operational planning of missions that involve special operations forces, whether the supported command is SOCOM, a geographic combatant command, or another department or agency of the U.S. Government?

Answer. The ASD(SO/LIC) serves as the principal advisor to the Under Secretary of Defense for Policy and the Secretary of Defense for all aspects of employment, deployment, and oversight of special operations and counterterrorism capabilities. The ASD(SO/LIC) provides policy oversight of SOCOM's mission planning and geographic combatant commanders' employment of SOF to ensure compliance with law and DOD priorities. The ASD(SO/LIC) coordinates deployment authorities and plans involving SOF within DOD and with interagency partners as required.

IMPACT OF SEQUESTRATION

Question. The President's budget request and the fiscal year 2014 spending bills for the Department of Defense considered by Congress to date assume an agreement that would avoid sequestration for fiscal year 2014. In the absence of such an agreement, the Department of Defense will face a second year of sequestration and an across-the-board reduction of approximately $52 billion.

What are your views on the impact sequestration is having on the readiness of special operations forces and how would those impacts be exacerbated if sequestration continues in fiscal year 2014 and beyond?

Answer. Sequestration has a negative effect on readiness across the Department. If confirmed, I will work closely with Congress, the DOD Comptroller, and SOCOM to assess the particular impact of sequestration on SOF, particularly to ensure we can sustain the right level of capability, capacity, and readiness across the Future Years Defense Program, aligned to current strategy and available resources.

SPECIAL OPERATIONS COMMAND ACQUISITION AUTHORITIES

Question. SOCOM is unique within the DOD as the only unified command with acquisition authorities and funding. Further, the Commander of SOCOM is the only uniformed commander with a subordinate senior acquisition executive.

If confirmed, how would you ensure SOCOM requirements are adequately vetted and balanced against available resources before moving forward with an acquisition program?

Answer. The ASD(SO/LIC) is closely involved in all facets of the SOCOM Planning, Programming, Budgeting, and Execution system, providing oversight of these matters. Other forums used by the ASD(SO/LIC) include: the USD(AT&L) Acquisition Review of Department Systems, the SOCOM Commanders' Roundtable, the SOCOM Integrated Concept Team Reviews, and SOCOM Budget and Acquisition Reviews. Additionally, through the annual DOD Program Budget Review process, the ASD(SO/LIC) is able to ensure that SOCOM's priorities and resource allocation are in alignment with the Department's strategic and policy imperatives.

Question. What role can SOCOM's development and acquisition activities play in broader service and DOD efforts?

Answer. SOCOM can continue to serve as an incubator for developing new equipment and capabilities that initially are for special operations-specific needs but often transition to the General Purpose Force. Noteworthy is SOCOM's ability to conduct rapid evaluations of technology, systems, and concepts of operations, and the ability to integrate emerging off-the-shelf technologies.

Question. If confirmed, how would you ensure that special operations capabilities and requirements are integrated into overall DOD research, development and acquisition programs?

Answer. If confirmed, I would continue to support the regularly-convened SOCOM-led "Acquisition Summits" with OSD, drawing together SOCOM, USD(AT&L), and the Service Acquisition Executives where all elements discuss acquisition issues of common interest.

Question. If confirmed, how would you ensure sufficient resources are dedicated to the development of special operations-unique platforms, when required?

Answer. ASD(SO/LIC) is closely involved and integrated with SOCOM's planning, resourcing, and execution. Additionally, the ASD(SO/LIC) attends the SOCOM Commanders' Roundtable quarterly meetings, which allows the ASD to maintain awareness of matters of concern and import to SOCOM and its subordinate commands. Finally, ASD(SO/LIC) representatives sit on the SOCOM Special Operations Requirements Board to ensure SOF requirements are ready for funding. If confirmed, I will advocate for steady and predictable resourcing of SOCOM and oversee the investment strategy. If confirmed, I will also provide advice and support to the Under Secretary of Defense for Policy as he sits on critical resource decisionmaking bodies.

Question. If confirmed, what metrics will you use to determine the effectiveness of SOCOM technology development investments and whether SOCOM is investing sufficient resources in these efforts?

Answer. SOCOM has created a series of technology roadmaps that are effective in identifying promising solutions to meet operational requirements. These roadmaps have quantifiable metrics (e.g., cost, schedule, performance, and technology readiness) embedded in them and allow the ASD(SO/LIC) to oversee and monitor progress and identify obstacles that may require Department-level involvement.

Question. If confirmed, how will you ensure that SOCOM has an acquisition workforce with the skills, qualifications, and experience needed to develop and manage its acquisition and research and development programs?

Answer. If confirmed, I would support SOCOM's efforts to manage the SOF acquisition workforce, which is similar to the process used by the Service Acquisition Executives. SOCOM's acquisition workforce experts are professionally trained and certified, and have substantial experience in the SOF-unique processes needed to meet the equipping needs of SOF. I would also support SOCOM's efforts with USD(AT&L) to expand its organic acquisition workforce, as well as to create a unique identifier for SOF acquisition positions.

SPECIAL OPERATIONS PERSONNEL MANAGEMENT

Question. Some have argued that the Commander of SOCOM should have greater influence on special operations personnel management issues including assignment, promotion, compensation, and retention of special operations forces. One proposal would modify section 167 of title 10, U.S.C., to change the role of the SOCOM Commander from "monitoring" the readiness of special operations personnel to "coordinating" with the Services on personnel and manpower management policies that directly affect Special Operations Forces.

What is your view of this proposal?

Answer. Personnel policies and management are arguably the most effective tool for incentivizing characteristics and culture in an organization. Currently, Commander, SOCOM, provides input to Service personnel policies that effect SOF, but

has no direct influence or control over the assignment, promotion, or command selection of SOF personnel. Changing section 167 of title 10, U.S.C., to reflect the word "coordinating" rather than "monitoring" would give SOCOM more influence over Service personnel policies that affect SOF accessions, assignments, compensation, promotions, professional development, readiness, retention, and training. However, I believe that additional coordination and study should be done within the Department to fully understand the impact of this proposal.

SIZE OF SPECIAL OPERATIONS FORCES

Question. The previous two Quadrennial Defense Reviews (QDR) have mandated significant growth in our Special Operations Forces and enablers that directly support their operations.

Do you believe QDR-directed growth in the size of Special Operations Forces can and should be maintained in light of current fiscal challenges?

What do you believe would be the impact on the ability of Special Operations Forces to meet global requirements if QDR-directed growth is not realized? What if special operations end strength is reduced below current levels?

Answer. I believe the uncertain security environment necessitates a review of our SOF force structure, balanced against our strategy and resources, during each QDR and program review. If confirmed, I will work closely with colleagues in DOD and with the SOCOM Commander to ensure our Nation has a ready, capable Special Operations Force to address current and future threats.

SPECIAL OPERATIONS MISSIONS

Question. In recent years, Special Operations Forces have taken on an expanded role in a number of areas important to countering violent extremist organizations, including those related to information and military intelligence operations. Some have advocated significant changes to SOCOM's title 10 missions to make them better reflect the activities Special Operations Forces are carrying out around the world.

What current missions, if any, do you believe can and should be divested by SOCOM, and why?

Answer. I fully support the 2010 QDR's strategic shift toward expanding general purpose forces' capabilities and capacity for irregular threats. However, I believe that SOF must maintain a very robust capability to train, equip, and advise foreign security forces as part of ensuring SOF capability to conduct operations in politically sensitive environments, ensuring access for other SOF activities, and ensuring the ability to train, equip, and advise either Special Operations Forces or irregular forces. At this time, I do not advocate significant changes to SOCOM's title 10 missions. If confirmed, I will make recommendations of any mission divestitures if and when required.

Question. Are there any additional missions that you believe SOCOM should assume, and, if so, what are they and why do you advocate adding them?

Answer. No. If confirmed, I will make recommendations of any additional missions for SOF if and when required.

COMBATTING TERRORISM

Question. The National Strategy for Counterterrorism highlights the need to maintain pressure on al Qaeda's core while building the capacity of partners to confront mutual threats. The strategy also underscores the need to augment efforts to counter threats from al Qaeda-linked threats "that continue to emerge from beyond its core safe haven in South Asia." The President signed new Policy Guidance on Counterterrorism on May 22, 2013, that established a framework governing the use of force against terrorists.

How do you view DOD's role under the National Strategy for Counterterrorism?

Answer. The President's National Strategy for Counterterrorism maintains the focus on pressuring al Qaeda's core while emphasizing the need to build foreign partnerships and capacity and to strengthen our resilience. Overarching goals are to protect the American people, Homeland, and interests; disrupt, degrade, dismantle, and defeat al Qaeda; prevent terrorists from acquiring or using weapons of mass destruction; eliminate safe havens; build enduring counterterrorism partnerships; degrade links between al Qaeda and its affiliates and adherents; counter al Qaeda's ideology; and deprive terrorists of their financial support and other enablers.

The U.S. Government remains engaged in a multi-departmental, multinational effort. DOD continues to undertake activities to support this strategy including training, advising, and assisting partner security forces; supporting intelligence collection

on al Qaeda; conducting information operations against al Qaeda; and, when appropriate, capturing or killing al Qaeda operatives. However, DOD is also committed to enabling its intelligence and law enforcement partners, both in the United States and overseas, in their efforts to counter this threat.

Question. What is your understanding of the impact of the President's guidance for the use of force in counterterrorism operations outside the United States and areas of active hostilities on DOD's role within the U.S. Government's counterterrorism strategy?

Answer. The President's guidance formalizes and strengthens the administration's rigorous process for reviewing and approving operations to capture or employ lethal force against terrorist targets outside the United States and outside areas of active hostilities. By establishing a clear set of criteria that must be met before lethal action may be taken, the guidance will help focus DOD's planning and preparation for these operations. If confirmed, I will make a formal assessment of the impact of the new guidance and provide my best advice to the Secretary and the President to ensure we're doing everything we can to protect our Nation from terrorist attacks.

Question. Will DOD see its role increase or decrease as a result of the President's counterterrorism guidance?

Answer. The guidance establishes standards and procedures that are either already in place or will be transitioned over time. As such, I do not anticipate a significant change in the Department's role. If confirmed, I intend to ensure we conduct counterterrorism operations lawfully, and in accordance with this policy.

Question. If the role increases, what, if any, are the commensurate increases in capabilities or capacities that are required?

Answer. If there is an increase in our role, if confirmed, I will work closely with colleagues to ensure our department has the requisite capabilities to execute our counterterrorism responsibilities in accordance with the policy.

Question. Will DOD require any new authorities?

Answer. At this time, it is my understanding the Department of Defense does not require any new authorities to carry out our counterterrorism responsibilities.

Question. Are there steps DOD should take to better coordinate its efforts to combat terrorism with those of other Federal departments and agencies?

Answer. I believe the Department of Defense routine coordination with other Federal departments and agencies adequately addresses its efforts to combat terrorist networks and threats to American interests.

Question. What do you view as the role of DOD in countering al Qaeda and affiliated groups in cyberspace?

Answer. It is important that DOD retain the resources and expertise to counter al Qaeda's propaganda and recruitment efforts in cyberspace, in order to effectively complement the State department's primacy of communications outside of combat zones.

THE 2001 AUTHORIZATION FOR USE OF MILITARY FORCE

Question. What is your understanding of the scope and duration of the 2001 Authorization for Use of Military Force (AUMF)?

Answer. The AUMF was enacted by Congress on September 18, 2001 (Public Law 107–40), and it provides "that the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons." The AUMF remains law; it has not been amended or repealed.

Question. What factors govern Department of Defense determinations as to where the use of force is authorized, and against whom, pursuant to the AUMF?

Answer. Outside of Afghanistan, without touching on matters that may be classified, I would note that targeting decisions are made based on careful, fact-intensive assessments, and review, in order to identify those individuals and groups that are appropriately targetable. This review continues up the chain of command through the four-star combatant commander and to the Secretary of Defense.

Question. Do you believe that current legal authorities, including the AUMF, enable the Department to carry out counterterrorism operations and activities at the level that you believe to be necessary and appropriate?

Answer. Yes, I believe that DOD's current legal authorities, including the AUMF and the President's constitutional authority as Commander in Chief and Chief Executive, are necessary and appropriate.

SPECIAL OPERATIONS AUTHORITIES

Question. Reportedly, the Commander of SOCOM has sought more control over the deployment and utilization of Special Operations Forces. For example, the Secretary of Defense modified policy guidance for the combatant commands earlier this year that gave SOCOM, for the first time, responsibility for resourcing, organizing, and providing guidance to the Theater Special Operations Commands of the geographic combatant commanders (GCC) and Special Operations Forces assigned to them. It has been reported that the Commander of SOCOM is also seeking new authorities that would allow him to more rapidly move special operations forces between geographic combatant commands.

Please provide your assessment of whether such changes are appropriate and can be made without conflicting with civilian control of the military, infringing upon authorities provided to the geographic combatant commanders, or raising concerns with the State Department.

Answer. On February 11, 2013, the Secretary of Defense approved an update to the Forces For Unified Commands Memorandum for Fiscal Year 2013 that assigns all Special Operations Forces to Commander, SOCOM. This improved command relationship gives Commander, SOCOM, the flexibility to meet geographic combatant commander requirements with sustained, persistent SOF capabilities and capacities more effectively in order to accomplish regional objectives in support of national strategic end states. GCCs continue to exercise operational control of Special Operations Forces once deployed into a GCC area of responsibility.

INTELLIGENCE OPERATIONS

Question. In your view, how are intelligence operations carried out by special operations personnel different from those carried out by others in the Intelligence Community?

Answer. In my view, SOF intelligence operations are complementary and mutually supporting to those carried out by the Intelligence Community (IC). These operations comply with the policies and regulations guiding DOD and interagency activities.

Question. If confirmed, how would you ensure intelligence activities carried out by Special Operations Forces are coordinated adequately with other activities carried out by those in the Intelligence Community?

Answer. I believe that interagency collaboration is the most important contributing factor to many of SOF's achievements. If confirmed, I will oversee, maintain, and build upon the important relationships SOCOM has developed with the Federal intelligence and law enforcement agencies.

Question. What is your understanding and assessment of the authorities and agreements which are in place to allow U.S. military personnel to carry out missions under the authorities contained in title 50, U.S.C.?

Answer. The Secretary of Defense has authority under title 10 and title 50, U.S.C. to conduct operations vital to our national defense. DOD activities conducted under title 50 support intelligence collection for the Department as well as for the Nation. U.S. military personnel are employed across the spectrum of tactical to strategic operations in support of these requirements.

INFORMATION OPERATIONS

Question. The Government Accountability Office reports that DOD has "spent hundreds of millions of dollars each year" to support its information operations outreach activities. Many of these programs are in support of operations in Afghanistan, but Military Information Support Teams (MISTs) from SOCOM also deploy to U.S. embassies in countries of particular interest around the globe to bolster the efforts of the Department of State and the U.S. Agency for International Development. Further, the geographic combatant commands are increasingly moving into this operational space.

What are your views on DOD's military information support operations and influence programs and their integration into overall U.S. foreign policy objectives?

Answer. I believe the Department of Defense must be able to influence foreign audiences in environments susceptible to the messages of U.S. adversaries. Military Information Support Teams (MIST) are trained in developing culturally appropriate messages to counter hostile information and propaganda, as well as assisting with building the capacity of partner nations to conduct these activities themselves.

Question. What is the role of DOD versus the Intelligence Community and the State Department?

Answer. The Department of Defense, like all Departments and agencies of the executive branch, takes its lead from the President, and relies heavily on the Department of State, in re-enforcing the Nation's message. I understand that Department of Defense influence activities, including those conducted by MISTs, are coordinated closely with the Embassies in the areas where they operate, both inside and outside of areas of conflict, and at times can support common efforts of other agencies. Chiefs of Mission must concur on all MIST deployments. MIST activities are fully coordinated with the U.S. country team to ensure message consistency and maintain State Department leadership in presenting the face of the U.S. overseas.

Question. How do you believe the success of these programs should be measured, especially in light of the constrained budget environment?

Answer. I understand the Department has taken significant steps to address congressional concerns related to policy oversight, budgeting, and effectiveness of information support operations and influence programs. These programs remain a special interest item for Congress, and as such must continue to be carefully managed and overseen. If confirmed, I intend to continue to be responsive to Congress on this matter, as well as to continue the Department's efforts to improve coordination of our information activities across the interagency.

CIVIL AFFAIRS OPERATIONS

Question. Civil Affairs activities carried out by U.S. Special Operations Forces in partnership with host nation personnel play an important role in developing infrastructure, supporting good governance and civil societies, and providing humanitarian assistance, including medical and veterinary services to needy populations.

In your view, does SOCOM have sufficient personnel and resources to conduct the range of Civil Affairs missions required for today's operations?

Answer. If confirmed, I will review the Civil Affairs (CA) force structure and work with the Joint Staff, the Services, and the combatant commands to determine any shortfalls and how best to address them.

Question. Civil Affairs activities are most effective when coordinated with other U.S. Government efforts, most notably those carried out by U.S. Agency for International Development.

If confirmed, how would you ensure Civil Affairs activities by special operations personnel are integrated into larger U.S. Government efforts?

Answer. If confirmed, I will meet regularly with my interagency counterparts in order to harmonize U.S. Government CA efforts as required.

Question. Military Information Support Operations (MISO) can have an amplifying effect on Civil Affairs activities by actively promoting the efforts of the U.S. military and host nation and by communicating truthful messages to counter the spread of violent extremist ideology among vulnerable populations.

If confirmed, how would you ensure Civil Affairs and Military Information Support Operations are adequately coordinated to achieve a maximum impact?

Answer. If confirmed, I would support SOCOM in its role as a joint proponent over both CA and MISO. This will enable unity of effort and the coordinated execution of CA and MISO. CA and MISO force representation at the operational and strategic levels will also remain critical in achieving a coordinated impact. At the tactical and operational level, (e.g. country teams at the U.S. Embassies where CA and MISO are working), this is accomplished as a matter of course. CA and MISO personnel receive similar training and understand that their specialties are mutually supporting.

RENDER SAFE PROFICIENCY

Question. The proliferation of weapons of mass destruction is a growing and especially concerning threat to our Nation. Countering this threat through actions taken to locate, seize, destroy or capture, recover and render such weapons safe is a core activity of SOCOM.

If confirmed, how would you ensure render-safe capabilities are adequately maintained by special operations units who may currently be heavily engaged in Afghanistan and elsewhere?

Answer. The National Strategy for Counterterrorism highlights the danger of nuclear terrorism as being the single greatest threat to global security. If confirmed, I will work closely with SOCOM and Assistant Secretary of Defense for Global Security Affairs on this important issue. I will carefully monitor and assess the impact of our operational tempo on DOD's render safe capabilities and ensure that these capabilities are maintained.

Question. Do you believe additional render-safe capabilities are needed within SOCOM?

Answer. Not at this time, I believe SOCOM has the capabilities now to accomplish its render-safe mission.

SUPPORTED COMBATANT COMMAND

Question. Under certain circumstances and subject to direction by the President or Secretary of Defense, SOCOM may operate as a supported combatant command.

In your view, under what circumstances should SOCOM conduct operations as a supported combatant command?

Answer. As authorized by section 167 of title 10, U.S.C., the President or the Secretary of Defense may direct SOCOM Commander to exercise command of selected special operations missions, which may involve highly sensitive targets and circumstances. The Secretary of Defense has also designated SOCOM as the supported combatant command for planning and synchronizing global operations against terrorist networks.

TRAINING CAPABILITY

Question. What capabilities do you consider most important for effective training of special operations personnel?

Answer. The human component of SOCOM is where its strength lies and to develop our special operations personnel we must be willing to invest the necessary time and resources in advanced, realistic training. Specialized individual training, including language proficiency and development of technical skills, together with a robust joint and international exercise program, is a proven recipe for building and sustaining our cutting-edge capabilities. These are best achieved through SOF-based authorities, such as the Joint Combined Exchange Training programs, as well as other exercise programs administered by the Combatant Commands and the Chairman of the Joint Chiefs of Staff.

Question. What improvements are necessary, in your view, to enhance training for special operations personnel?

Answer. Despite steady growth in SOCOM since 2001, operational demands continue to stress the force. As we continue to transition in Afghanistan, we need to establish a sustainable rotation model for SOF that allows for deliberate training cycles for individual and unit level training in between operational deployments.

Question. What are the most significant challenges in achieving effective training of special operations personnel?

Answer. SOF are deployed at an extremely high rate around the world. Deploying persistently and for long durations results in significant experience for special operations personnel, but in many cases a focused mission may result in the atrophy of other skill sets. For example, aircrews may conduct repetitive air-land missions on a long deployment, but may not conduct a specific airdrop mission due to deployment constraints. SOCOM's development of a SOF force generation model is intended to ensure there is enough time to train in the deployment cycles to maintain proficiency in core SOF capabilities. Additionally, since most SOF missions require non-SOF support, time must be added to work closely with Service counterparts supporting SOF.

Question. What, if any, training benefits accrue to U.S. Special Operations Forces from training foreign military personnel?

Answer. SOF gain significant training benefit from training foreign personnel. These training benefits include: enhanced language proficiency, cultural awareness, real world experience conducting foreign internal defense and unconventional warfare. These activities help expose SOF to new tactics, techniques, and procedures while also encouraging the development of communication and intelligence-sharing mechanisms that enable CT operations. Training foreign military units helps build trusting relationships and fosters familiarization that in return enables our SOF to work in foreign countries with greater success and confidence.

Question. To what extent, in your view, is it appropriate for the United States to rely upon contractors for training foreign military personnel? What do you see as the primary risks and advantages in such contractor training?

Answer. SOF cannot be replaced by contractors. However, in some instances utilizing contractors may make sense and could be a viable course of action, particularly if there's a requirement for a certain technical skill not resident in our force. For example, there may not be a SOF aviator trained on a certain aircraft that is essential to a partner nation's mobility fleet. In these cases, a contract solution might be the best option to ensure an important mission is still conducted. Contractors can also fill a gap in cases when U.S. foreign policy restrictions do not permit deployment of U.S. military personnel. Contractors can also help provide logistics, administrative support, and technical/computer expertise which in turn free special

operations personnel for more SOF-unique training opportunities and operational missions. DOD is obligated to maintain strong oversight over contractors, and contractors are not permitted to represent the U.S. Government.

LANGUAGE AND CULTURAL AWARENESS CAPABILITIES

Question. Deployed special operations personnel remain heavily concentrated in the Central Command theater of operations, including many who have been deployed outside of their regional area of expertise.

Are you concerned that the language and cultural skills among special operations forces have been degraded because of repeated deployments outside their regional area of expertise?

Answer. Yes. For more than a decade, 80 percent of all SOF deployments have been to the U.S. Central Command (CENTCOM) area of operations. This has taken a toll on the language, regional expertise, and cultural awareness capabilities of those units deployed outside their aligned regions. SOCOM has made great strides to correct this imbalance, and I expect the trend towards greater regional alignment to continue as we move towards a transition in Afghanistan.

Question. If so and if confirmed, what, if anything, would you do to ensure these unique skills are adequately maintained?

Answer. I support SOCOM's initiative to implement higher requirements for language capability as well as to improve the training processes for its components. If confirmed, I would seek to continue to pursue several key policy issues in close coordination with SOCOM, including: native/heritage recruiting, valuing language and regional capabilities in selections and promotions, and language testing and incentives. I will also strongly encourage the continued alignment of SOF with regional areas of focus, consistent with our national strategies and aligned to the threat.

CAPABILITIES OF SPECIAL OPERATIONS AND GENERAL PURPOSE FORCES

Question. The 2010 QDR called for increased counterinsurgency, counterterrorism, and security force assistance capabilities within the general purpose forces (GPF). The Defense Strategic Guidance (DSG) of 2011 did not modify this policy. However, the Strategic Capabilities and Management Review (SCMR) released this year identifies a range of general purpose force reductions that would likely result in little or no significant or consistent capability for these missions.

What is your assessment of the QDR, DSG, and SCMR with regard to the mix of responsibilities assigned to general purpose and special operations forces, particularly with respect to security force assistance and building partner military capabilities?

Answer. I understand the Services are increasingly improving their capabilities to conduct these operations, including the Army's development of regionally-aligned forces and the Marine Corps deployment of a Special Purpose Marine Air Ground Task Force for Crisis Response (MAGTF–CR). In many cases, SOF and the GPF are working side-by-side to build the military capability and capacities of our partners around the world. I expect this trend to continue, despite budget cutbacks, given the importance our strategy places on helping our partners and allies develop assume greater responsibility for security abroad.

Question. Do you believe that our GPF need to become more like Special Operations Forces in mission areas that are critical to countering violent extremists?

Answer. The partnership between general purpose and Special Operations Forces is strong. The extensive combat employment of both forces in shared battle spaces has increased the need to coordinate our operations closely. This has resulted in a sharing of tactics, techniques, and procedures between SOF and GPF that has helped to increase the Services' capabilities to execute counterinsurgency and combating terrorism operations. The Services can continue to complement SOF's capabilities by providing those combat enablers that are not organic to SOF units or that are not available in adequate quantities. These combat enablers, including intelligence and combat service support, are vital to the success of SOF, especially in today's complex operating environment.

Question. Are there certain mission areas that should be reserved for Special Operations Forces only?

Answer. Yes. Although the Joint force has evolved significantly since 2001, and SOF and GPF are highly interoperable, they are not interchangeable. Special operations and low intensity conflict activities, as defined in title 10, U.S.C., section 167, include direct action, strategic reconnaissance, unconventional warfare, foreign internal defense, civil affairs, psychological operations, counterterrorism, humanitarian assistance, theater search and rescue, and such other activities as may be specified by the President or Secretary of Defense. SOCOM focus should remain in

these defined areas of experience and expertise while integrating Service enablers as appropriate.

SPECIAL OPERATIONS ENABLING CAPABILITIES

Question. While SOCOM maintains organic enabling capabilities to support short duration missions, most special operations missions require supporting capabilities provided by the Services to be successful.

What do you believe are the greatest shortages in enabling capabilities facing Special Operations Forces?

In your view, how should the responsibility for providing supporting capabilities for special operations missions be divided between SOCOM and the Services?

What in your view are the critical supporting capabilities in each of the Services that must be preserved to minimize risk to special operations missions today and into the future?

Answer. Shortages of enabling capabilities for SOF are often similar to the shortage of high-demand enablers that challenge the rest of the deployed forces (e.g., intelligence, explosive ordnance disposal, communications, medical, security).

SOCOM's organic enabling capabilities are those that provide SOF the ability to self-sustain for short durations while maintaining the agility to deploy forces quickly in support of the combatant commanders. Longer-term support of Special Operations Forces, by doctrine, and except under special circumstances, becomes the responsibility of each Service's theater logistic command and control structure and are critical to the success of SOF.

SECTION 1208 OPERATIONS

Question. Section 1208 of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), as amended by subsequent legislation, authorizes the provision of support (including training, funding, and equipment) to regular forces, irregular forces, and individuals supporting or facilitating military operations by U.S. Special Operations Forces to combat terrorism.

What is your assessment of this authority?

Answer. Section 1208 authority has been a very effective tool for U.S. Special Operations Forces to leverage and enable willing partners to conduct operations to combat terrorism. Combatant commanders strongly support 1208 programs. Given the changing global threat environment, I anticipate that the need for these programs will continue to grow.

AL QAEDA

Question. What is your assessment of the threat posed by al Qaeda and its associated forces to the U.S. Homeland, U.S. interests overseas, and western interests more broadly? Which affiliates are of most concern?

Answer. The pressure exerted by the United States and its partners has isolated the core of al Qaeda. As the President has said, the remaining operatives in the al Qaeda core spend more time thinking about their own safety than plotting against us. But we now confront a less capable, but still lethal threat from geographically diversified groups affiliated with al Qaeda. The most well-known of these groups is al Qaeda in the Arabian Peninsula (AQAP), which continues to plot against the United States. Increasingly, however, new groups of loosely affiliated extremists have also emerged, but the threat they pose to the United States is more localized.

The upheaval in North Africa and the Middle East has contributed to a permissive environment for such extremist networks to exploit. Unlike the al Qaeda core in Afghanistan and Pakistan, or even AQAP, these groups are most focused on the countries and regions where they are based. They work together through existing familial and tribal networks and focus on acting locally, as we saw in Benghazi and the BP oil facility in Algeria attacks. As we strive to work with our partners in the region, we see the political changes ushered in by the Arab Spring present challenges as well; although many of the governments in the region are friendly to our interests, they struggle to exert a monopoly of force within their own borders.

AFGHANISTAN

Question. What is your assessment of the current situation in Afghanistan? What are the weaknesses and shortcomings in the current effort to combat terrorism and insurgency in Afghanistan?

Answer. I am cautiously optimistic that we are going to accomplish our objectives in Afghanistan prior to completion of the transition. The International Security Assistance Force (ISAF) and its Afghan partners have made important security gains

over the past 12 years, reversing violence trends in much of the country, and beginning the process of transition to the Afghan Government. The Afghan National Security Forces (ANSF), particularly the Afghan CT Forces such as the Afghan SOF and Special Police Units (who fall under the MOI) have been integral to this success. These units are demonstrating substantial growth in quantity, quality, and operational effectiveness. The Afghan Special Operations Forces and it's the Special Police Units have demonstrated particular competence, and are well regarded within the country.

We must remain cautious, however, as U.S. and allied forces begin to retrograde in 2014. Al Qaeda's safe havens in Northeast Afghanistan and the limited capacity of the Afghan Government remain the biggest threats to consolidating security gains to enable an enduring, stable Afghanistan that can prevent terrorist groups from using these areas to launch attacks against the U.S. Homeland. Additionally, the threat of attacks against U.S. interests within Afghanistan is likely to increase as U.S. and allied direct support to security decreases; this is a threat against which our personnel in-country must remain vigilant. Nevertheless, this partnered campaign has provided increased security and stability for the Afghan population, and the United States continues to build upon this success.

Question. Special Operations Forces in Afghanistan depend on general purpose forces for many enabling capabilities, including intelligence, surveillance and reconnaissance (ISR); logistics; and medical evacuation. Admiral McRaven, Commander of SOCOM, has said "I have no doubt that special operations will be the last to leave Afghanistan" and has predicted that the requirement for Special Operations Forces may increase as general purpose forces continue to be drawn down.

If confirmed, how would you ensure adequate enabling capabilities for Special Operations Forces as general purpose forces continue to draw down in Afghanistan?

Answer. I have not yet reviewed the mission planning and analysis to form a view regarding the appropriate number of U.S., coalition, and Afghan troops necessary to fulfill key missions including force protection. I do believe that sufficient forces should be provided to do the job assigned to them, while protecting themselves. If confirmed, I will seek to ensure that all Special Operations Forces are supported by sufficient enablers, informed by military advice from the Joint Staff and the Commander, CENTCOM.

Question. In April 2012, the United States and Afghanistan signed a Memorandum of Understanding (MOU) on the "Afghanization" of direct action counterterrorism missions in Afghanistan—reflecting the shared intention of having Afghan security forces in the lead in the conduct of such operations with U.S. forces in a support role.

What is the status of efforts to put Afghan Special Operations Forces in the lead for such operations and why do you believe such a transition is important?

Answer. In my view, both unilateral and partnered direct actions are an essential and highly effective element of our strategy to defeat al Qaeda and those that enable it in Afghanistan. Wherever possible, we should strive to maintain a reasonable degree of freedom of action within our post 2014 force structure that will allow us to achieve our objective of preventing terrorists from using Afghanistan as a sanctuary from which to attack the U.S. Homeland.

I understand that Afghanistan's highly-trained Special Operations Forces are steadily growing, and that Afghans currently play a key role in coordinating and partnering in the vast majority of these operations. Of course, direct action operations must continue to be conducted with due respect for cultural sensitivities and great care for the prevention of civilian casualties. Ultimately, the goal must be to ensure that Afghan and international forces have the capabilities and authorities necessary to achieve the transition to a post-2014 structure, while also being mindful of the goal to increase Afghan ownership throughout the transition process.

Question. The Village Stability Operations (VSO) and Afghan Local Police (ALP) programs—both U.S. Special Operations missions—have been consistently praised by U.S. military leaders as critical elements of the counterinsurgency strategy in Afghanistan.

What are your views on the value of these programs and do you believe they should be part of the long-term strategy in Afghanistan (i.e. post-2014)?

Answer. Village Stability Operations (VSO) are a critical component of the International Security and Assistance Force's (ISAF) campaign plan. VSO uses Afghan and ISAF special operations forces embedded in the community full-time to help improve security, governance, and development in more remote areas of Afghanistan where the Afghan National Security Force and ISAF have a limited presence. I understand that, since its inception, VSO has greatly expanded Afghan Government influence in key rural areas and has enabled small-scale infrastructure develop-

ment. Across Afghanistan, increasing numbers of local communities are requesting to participate in this program.

The ALP, the armed local security program associated with VSO and established by President Karzai, has reportedly expanded to more than 8,000 members. ALP are empowering local communities and have proven to be a significant threat to the Taliban by denying them safe-haven, and ultimately creating the conditions for long-term stability.

PAKISTAN

Question. What in your view are the key U.S. strategic interests with regard to Pakistan?

Answer. I believe the United States and Pakistan share common interests in long-term regional stability; which includes disrupting, dismantling, and defeating al Qaeda, a durable political settlement in Afghanistan, and the safety and security of the Indian Ocean.

The National Strategy for Counterterrorism is clear in stating that the United States will only achieve the strategic defeat of al Qaeda through a sustained partnership with Pakistan. In my view, the military-to-military relationship is an important part of this partnership as it facilitates mutually beneficial counterterrorism goals. U.S. military assistance to Pakistan has helped the Pakistan Military (PAKMIL) achieve success in its counterinsurgency efforts. Despite recent setbacks in this relationship, it is important that we continue to engage our PAKMIL counterparts to reestablish and rebuild the relationship and continue achieving these successes.

Question. Does the United States have a strategic interest in enhancing military-to-military relations with Pakistan? Why or why not?

Answer. The National Strategy for Counterterrorism is clear in stating that the United States will only achieve the strategic defeat of al Qaeda through a sustained partnership with Pakistan. U.S. military assistance to Pakistan has helped the PAKMIL achieve a level success in its counterinsurgency efforts. I support efforts to increase military-to-military relations in support of counterterrorism efforts with Pakistan, as feasible.

Question. If so, what steps would you recommend, if confirmed, for enhancing the military-to-military relationship between the United States and Pakistan?

Answer. I understand unit-level relationships are strong, and I believe we should be making every attempt to ensure that our tactical and operational level leaders are able to maintain these ties however possible.

Question. What is your assessment of Pakistan's cooperation with the United States in counterterrorism operations against militant extremist groups located in Pakistan?

Answer. The internal domestic counterterrorism concerns of Pakistan are significant. I understand our current counterterrorism cooperation is good and we continue to improve the level and quality of this cooperation.

Question. In your view, how will the continued availability of safe haven for various terrorist organizations within the tribal areas of Pakistan impact our long-term strategy in Afghanistan?

Answer. Terrorist sanctuary in the tribal areas of Pakistan will continue to challenge Afghan security. Both unilateral and partnered direct actions are an essential and highly effective element of our strategy to defeat al Qaeda and those that enable it in Afghanistan, particularly in northeastern parts of the country.

Question. What is your assessment of Pakistan's efforts to counter the threat of improvised explosive devices, including efforts to attack the network, and go after known precursors and explosive materials?

Answer. I recognize the actions of the Government of Pakistan to ban the export of products utilized in the production of improvised explosive devices (IED). The improved border coordination between ISAF, Pakistan and Afghanistan and the ongoing discussions on the development of a comprehensive border security strategy are encouraging. This is a critical area for cooperation that could have had significant impact if it results in action.

SYRIA

Question. What is your assessment of the situation in Syria and its impact on the region?

Answer. Syrian President Bashar al-Asad has lost legitimacy and must step aside to enable a political solution that ends the bloodshed, and meets the aspirations of the Syrian people. I support working closely with allies, partners and multilateral

institutions to achieve this goal through diplomatic and economic pressure on the Asad regime.

Hundreds, if not thousands of foreign fighters, predominantly from North Africa and Middle Eastern countries, are traveling to Syria to support the Syrian insurgency against the Asad regime. However, as history demonstrates, relationships and experience gained by these fighters could yield benefits for al Qaeda and endanger the stability of surrounding countries.

Question. What is your assessment of Jabhat al Nusra and other like-minded groups?

Answer. Al Qaeda affiliated groups, Jabhat al Nusrah and al Qaeda in Iraq, as well as other extremist groups, are a growing problem inside Syria as the security vacuum caused by the instability has allowed these groups to make modest gains. Jabhat al Nusra has sought to portray itself as a part of the legitimate Syrian opposition, while also attempting to hijack the aspirations and struggles of the Syrian people for its own malicious purposes.

Question. In your view, what is the most appropriate role for the U.S. military in assisting regional friends and allies respond to the situation in Syria?

Answer. The United States is working with our allies to achieve a peaceful and orderly political transition in Syria and to end the bloodshed as quickly as possible. Our NATO Allies are closely monitoring the situation in Syria, especially as the conflict touches on NATO's border in Turkey, and like us, are extremely concerned about the deteriorating humanitarian conditions on the ground. NATO's ultimate task is the protection and defense of NATO members. To that end, I support NATO's decision to augment Turkey's air and missile defense capabilities in order to defend the population and territory of Turkey and contribute to the de-escalation of the crisis along the Alliance's border. This includes the recent deployment of NATO Patriot batteries to Turkey from the United States, Germany, and Netherlands. I understand the administration has also been working with our international partners, including NATO Allies, to ensure that the appropriate humanitarian assistance is reaching those Syrians in need, both inside Syria and in neighboring countries. If confirmed, I would support improved coordination and information sharing on al-Nusrah Front and foreign extremist flows. I would also continue to work with Syria's neighbors, especially Jordan and Israel, to ensure their stability during this turbulent time in the region.

Question. In your view, what—if any—role should the U.S. military, including Special Operations Forces, play with respect to the situation in Syria?

Answer. If confirmed, I will ensure that we continue planning for a variety of contingencies in order to provide the Secretary and the President with options. I will review these plans and, if necessary, I will direct additional planning on this and any other potential contingencies.

IRAQ

Question. What is your assessment of the current threat posed by al Qaeda in Iraq? How has the threat changed since the withdrawal of U.S. forces from Iraq at the end of 2011?

Answer. The increased levels of violence in Iraq in recent months are disturbing, and are a constant reminder of the formidable challenges Iraq continues to face on the security front.

Over the past 2 years, the operational tempo of al Qaeda in Iraq has increased in part due to the destabilizing influence of the crisis in Syria. I consider the Government of Iraq an essential partner in a common fight against al Qaeda. We have an ongoing dialogue with the Government of Iraq to help facilitate its capacity to degrade and defeat the al Qaeda network and to neutralize its ability to prey on Iraqi citizens of all communities.

Question. What is your assessment of the capabilities of the Iraqi security forces to respond to the threat posed by al Qaeda and other security challenges?

Answer. Iraq no longer needs large numbers of U.S. forces to maintain its internal stability. While the Iraqi Security Forces are competent at conducting counterterrorism and stability operations, the security situation they face is serious and poses a challenge to their ultimate success. If confirmed, I would remain committed to working with the Iraqi Government to develop its military and security abilities and address regional challenges.

Question. What are the main "lessons learned" from Operation Iraqi Freedom and Operation New Dawn as they pertain to Special Operations Forces?

Answer. I believe that the United States has learned many lessons through its past operations in Iraq and its ongoing operations in Afghanistan. Some of these lessons include: the need to maximize combined operations with partner forces, the ne-

cessity of culturally attuned forces, the need for a unified U.S. Government approach, and the need for active and integrated interagency coordination.

Question. What are the lessons learned from the drawdown and post-combat operations in Iraq that should be applied to the drawdown and post-combat operations in Afghanistan?

Answer. We need to continue our relationships and capacity building for the Government of Afghanistan's efforts against al Qaeda to succeed. Information sharing, technical assistance, and enabling resources will allow our partners to effectively disrupt al Qaeda operations, especially external operations against Western interests. We have productive engagement across the globe, in many different countries that help and support our interest in protecting the Homeland and U.S. persons. We should apply all the lessons we are learning to our CT threats that will continue to emanate from Afghanistan in the future.

YEMEN AND AL QAEDA IN THE ARABIAN PENINSULA

Question. What is your assessment of the current threat posed by al Qaeda in the Arabian Peninsula (AQAP)?

Answer. I am very concerned about the threat that AQAP poses to the Homeland. AQAP has attempted at least three attacks on the United States since December 2009, and in my view fully intends to attack again. AQAP has shown some very sophisticated and innovative techniques, such as the development of concealed explosive devices and printer cartridge bombs. AQAP is also attempting to recruit and radicalize would-be terrorists in the West through its extensive media outreach.

Question. What is your assessment of the current U.S. strategy in Yemen and what is your understanding of the role of DOD within that strategy?

Answer. The U.S. strategy to disrupt, dismantle, and defeat AQAP is a collaborative U.S.-Yemeni effort. I understand the current strategy also includes supporting the Yemeni political transition, marshaling international economic and humanitarian assistance, and building Yemen's counterterrorism capabilities through training and assistance.

As part of this whole-of-government strategy, DOD continues to collaborate extensively with Yemeni forces and remove key AQAP leadership and operatives from the battlefield. The Department's programs to train, advise, and equip Yemeni forces are also critical to long-term efforts against AQAP.

Question. Given the continuing political instability and slow progress of the national dialogue in Yemen, what are your views on the United States continuing to provide security training and assistance to Yemeni counterterrorism forces?

Answer. The Yemeni Government has made a number of gains against AQAP over the past 2 years, including driving AQAP from some of its territory in southern Yemen and enabling operations to capture and kill AQAP operatives. However, Yemeni counterterrorism capabilities remain limited, and Yemeni security forces will require continued U.S. training and assistance to enable them to effectively combat AQAP. This assistance has been and will continue to be a part of a comprehensive U.S. strategy that includes support for the Yemeni Government's reform efforts including the ongoing National Dialogue.

SOMALIA AND AL SHABAAB

Question. What is your assessment of the threat posed by al Shabaab?

In your view, does al Shabaab pose a threat to the United States and/or western interests outside of its immediate operational area?

Answer. My understanding is that successful operations by the African Union Mission in Somalia (AMISOM) have reduced al Shabaab's freedom of movement in south and central Somalia, but al Shabaab remains a threat to the U.S. Homeland and to U.S. and western interests in the Horn of Africa. Al Shabaab leaders have claimed affiliation with al Qaeda since 2007 and formally merged with the group in February 2012. Al Shabaab has demonstrated the intent and capability to conduct terrorist acts throughout eastern Africa, and it presents a threat to the Homeland through links into Somali diaspora communities in the United States and Europe.

Al Shabaab continues to stage high profile attacks in Somalia against Western and international targets and has claimed responsibility for the attack against the Westgate Mall in Nairobi. If al Shabaab did conduct the Westgate attack, it shows al Shabaab's capability to stage complex, high-profile attacks against Western targets outside of Somalia and its ability to harm U.S. citizens abroad.

Question. What is your understanding of al Shabaab's activities to recruit foreigners, including Somali-Americans, to join their efforts?

Answer. I understand that al-Shabaab has successfully recruited foreign recruits for training in Somalia, including Somali-Americans. Although the exact numbers and nationalities of foreign fighters in Somalia remain unclear, reports indicate that several hundred foreign recruits have come to Somalia to support al Shabaab and other extremist groups since 2008. Foreign fighters threaten the Somalia National Government and the AMISOM and undermine their efforts to build a stable and peaceful Somalia.

Question. What is your understanding of the current U.S. strategy in Somalia and the role of DOD in that strategy?

Answer. U.S. policies toward Somalia support the Somali National Government and AMISOM's efforts to deliver security and basic services and lay the foundation for an enduring government. However, Somalia's historical lack of governance and sparse population make it an appealing safe haven for al Shabaab and elements associated with al Qaeda.

I understand that DOD's primary missions in the Horn of Africa are to combat terrorism and to build partner capacity to promote regional security and stability, prevent conflict, and protect U.S. interests. I believe this mission is appropriate. DOD's ultimate goal should be a fully integrated strategy under which security assistance, capacity building, operational collaboration with regional partners, and counterterrorism actions are synchronized to provide the regional security and stability that are in the interest of both the United States and our regional partners. If confirmed, I will work to ensure our strategy is developed as part of a coordinated U.S. national security policy towards the Horn of Africa, and to determine how DOD can and should best support this policy.

Question. Should the United States establish military-to-military relations and consider providing assistance to the Somali national military forces?

Answer. The United States can play a guiding and mentoring role in the development of Somalia's security sector. It is in our interest to ensure that Somalia's new government has a competent and professional military to provide security to its citizens and play a constructive role in the region. Formally recognizing the Somalia National Government earlier this year was an important first step to developing military relations. If confirmed, I will work to ensure DOD's relationship with the Somalia National Army progresses appropriately.

AL QAEDA IN THE ISLAMIC MAGHREB

Question. What is your assessment of the threat posed by al Qaeda in the Islamic Maghreb (AQIM)?

Answer. My understanding is that at this time, there is no credible evidence that AQIM is a direct threat to the U.S. Homeland. However, as seen in hostage situations in Algeria and other attacks in the region, AQIM and its associates do threaten U.S. persons and interests abroad, as well as our European Allies.

Question. In your view, does AQIM pose a threat to the United States and/or western interests outside of its immediate operational area? What capacity has AQIM demonstrated to plan and carry out actions threatening U.S. interests?

Answer. AQIM's immediate operational area includes pockets of ungoverned territory across North and West Africa. Though AQIM has not conducted an attack outside of this area, we must be proactive in denying a terrorist a safe haven throughout the region, from which direct attacks against the United States, our partners, or our interests outside of North and West Africa would be possible.

Question. In your view, what has been the impact of the recent expansion of AQIM's area of operations in northern Mali on the group's capacities and aims?

Answer. The expansion of AQIM's area of operations in northern Mali is not new. It has been a serious concern to the United States and our partners. France's operations in Mali and the regional and United Nations' peacekeeping forces have made significant progress in stabilizing the situation. We remain concerned about AQIM's freedom of action in Mali and throughout the region and will continue to work with partners, including the newly-inaugurated President of Mali, to address the threat.

OPERATION OBSERVANT COMPASS & THE LORD'S RESISTANCE ARMY

Question. Despite pressure by the Ugandan People's Defense Forces (UPDF) and efforts by U.S. Special Operations personnel to support them, elements of the Lord's Resistance Army (LRA)—including Joseph Kony—continue to operate and commit atrocities against civilian populations in the Central African Republic, Democratic Republic of the Congo, and South Sudan. Some observers have identified operational concerns with this mission, including that: (1) supported forces are trying to find an elusive foe in an area roughly the size of California, much of which is covered in thick jungle; (2) technical support to U.S. forces and their UPDF partners from

the defense and Intelligence Community continues to be inadequate; and (3) limitations continue to be placed on the ability of U.S. Special Operations personnel to accompany UPDF partners outside of main basing locations, thereby limiting the level of direct support they can provide.

In your view, what is the objective of Operation Observant Compass (OOC)?

Answer. Under OOC, U.S. SOF seeks to enhance the capacity of local forces to end the threat posed by the LRA. It is my understanding that U.S. military advisors are working with these forces to strengthen information-sharing and synchronization, enhance their operational planning, and increase overall effectiveness. While OOC is important in the effort to counter the LRA threat, there is not a purely military solution to this problem. The U.S. strategy to counter the LRA outlines four pillars for continuing support: increasing the protection of civilians; apprehending or removing Joseph Kony and senior commanders from the battlefield; promoting the defection, disarmament, demobilization and reintegration of remaining LRA fighters; and increasing humanitarian access and providing continued relief to affected communities. If confirmed, I would support the current U.S. policy of pursuing a comprehensive, multi-faceted strategy to help the governments and people of this region in their efforts to end the threat posed by the LRA and to address the impacts of the LRA's atrocities.

Question. Do you support the continuation of DOD's current level of support to this mission?

Answer. DOD's support to regional counter-LRA efforts helps to advance regional security cooperation and security sector reform. If confirmed, I would seek to continue the U.S. commitment to deepen our security partnerships with African countries and regional organizations by expanding efforts to build African military capabilities through low-cost, small-footprint operations.

At the same time, I would work with the Department of State and other U.S. agencies and departments to seek to strengthen the capacity of civilian bodies and institutions to improve the continent's ability to provide security and respond to emerging conflicts. I would also regularly assess and review DOD's contributions to this mission to ensure our personnel are best supporting U.S. strategic interests.

REPUBLIC OF THE PHILIPPINES

Question. What is your view of the effectiveness of U.S. assistance provided through the Joint Special Operations Task Force-Philippines to the military of the Republic of the Philippines in its fight against terrorist groups?

Do you expect the necessity for or mission of the Joint Special Operations Task Force-Philippines to change in the coming years? If so, how?

Answer. Operation Enduring Freedom-Philippines as executed by our Joint Special Operations Task Force has been very successful and serves as an excellent model for a partnership between the United States and a host nation for combatting a terrorism threat. Due to the success of this partnership, the Philippine Military is now transitioning its focus toward external threats and the security issues remaining in the south will be addressed primarily through a combination of civil and police actions.

STABILITY AND PEACEKEEPING OPERATIONS

Question. In testimony before the House Committee on Foreign Affairs (July 29, 2009), Ambassador Susan Rice, then U.S. Ambassador to the United Nations (U.N.), stated that the United States "is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women I should note—to U.N. peacekeeping operations."

What is your view on whether the United States should contribute more military personnel to both staff positions and military observers in support of U.N. peacekeeping operations?

Answer. I am supportive of contributing personnel to function in staff positions or as military observers providing the mission aligns with the national security priorities of DOD and the United States. Successful U.N. peacekeeping operations are in the core national security interest of the United States, as they generally are cost effective, reduce the burden on U.S. forces, and in many cases directly advance U.S. strategy security interests. Additionally, U.S. military personnel can have a significant, positive, impact on U.N. peacekeeping operations, and provides the United States with an opportunity to shape these missions.

Question. If confirmed, would you support identifying methods through which the DOD personnel system could be more responsive to requests for personnel support from multilateral institutions like the United Nations?

Answer. If confirmed, I would be supportive of exploring ways where the Department could more effectively respond to requests for personnel support, bearing in mind any applicable legal requirements and the current operational tempo of U.S. forces.

INTERAGENCY COLLABORATION

Question. The collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies has played a significant role in the success of counterinsurgency and counterterrorism operations in recent years. However, much of this collaboration has been ad hoc in nature.

What do you believe are the most important lessons learned from the collaborative interagency efforts in Afghanistan, Iraq, and elsewhere?

Answer. Our efforts abroad over the past decade have brought much attention to the importance of collaborative interagency efforts. The interagency collectively established procedures and relationships to successfully conduct counter-insurgency and counterterrorism operations. As we transition, the interagency must now look to maintain and improve upon the hallmarks of previous successful interagency efforts—well-informed, transparent, constant communication and collaboration at multiple levels. The interagency must ensure that all departments and agencies are operating under a common national strategic framework in support of achieving sustainable outcomes overseas and building long-lasting relationships with our global partners. With unity of effort, the interagency can implement broader foreign policies and national security objectives through fostering good governance, restoring public infrastructure, assisting economic activities, and/or enabling a secure environment through a capable, equipped armed force. If confirmed, I will continue efforts to ensure that interagency collaboration is as effective as possible.

Question. How do you believe these efforts can be improved?

Answer. One area of improvement concerns our government's approach to the immediate requirements of basic public order among foreign civilian populations when the rule of law has broken down. DOD has learned after hard experience in Afghanistan and Iraq that securing and protecting a population is not only an immediate military mission, but one that is essential for preventing insurgencies from growing and for a sustainable transition to host-country control. A whole-of-government approach is vital to assist in training foreign security forces and it takes a robust interagency effort to maintain those capacities and institutions that can educate, equip, and enable them for these missions.

Question. Should these informal and ad hoc arrangements be made more formal (i.e. through legislation, DOD Directives or Instructions, et cetera . . .) or is their ad hoc nature the reason for their success?

Answer. Formality and standardization are perhaps most important at the highest levels, where clearly prioritized objectives—or the lack thereof—can have the most positive or pernicious effects on operations and campaigns requiring the close coordination of multiple instruments of national power. The President signed a Presidential Policy Directive (PPD) on Security Sector Assistance (SSA) in April to improve the U.S. Government's collective ability to address security sector assistance issues as a shared responsibility. To this end, the PPD prescribes interagency roles, responsibilities, and collaborating principles for developing and implementing SSA activities. On the other hand, organizations and teams operating at the tactical level need maximum flexibility to achieve mission success as current requirements, driving factors, and threats continuously change. Rather than attempting to standardize the roles and relationships of tactical-level operators from different departments and agencies, we should—instead—be working to familiarize them with each other and the responsibilities of their respective departments and agencies. Operational flexibility must be buttressed with the familiarity and education derived from constant interaction, particularly interaction in the forms of joint/interagency training and education.

Question. Interagency collaboration on an operational or tactical level tends to address issues on a country-by-country basis rather than on a regional basis (e.g. international terrorists departing Mali for safe havens in Libya).

How do you believe regional strategies that link efforts in individual countries can best be coordinated in the interagency arena?

Answer. I understand that the recent security sector assistance policy guidance from the President emphasizes a "deliberate and inclusive whole-of-government process that ensures alignment of activities and resources with our national security priorities." In order to synchronize planning for these activities, I believe the interagency must link efforts in individual countries to the broader regional approach. I also believe the regional strategies developed by the members of the interagency

should complement each other. Any security sector assistance strategy is largely impacted by the degree to which the interagency can plan, synchronize, and execute particular activities in a region. With prescribed interagency roles, responsibilities, and collaborating guidelines the interagency is best prepared to share plans, develop and implement programs, and monitor and evaluate the progress of our efforts in individual countries.

SPECIAL OPERATIONS PERSONNEL IN EMBASSIES

Question. SOCOM deploys personnel to work with country teams in a number of priority countries where the United States is not engaged in direct action operations, but rather trying to counter the spread of violent extremism. Their mission is to support the priorities of the Ambassador and the combatant commander's theater campaign plan against terrorist networks.

If confirmed, how would you seek to ensure the goals of special operations personnel deployed to these countries are aligned closely with those of the Ambassadors they are working with?

Answer. In your view, what is the value of these special operations personnel to their respective geographic combatant commands and the country teams they are supporting.

The sustained partnership among our geographic combatant commanders, Ambassadors, and deployed special operations forces has been strong throughout the past 12 years. Special operations personnel deployed to embassies help provide a network-based approach to assessing threats, formulating options, and improving the country team's situational awareness. They bring specialized equipment and offer significant expertise in contingency operations that augments the Ambassador's resident capabilities. If confirmed, a priority of mine will be to continue working with SOCOM, the geographic combatant commanders, and State Department colleagues to further strengthen these trusted partnerships.

DETAINEE TREATMENT POLICY

Question. Do you support the policy set forth in the July 7, 2006, memorandum issued by the Deputy Secretary of Defense stating that all relevant DOD directives, regulations, policies, practices, and procedures must fully comply with Common Article 3 of the Geneva Conventions?

Answer. Yes. Ensuring individuals in the custody of U.S. forces are treated humanely is consistent with the applicable U.S. laws and the laws governing armed conflicts.

Question. Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the Department of Defense Detainee Program, dated September 5, 2006?

Answer. Yes.

Question. If confirmed, will you ensure that all DOD policies promulgated and plans implemented related to intelligence interrogations, detainee debriefings, and tactical questioning comply with the Common Article 3 of the Geneva Conventions and the Army Field Manual on Interrogations?

Answer. Yes. If confirmed, I will work to ensure that all U.S. Special Operations Forces continue to receive the necessary education and training in the standards established in the Army Field Manual, relevant DOD Directives, and other applicable requirements of U.S. and international law regarding detention and interrogation operations.

Question. Do you share the view that standards for detainee treatment must be based on the principle of reciprocity, that is, that we must always keep in mind the risk that the manner in which we treat our own detainees may have a direct impact on the manner in which U.S. soldiers, sailors, airmen, or marines are treated, should they be captured in future conflicts?

Answer. Section 1403 of the National Defense Authorization Act for Fiscal Year 2006 provides that no individual in the custody or under the physical control of the U.S. Government, regardless of nationality or physical location shall be subject to cruel, inhuman, or degrading treatment or punishment. We hold our forces accountable to treat those we capture and detain with dignity, respect, and humanity. We do this as a matter of principal and following our moral compass. Our hope would be for our enemy to treat our personnel in a similarly humane manner, but regardless of how our captured forces are held, we will continue to maintain the high standard of treatment currently provided to detainees we hold.

DOD COUNTERNARCOTICS ACTIVITIES

Question. On an annual basis, DOD's counternarcotics (CN) program expends approximately $1.5 billion to support the Department's CN operations, building the capacity of certain foreign governments around the globe, and analyzing intelligence on CN-related matters. In a recent Government Accountability Office (GAO) report, GAO found that DOD "does not have an effective performance measurement system to track the progress of its counternarcotics activities." This is the second such finding relating by GAO to DOD CN in the last decade.

What is your assessment of the DOD CN program?

Answer. Having recently served as the Principal Deputy Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, I understand and appreciate the importance of DOD counterdrug activities in support of broader U.S. Government counternarcotics goals as well as the accomplishment of other key national security objectives. The DOD counterdrug program is providing critical support to our national security objectives in Afghanistan, Colombia, Mexico, Central America, Northwest Africa and elsewhere. I also recognize how the counternarcotics program supports the broader objectives of the office of the ASD for SO/LIC. If confirmed, I look forward to ensuring that these activities continue to be well-integrated into the overall SO/LIC strategy, and to ensure that they are as cost-effective as possible.

Question. Do you believe DOD's current CN strategy has proven effective in stemming the flow of illegal narcotics?

Answer. In support of The President's National Drug Control Strategy, DOD plays a key role in supporting U.S. and partner-nation counternarcotics efforts that have achieved major and sustained progress against cocaine use and distribution throughout the Western Hemisphere. According to the Office of National Drug Control Policy, DOD counternarcotics efforts have helped reduce the amount of cocaine reaching the United States, which has contributed to declines in cocaine overdose deaths, positive workplace drug tests, retail drug purity, and cocaine seizures in the United States. Through efforts such as the establishment of Joint Interagency Task Force-South and support to Plan Colombia, the Department of Defense has played a critical role in this success. Nevertheless, continued high levels of cocaine, heroin, methamphetamine trafficking, and the growing threat of synthetic drugs, continues to present an extraordinarily difficult challenge, and DOD brings unique capabilities to bear against these threats.

Question. In what ways can the effectiveness of DOD CN programs be better evaluated?

Answer. Over the past several years, the DOD CN program has made significant progress in improving its performance evaluation framework and has developed standardized operating procedures to apply across the wide range of combatant commands, armed services, and defense agencies that implement the Department's CN efforts. The performance data provided is now being used to inform policy and budgetary decisions. However, we continue to work to move beyond measuring performance based on inputs and outputs (e.g. numbers of personnel trained) rather than on the outcomes these programs are seeking to achieve. These types of evaluations can be much more difficult but would ultimately provide a better assessment of the value of these efforts.

Question. In your personal view, what role should DOD play in U.S. efforts to stem the flow of illegal narcotics?

Answer. The Department of Defense's role in U.S. counterdrug efforts is, and should continue to be, to employ militarily unique knowledge, skills, and capabilities to confront the wide range of national security threats associated with drug trafficking and related forms of transnational crime. Since the late 1980s, when DOD was designated as the single lead agency for the detection and monitoring of drug trafficking bound for the United States, DOD has provided critical counterdrug support to State, local, Federal, and foreign law enforcement partners to combat the flow of illicit drugs into our country. Narcotics and other forms of transnational organized crime also provide key financial support to terrorists, insurgents, and other threat forces, and contribute to global instability by undermining legitimate government institutions, fostering corruption, and distorting legitimate economic activity. Accordingly, DOD counterdrug efforts support the National Security Strategy, the National Drug Control Strategy, and the Strategy to Combat Transnational Organized Crime.

DOD's efforts to build the counternarcotics capacity of partner-nation security forces serves to prevent and deter broader conflicts that could require a much more costly military intervention in the future. In today's increasingly austere budgetary environment, these programs can serve as cost-effective tools to accomplishing key national security objectives. Given the interwoven nature of threats we face today,

we are increasingly seeing that the expertise, authorities, and experience of our law enforcement partners are essential to accomplishing national security objectives.

COUNTER THREAT FINANCE

Question. Identifying and disrupting key individuals, entities, and facilitation routes enabling the flow of money that supports terrorism, production of IEDs, narco-trafficking, proliferation, and other significant national security threats could have an outsized impact on confronting these threats. In August 2010, the Department issued a Counter Threat Finance (CTF) Policy Directive which recognized the CTF discipline as an essential tool in combating criminal networks and terrorist organizations and called for the integration of CTF capabilities into future force planning and the continued support to interagency partners conducting CTF operations.

What is your assessment of DOD efforts to date to institutionalize and support these capabilities?

Answer. The DOD CTF Directive, which was updated in November 2012, drives the institutionalization of CTF within the Department. Since our Nation's adversaries, from drug traffickers to terrorists, insurgents and rogue nations rely upon the flow of money to enable their activities, upsetting their financial supply lines is a proven means of disrupting threats to national security. CTF is an important capability in the Department as evidenced by our success with the Iraq and Afghanistan Threat Finance Cells. We've also seen increasing success from the CTF units established at each of the combatant commands. These CTF units coordinate across the government and work in support of the interagency to counter national security threats. Ultimately, success in CTF will depend on DOD's continued ability to integrate with, support, and complement other U.S. Government, multinational, and host nation activities. If confirmed, I will ensure DOD continues to collaborate with and support other U.S. Government departments and agencies to conduct counter threat finance activities.

Question. What is your assessment of the current ability of the Department to provide support to other U.S. Government departments and agencies conducting counter threat finance activities?

Answer. It is critical to engage all U.S. Government tools to track and halt the flow of money and to fight our adversaries' ability to access and use global financial networks. Although DOD is not the lead U.S. agency for CTF, it does work with and support other departments, agencies, and partner nations through a unique set of capabilities, including long-term planning, network analysis, and intelligence analysis. The Department's senior leadership recognizes the significance, both strategically and tactically, of a capable and robust CTF posture. I do not anticipate an immediate need to expand the support DOD is providing, but, if confirmed, I will work to ensure the Department remains fully engaged in the interagency process on counter threat finance activities and is postured to provide additional support if necessary.

Question. What changes, if any, would you recommend to DOD's current counter threat finance efforts?

Answer. I understand the Department is in the process of examining and evaluating its counter threat finance capability, and I believe there are improvements that can be made. Principally, the Department's CTF capability should be better integrated into the policy and strategy of the Department, including COCOM theater campaign plans. I understand that the Department is conducting a capabilities-based assessment for CTF that will help identify and institutionalize these capabilities across the COCOMs, the armed services, and defense agencies. This assessment should help us to identify the full range of capabilities the Department could bring to bear in support of broader U.S. Government efforts.

Question. What do you believe is the appropriate role, if any, of SOCOM in supporting counter threat finance activities?

Answer. SOCOM is well suited to support and augment interagency efforts to counter threat finance. Experiences since 2001 have led to the development of a robust capability to analyze insurgent, terrorist, and transnational threat networks, and SOF are already integrated at many levels with interagency partners across the intelligence and law enforcement domain. SOF contributions to these agencies enables them to identify sources of insurgent, criminal, and terrorist finances; disrupt front companies; develop actionable financial intelligence; freeze and seize illicit funds; and build criminal cases.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

Question. Criminal networks are not only expanding their operations, but they are also diversifying their activities, resulting in a convergence of transnational threats

that has evolved to become more complex, volatile, and destabilizing. The Director of National Intelligence recently described transnational organized crime as "an abiding threat to U.S. economic and national security interests," and stated that "rising drug violence and corruption are undermining stability and the rule of law in some countries" in the Western Hemisphere. In July 2011, the President released his Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security. One of the priority action areas designated in the strategy is "enhancing Department of Defense support to U.S. law enforcement."

What is your understanding of the President's strategy to combat transnational criminal organizations?

Answer. The President's Strategy to Combat Transnational Organized Crime applies to all elements of national power to protect citizens and U.S. national security interests from the convergence of 21st century transnational criminal threats. It declares transnational organized crime a threat to national security and includes a clear call to build, balance, and integrate the tools of American power to combat transnational organized crime, and urge our foreign partners to do the same. The end-state the U.S. Government seeks is to reduce transnational organized crime from a national security threat to a manageable public safety concern.

Question. What is your understanding of the Department's role within the President's strategy?

Answer. The President's strategy acknowledges DOD's role in providing support to law enforcement. DOD brings many unique supporting capabilities in support of broader U.S. Government efforts to combat transnational organized crime, principally through the employment of the Department's counternarcotics authorities. These capabilities primarily include military intelligence support and counter-threat finance support to U.S. law enforcement. We therefore must ensure that DOD is organized, resourced, and appropriately authorized to provide vital support to law enforcement and foreign partners to confront the national security threats associated with transnational organized crime. If confirmed, I look forward to exploring what additional U.S. support is appropriate under existing authorities.

Question. In your view, should DOD play a role in providing support to the U.S. law enforcement and the Intelligence Community on matters related to transnational organized crime?

Answer. Yes. Due to the national security implications of drug trafficking and related forms of transnational organized crime, the Department should continue to provide support to our interagency partners, including Federal law enforcement agencies and intelligence agencies. For example, DOD currently supports law enforcement through intelligence analysis at the Narcotics and Transnational Crime Support Center—an action specifically highlighted in the President's strategy. DOD also provides unique supporting capabilities including military intelligence support to law enforcement, counter threat finance, partner nation capacity building, and operational activities against threats to the United States.

BUILDING PARTNER CAPACITY

Question. In the past few years, Congress has provided DOD a number of temporary authorities to provide security assistance to partner nations.

In your view, what are our strategic objectives in building the capacities of partner nations?

Answer. In my view, the department's ability to effectively build the capacities of partner nations is a strategic necessity for the United States. It enables the Department to directly provide training, equipment, and other support to partners to encourage and enable them to share security responsibilities. This includes enabling partners to act alongside of, in lieu of, or in support of U.S. forces across the globe. In our fiscal climate, we should continue these capacity building activities so that we can achieve our defense objectives while reducing risks of sending U.S. forces into harm's way.

Question. In light of demands for defense budget cuts, how would you assess the trade-offs between providing funding for U.S. military forces and providing assistance to build the capacity of partner nations' security forces?

Answer. I believe one goal of building the capacity of a partner nation is to transform them from a security consumer to a security provider. The decision on where the trade-off is lies in the prioritization of U.S. strategic interests. We must continue to ensure U.S. military forces receive the appropriate resources, equipment, and training in order to serve effectively and be prepared to respond at any given notice. At the same it is still important to sustain engagement with key partners and building partner capacity to meet shared challenges provides a forward presence to enable operations and deter threats and, if and when necessary, to conduct future con-

tingencies. During these uncertain times, we should continue to improve military-to-military and defense-civilian relations, while continuing to evaluate and re-calibrate the nature and substance of our relationships to ensure they are consistent with U.S. values and advance U.S. vital national interests. If confirmed, it is my aim to ensure our assistance programs to partner nations will fulfill defined strategic requirements and vitally important capability gaps that are directly in line with the President's and the Defense Secretary's strategic guidance.

Question. What is your assessment of the sufficiency of existing security assistance authorities to address the evolving nature of global security threats?

Answer. Developing partner capacity through security sector assistance is important because every one of our primary missions involves collaborating with partners to some extent. These investments buy down risk and ease the burden of U.S. forces by improving our partners' ability to provide for their own security, to contribute to larger regional and combined security efforts, or to enable U.S. operations consistent with our national objectives. In some cases, partners are better positioned than U.S. Forces to conduct security operations due to cultural affinity or political sensitivities. I understand that Congress has provided the Department of Defense security sector assistance authorities that have improved our partners' capabilities and capacity to contribute to security around the globe. There may be requirements where additional or more agile authority is needed to address emerging security challenges. If confirmed, I will look forward to working with Congress to develop appropriate legislative remedies where appropriate.

Question. What is your understanding of the purpose of the section 1206 train and equip authority? What is your assessment of the implementation of the global train and equip program?

Answer. The section 1206 authority builds capacity for counterterrorism operations and stability operations where U.S. forces are a participant. The program has been successful in responding to annual requests by the combatant commanders and Chiefs of Mission for near-term assistance to overcome critical shortfalls in partner capabilities. This includes providing training and equipment to nations deploying forces to the International Security Assistance Force (ISAF) in Afghanistan. Although the 1206 program has done a great job delivering equipment, we need to do more work on assessing the effects this has on improving partner capacity over the long term. If confirmed, I will continue development of assessment metrics and work closely with Department of State colleagues to integrate 1206 capabilities into our overall foreign assistance programs for partner nations.

Question. The Global Security Contingency Fund (GSCF) was established in the NDAA for Fiscal Year 2012 to create a joint Department of Defense-Department of State administered program to build partner nation capacity in the areas of security and rule of law. What is your assessment of the implementation of this authority? Do you believe it's achieving its intended objectives? If not, do you believe modifications are required?

Answer. The GSCF enables the Departments to address emergent opportunities and challenges in partner's security sectors that could not be planned for but that have a direct bearing on our national security interests and do so in a more collaborative and integrated approach.

While I have not been involved in the implementation of the GSCF, I understand that the Departments of Defense and State have made significant progress towards improving joint implementation of the program and intend to incorporate a robust monitoring and evaluation framework to assess each individual GSCF project, as well as the overall program in the country of interest. If confirmed, I look forward to sharing the results of the assessment effort with Congress, and specifically this committee. I will welcome your help and continued guidance as we continue to mature the GSCF.

Question. What is the relationship of the train and equip authority to other security assistance authorities, such as counternarcotics assistance, foreign military financing, and other title 22 authorities? What should be done to ensure that the global train and equip authority does not duplicate the efforts of these other assistance programs?

Answer. U.S. security sector assistance authorities across programs are complementary, and I will strive to avoid unnecessary duplicative efforts. The counternarcotics authorities are focused on providing the Department of Defense the ability to support U.S. or other Government efforts to counter the flow of narcotics globally. If confirmed, the GSFC, section 1206, and counternarcotics authorities would fall under my purview, and I would monitor their implementation to ensure they continue to be used appropriately, and in keeping with their intent. I understand that the President issued new guidance on security sector assistance in April. If confirmed, I will strive to strengthen our capacity to plan, synchronize, and implement

security sector assistance through a deliberate and inclusive process that ensures alignment of activities and resources with our national security priorities.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes, if confirmed, I will appear before this committee and other appropriate committees of Congress when called upon to do so.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the ASD(SO/LIC)?

Answer. Yes, if confirmed, I will provide this committee or members of this committee accurate and appropriate information to the best of my ability when called upon to do so.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes, if confirmed, I will provide the necessary information to this committee and other appropriate committees and their staff when asked to do so.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes, if confirmed, I will provide the committee the necessary documents when appropriate and will consult with the committee regarding the basis for any good faith delay or denial in providing documents.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

CURRENT STATE OF GLOBAL TERRORISM

1. Senator INHOFE. Mr. Lumpkin, in remarks to the United Nations General Assembly on September 24th, President Obama stated that, "the world is more stable than it was 5 years ago." Do you believe the world is more stable than it was 5 years ago?

Mr. LUMPKIN. I agree with President Obama's assessment that the world is more stable than 5 years ago, but I also agree with his next sentence in that speech, which stated: "But even a glance at today's headlines indicates that dangers remain." The President outlined these dangers, particularly those related to global terrorism, in his address to the National Defense University on May 23. In this address he said our Nation is still threatened by terrorists—"From Benghazi to Boston, we have been tragically reminded of that truth. But we have to recognize that the threat has shifted and evolved from the one that came to our shores on September 11." I agree with the President that we will counter the threat of global terrorism through a combination of efforts, including targeted action against terrorists, effective partnership with allies and friends, and diplomatic engagement and assistance. Through this comprehensive strategy we can significantly reduce the chances of large-scale attacks on the Homeland and mitigate the threats to Americans overseas.

AL QAEDA THREAT ASSESSMENT

2. Senator INHOFE. Mr. Lumpkin, does the growth of al Qaeda in Syria indicate al Qaeda is less capable?

Mr. LUMPKIN. The continued civil war in Syria provides al Qaeda and other extremist groups with an opportunity to expand their influence and develop a cadre of experienced fighters. Al Nusrah Front has clearly grown and become more capable in Syria, but to date has not shown capability to conduct external attacks.

3. Senator INHOFE. Mr. Lumpkin, Charles Lister, an analyst for IHS Janes Terrorism and Insurgency Center, said: "Syria is the biggest al Qaeda opportunity in a decade to establish a foothold in the Middle East." Do you agree?

Mr. LUMPKIN. Al Qaeda's affiliated groups, al Nusrah Front and al Qaeda in Iraq, as well as other extremist groups, are a growing problem inside Syria. Al Qaeda has seized an opportunity created by the absence of security in Syria and become one of the most dominant opposition groups. That said their long-term viability remains in question, as does their potential to garner popular support in a post-Assad Syria. Broadly speaking, al Qaeda's message has failed to resonate with new governments in other Arab Spring countries, and I would expect the same outcome in Syria.

4. Senator INHOFE. Mr. Lumpkin, what do you think we should do about it?

Mr. LUMPKIN. The United States should continue to engage and work with our partners and allies to provide stability in the region. These efforts aim to stem the flow of foreign fighters and support the moderate factions of the opposition who represent the majority of the Syrian opposition. The United States is working with our allies to accelerate political transition in Syria and to end the bloodshed as quickly as possible. If confirmed, I will work with my interagency partners to develop recommendations for appropriate lines of operation to combat al Qaeda's foothold in the Middle East and to protect U.S. presence and interests in the region.

5. Senator INHOFE. Mr. Lumpkin, al Qaeda is clearly gathering strength in the ungoverned regions of northern and eastern Syria, the Washington Post reports that fewer than 1,000 Syrian rebels have been trained this year. As the moderate opposition grows weaker, the extremists, and al Qaeda in particular, grow stronger and Assad has less incentive to participate in the political negotiation the administration says will result in his departure. Do you think the training cited by the Washington Post is capable of altering any balance of power within Syria?

Mr. LUMPKIN. Training is and has been helpful in supporting the moderate opposition secure areas under its control. However, training is only part of the equation and we must continue to work with allied partners to attain a political solution supporting the moderate Syrian opposition. If confirmed, I will work with our partners across the interagency and with our allied partners in order to explore comprehensive, coordinated, unified approaches that will support meeting U.S. objectives in the region.

6. Senator INHOFE. Mr. Lumpkin, what strategy do you suggest to contain the growth of extremism in Syria—of Hezbollah and Shia extremism on the one hand under Assad and al Qaeda and al Nusra in ungoverned spaces on the other?

Mr. LUMPKIN. To combat the growth of extremism in Syria, a political solution to the Syrian conflict is necessary. We need to continue to explore avenues with our allied partners for supporting the moderate opposition to ultimately increase their ability to provide a legitimate government to the Syrian population. If confirmed, I will work with the interagency to develop recommendations for appropriate lines of operation to combat the growth of extremism in Syria and to protect U.S. presence and interests in the region.

QUESTION SUBMITTED BY SENATOR JOHN MCCAIN

AFGHANISTAN

7. Senator MCCAIN. Mr. Lumpkin, what force size do you recommend the United States should leave behind in Afghanistan after 2014?

Mr. LUMPKIN. Our core goal—to defeat al Qaeda and prevent its return to Afghanistan and Pakistan—remains unchanged. Over the past 4 years, due to the dedication and sacrifices of our forces, our coalition partners, and the Afghan security forces, I have been encouraged by the progress made toward our goal and believe this progress can continue beyond 2014.

The Executive Branch is reviewing options for the size of our contribution to the post-2014 NATO mission, as well as a limited U.S. counterterrorism mission, and that decision will be based on a number of factors, including:

- Conclusion of a U.S.-Afghan Bilateral Security Agreement and the NATO Status of Forces Agreement;
- Progress toward our core goal of disrupting, dismantling, and defeating al Qaeda and preventing its return to Afghanistan and Pakistan;
- Continued progress and development of the ANSF;

• A peaceful Afghan political transition centered on the elections in April 2014;
• The potential for peace talks between the Afghan Government and the Taliban.

If confirmed, one of my priorities would be to confer with our operational commanders to get their views of the situation at hand. I would then work with colleagues to provide my recommendations and participate in this review process to help senior leaders continue to make informed decisions that protects U.S. interests in Afghanistan and the region.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

AL-LIBI AND LACK OF A DETENTION POLICY

8. Senator AYOTTE. Mr. Lumpkin, can you describe Abu Anas al-Libi's al Qaeda background and his potential intelligence value?

Mr. LUMPKIN. Abu Anas al-Libi is a legacy al Qaeda member likely possessing information of value to the intelligence and law enforcement communities. He has been indicted and presented in the Southern District of New York in connection with his alleged role in the attacks on our embassies in Dar es Salaam, Tanzania and Nairobi, Kenya in 1998.

9. Senator AYOTTE. Mr. Lumpkin, why was the decision made to take the risk and to attempt to capture al-Libi, rather than killing him?

Mr. LUMPKIN. Wherever possible, our first priority is and always has been to apprehend terrorist suspects, and to preserve the opportunity to collect valuable intelligence that can help us protect the American people. Additionally, the prospect of gathering further operational and strategic information of other terrorist individuals, organizations, and networks is a top consideration when determining the risk mitigation strategy.

10. Senator AYOTTE. Mr. Lumpkin, do you agree that when we kill—rather than capture—a high value detainee we lose valuable intelligence?

Mr. LUMPKIN. Valuable intelligence can be collected during lethal or capture operations. Capture operations allow for the ability to directly interrogate the detainee and exploit any sensitive site materials discovered with the high value target. Lethal operations, whether involving an assault force or an aerial strike, also provide opportunities for either first-hand or second-hand sensitive site exploitation of where the high value target was killed. Previous lethal operations have yielded valuable tactical and strategic information.

[The nomination reference of Mr. Michael D. Lumpkin follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
September 11, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Michael D. Lumpkin, of California, to be an Assistant Secretary of Defense, vice Michael A. Sheehan.

[The biographical sketch of Mr. Michael D. Lumpkin, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF MICHAEL D. LUMPKIN

Education:

University of California, San Diego

- September 1982–June 1986
- Bachelor of Arts Degree awarded June 1986

Naval Postgraduate School

- June 1994–December 1995
- Master of International Affairs Degree awarded December 1995
- Subspecialty in Special Operations and Low Intensity Conflict awarded December 1995

Employment record:

U.S. Department of Defense
- Special Assistant to the Secretary of Defense
- May 20–present

Industrial Security Alliance Partners, Inc.
- Chief Executive Officer
- September 2012–March 2013

Pistris, LLC
- Director of Business Development
- June 2012–September 2012

The O'Gara Group
- Technical Analyst
- May 2012–September 2012

U.S. Department of Defense
- Principal Deputy Secretary of Defense for Special Operations and Low Intensity Conflict
- April 2011–May 2012

U.S. Department of Veterans Affairs
- Senior Advisor to the Secretary of Veterans Affairs
- Deputy Chief of Staff for Operations
- August 2010–April 2011

The O'Gara Group
- Technical Analyst
- July 2009–August 2010

Aardvark Tactical, Inc.
- Director of Business Development
- April 2008–August 2010

U.S. Special Operations Command Office of Legislative Affairs
- Maritime Director
- August 2006–September 2007

Special Boat Team Twelve
- Commanding Officer
- August 2004–August 2006

Naval Special Warfare Group One
- Operations Officer
- February 2003–August 2004

Naval Officer at Various U.S. Navy Commands
- October 1986–September 2007

Honors and awards:

The Secretary of Defense Medal for Outstanding Public Service (2012)
Department of Veterans Affairs Commendation (2011)
American Defense Preparedness Association Award (1994)
Defense Meritorious Service Medal
Meritorious Service Medal - seven awards
Navy and Marine Corps Commendation Medal - two awards
Joint Service Achievement Medal - two awards
Navy and Marine Corps Achievement Medal - three awards
Joint Meritorious Unit Award - two awards
Meritorious Unit Commendation - two awards
National Defense Service Medal - two awards
Armed Forces Expeditionary Medal
Afghanistan Campaign Medal
Iraq Campaign Medal
Southwest Asia Service Medal
Global War on Terrorism Medal
Combat Action Ribbon
Humanitarian Service Medal

Sea Service Deployment Ribbon - seven awards
Korean Service Medal
Navy Overseas Service Medal - two awards
Navy Pistol Expert Medal
Navy Rifle Expert Medal
Naval Special Warfare (Authorized to wear USN SEAL Trident)
Surface Warfare (Authorized to wear Surface Warfare insignia)
Command at Sea (Authorized to wear Command at Sea pin)
Shore Command (Authorized to wear Shore Command pin)
Navy Parachutist (Authorized to wear Gold Parachutist insignia)
Patrol Officer (Authorized to wear Combatant Craft Patrol Officer pin)

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Mr. Michael D. Lumpkin in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Michael David Lumpkin.
"Mike" David Lumpkin.

2. **Position to which nominated:**
Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

3. **Date of nomination:**
September 11, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
October 14, 1964; Oceanside, CA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Jill Louise Powell.

7. **Names and ages of children:**
Stepson: Luke Elliot Powell; July 9, 1976.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Vista High School: 09/1979–06/1982, High School Diploma
University of California, San Diego: 09/1982–06/1986, Bachelor of Arts

Naval Postgraduate School: 06/1994–12/1995, Master of Arts

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

05/2013–Present; Special Assistant to the Secretary of Defense, 1000 Pentagon Defense, Washington, DC.

09/2012–03/2013; Chief Executive Officer, Industrial Security Alliance Partners, USA, 3033 5th Avenue, Suite 400, San Diego, CA.

06/2012–09/2012; Director of Business Development, Pistris, LLC., P.O. Box 105, Hull, MA.

05/2012–09/2012; Technical Analyst, The O'Gara Group, 700 W. Pete Rose Way, Suite 4N,Cincinnati, OH.

04/2011–05/2012; Principal Deputy Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, Department of Defense, 1000 Defense Pentagon, Washington, DC.

08/2010–04/2011; Deputy Chief of Staff, Department of Veterans Affairs, 810 Vermont Ave, NW, Washington, DC.

07/2009–08/2010; Technical Analyst, The O'Gara Group, 700 W. Pete Rose Way, Suite 4N, Cincinnati, OH.

04/2008–08/2010; Director of Business Development, Aardvark Tactical, 1002 W. Tenth Street,Azusa, CA.

08/2006–09/2007; Maritime Director, SOCOM Office of Legislative Affairs, 400 Virginia Ave., SW, Washington, DC.

08/2004–08/2006; Commanding Officer, Special Boat Team Twelve, 3402 Tarawa Road, San Diego, CA.

02/2003–08/2004; Operations Officer, Naval Special Warfare Group One, 3632 Guadalcanal Road,San Diego, CA.

10/1986–02/2003; Naval Officer at Various Navy Commands.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

N/A.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

N/A.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

Fraternal Order of UDT/SEAL: Member.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for whichyou have been a candidate.

Candidate U.S. House of Representatives (CA–52) in 2008.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

None.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Civilian Federal Service:

The Secretary of Defense Medal for Outstanding Public Service

Military Awards:

Defense Meritorious Service Medal
Meritorious Service Medal - seven awards
Navy Commendation Medal - two awards
Joint Service Achievement Medal - two awards
Navy and Marine Corps Achievement Medal - three awards
Joint Meritorious Unit Award - two awards
Meritorious Unit Commendation - two awards
National Defense Service Medal - two awards

Armed Forces Expeditionary Medal
Afghanistan Campaign Medal
Iraq Campaign Medal
Southwest Asia Service Medal
Global War on Terrorism Expeditionary Medal
Global War on Terrorism Service Medal
Combat Action Ribbon
Humanitarian Service Medal
Sea Service Deployment Ribbon - seven awards
Korean Service Medal
Navy Overseas Service Medal - two awards
Navy Pistol Expert Medal
Navy Rifle Expert Medal
Designated: U.S. Navy SEAL (Authorized to wear SEAL Trident)
Surface Warfare (Authorized to wear Surface Warfare device)
Command at Sea (Authorized to wear Command at Sea pin)
Shore Command (Authorized to wear Shore Command pin)
Navy Parachutist (Authorized to wear Gold Wings)
Patrol Officer (Authorized to wear Combatant Craft Patrol Officer pin)

Other Awards:

1994 - Recognized for Outstanding Performance in support to national security during Counterdrug Operations by Armed Forces Preparedness Association.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Naval Postgraduate School Thesis (1995): Microviolence at Sea.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

Submitted separately.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

MICHAEL D. LUMPKIN.

This 23rd day of September, 2013.

[The nomination of Mr. Michael D. Lumpkin was reported to the Senate by Chairman Levin on October 31, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on November 14, 2013.]

[Prepared questions submitted to Dr. Jamie M. Morin by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. I am familiar with the history of the Goldwater-Nichols Act and believe it has been extremely successful to date. The Act has benefitted over the years from periodic incremental changes to reflect lessons learned and the changing world situation. It is possible that pending analysis of potential process changes to increase headquarters efficiency and allow reductions in headquarters staff and budgets will depend on legislative changes, but those initial analyses are still underway and I have not been briefed on any recommendations.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. At present, I do not have any concrete proposals for modifications. If I am confirmed and I identify areas that I believe merit changes, I will propose those changes through the established process. I believe it is important that the Director of Cost Assessment and Program Evaluation (CAPE) be a trusted independent advisor to the Secretary and Deputy.

DUTIES AND RESPONSIBILITIES

Question. The Weapon Systems Acquisition Reform Act (WSARA) of 2009 established the position of Director of CAPE and makes that official "responsible for ensuring that cost estimates are fair, reliable, and unbiased, and for performing program analysis and evaluation functions currently performed by the Director of Program Analysis and Evaluation." The duties and responsibilities of this position are set forth in section 139c of title 10, U.S.C. and in section 2334 of such title (addressing independent cost estimation and cost analysis).

What is your understanding of the primary duties and responsibilities of the Director of CAPE?

Answer. I have read the WSARA, and in my past role as a Senate staffer closely observed the floor debate where it was adopted. Based on the law and practice in the Department of Defense (DOD) over the last 4 years, I understand that CAPE is responsible for providing unbiased, independent cost estimates for all major acquisition programs; ensuring that program cost and schedule estimates are properly prepared and considered in the Department's deliberations on major acquisition programs; providing guidance and oversight for Analyses of Alternatives (AoA) to ensure that the Department considers the full range of program and non-materiel solutions. Additionally, the Director of CAPE is responsible for leading the development of improved analytical skills and competencies within the CAPE workforce of DOD. Finally, the Director has served as a key advisor to the Secretary and Deputy Secretary of Defense especially for the programmatic development of the Department's Future Years Defense Program.

Question. Do you believe that the Director of CAPE has the authority needed to carry out the duties and responsibilities assigned by statute?

Answer. Yes.

Question. Do you see any need for modifications in the duties and responsibilities of the Director of CAPE?

Answer. Not at this time. If confirmed, I will evaluate any need for modifications to the duties and responsibilities in the law.

Question. Assuming you are confirmed, what additional duties, if any, do you expect the Secretary of Defense to assign to you in accordance with sections 113 and 139c(b)(1)(B) of title 10, U.S.C.?

Answer. If confirmed, I expect the Secretary to assign me the duties and functions commensurate with the position, and any others he may deem appropriate.

QUALIFICATIONS

Question. If confirmed as Director of CAPE, you will be the principal official in DOD responsible for cost estimation and cost analysis for acquisition programs; for review, analysis and evaluation of acquisition programs; and for related matters.

What background and experience do you have that you believe qualifies you for this position?

Answer. I have over 10 years of experience in government as a defense analyst and executive, with particular focus on budgetary and programmatic issues. This hands-on experience built on my academic research, focused on the challenges of defense budgeting during times of budgetary decline and included significant training in quantitative and qualitative methods.

For the last 4 years, I have served as the Assistant Secretary of the Air Force for Financial Management and Comptroller, and in this role I oversee the operation of the Air Force Cost Analysis Agency (AFCAA). With my support and advocacy, the AFCAA team was able to expand their analytical agenda, enhance their workforce, and thereby produce rigorous cost estimates of a much wider range of Air Force programs. Additionally, AFCAA's work became much more central to the Air Force's corporate decisionmaking, resulting in much narrowed gaps between the authoritative cost estimates (whether they were done by CAPE or AFCAA) and the actual amounts funded in the Air Force budget request. This gap was $11.9 billion in fiscal year 2011 President's budget (PB) and has dropped to $1.3 billion in the fiscal year 2014 PB. We also expanded AFCAA's capability to estimate the full life-cycle costs of major weapons systems by including operating and support costs, and helped to inform an Air Force-wide effort to contain cost growth in weapons systems sustainment. Finally, during 10 months as the Acting Under Secretary of the Air Force, I was deeply immersed in the development of the Air Force program and in DOD-wide debates on efficiency efforts.

Earlier in my career, I worked as an economist and strategy consultant. I have also held fellowships from various public policy and defense think tanks and spent 4 months during graduate school in the Office of the Under Secretary of Defense for Policy working on requirements and planning issues.

Question. What background and experience do you have in the acquisition of major weapon systems?

Answer. I have been a part of major acquisition decisions in both my Air Force roles, including my comptroller role as the co-signer (with SAF/AQ) of Air Force full-funding certifications for acquisition programs meeting milestone decisions. In this capacity, I have closely reviewed numerous acquisition program cost estimates and discussed their details with both cost estimators and program management. As Acting Under Secretary, I was deeply exposed to space acquisition efforts in my role as the Headquarters Air Force "focal point" for space programs. I have served as a member and a co-chair of the Air Force Council, which is the Air Force's senior-most corporate decisionmaking body, as well as a member of the Special Programs Oversight Council that reviews classified Air Force acquisition programs. As part of earning the Certified Defense Financial Manager designation, I studied the acquisition process with particular focus on financial management responsibilities. However, I have not served in a direct program management or line acquisition position.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the Director of CAPE?

Answer. The WSARA of 2009 is intended to reform defense acquisition processes and to bring cost growth under control. The CAPE organization continues to mature in response to this legislation and Department management's need for rigorous, unbiased advice on where DOD can find necessary savings in a difficult budget environment. I have seen the organization perform exceptionally good work for the Secretary on a wide range of difficult issues, but given the scale of the budget challenges even better analytical support will be essential. I believe the primary challenge for the Director of CAPE, given the current reality of sequestration and the stark choices that the sequester compels us to make, will be to ensure independent,

thorough, and insightful analysis is used to develop a comprehensive set of options for informed leadership decisions.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I expect to immediately undertake a review of the organization and its ability to fully meet statutory requirements, with the goal to provide clear recommendations regarding changes to organizational structure and additional resource demands. I believe I will need to review the size, shape, and organization of the CAPE workforce in detail to ensure the organization is aligned to meet current and future needs. Given the significant statutory responsibilities under WSARA and the relatively limited growth of CAPE staffing since its enactment, I plan to be both an active manager of organizational resources and a strong advocate for the organization's mission. In supporting the Secretary and Deputy Secretary of Defense in their decisionmaking on very tough resource allocation issues, I will intend to build on my relationships with the DOD senior leadership team to help form consensus on priorities and acceptable risks, informed by the best possible analysis from CAPE, the Joint Staff, the military services, and other stakeholders across the Department.

RELATIONSHIPS

Question. If confirmed, what would be your working relationship with:

The Secretary of Defense.

Answer. The Director of CAPE provides the Secretary and Deputy Secretary of Defense unbiased advice, supported by strong analysis, on how to make rational trade-offs in a resource constrained environment. The Director is the principal advisor to the Secretary for CAPE. If confirmed, I will closely interact with the Secretary to ensure his directives, goals, and themes are reflected in the programs of DOD.

Question. The Deputy Secretary of Defense.

Answer. If confirmed, I will expect to interact with the Deputy Secretary to provide unbiased recommendations concerning resource allocation, programmatic alternatives, and cost assessments.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics.

Answer. If confirmed, I will work closely with the Under Secretary of Defense (Acquisition, Technology, and Logistics) to ensure that acquisition plans and decisions are appropriately supported with accurate and unbiased estimates of the costs to develop and procure weapon systems. The CAPE director must also provide the USD(AT&L) frequent input about the viability, execution ability, and affordability of programs that support the national military strategy.

Question. The Under Secretary of Defense (Comptroller).

Answer. If confirmed, I will work closely with the Under Secretary of Defense (Comptroller) to ensure the necessary integration of developing the Future Years Defense Program with budget plans.

Question. The Under Secretary of Defense for Intelligence.

Answer. If confirmed, I will work closely with the Under Secretary of Defense (Intelligence) to coordinate assessments of special access and compartmented intelligence programs since the CAPE Director has oversight of all DOD resource allocation, including intelligence programs. The central importance and complexity of intelligence to our tactical, operational, and strategic operations requires regular interactions with the primary intelligence official, and his staff.

Question. The Joint Requirements Oversight Council.

Answer. If confirmed, I will work as an advisor to the Joint Requirements Oversight Council for assessing the resource requirements and programmatic risk of desired capabilities. I will not be a member of the Joint Requirements Oversight Council (JROC), however I will attend meetings and provide assessments of programs if invited. The importance of requirements to the acquisition process makes interaction with the JROC members a key imperative for the Director of CAPE.

Question. The Defense Business Systems Management Committee (DBSMC).

Answer. If confirmed, I will ensure regular interaction with the DBSMC, providing assessments and advice.

Question. The Director of Operational Test and Evaluation (DOT&E).

Answer. If confirmed, I will ensure a close working relationship with the Director of DOT&E, and ensure that CAPE and DOT&E freely share information and data. I believe that operational testing is critical to ensuring that weapon systems developed within DOD meet requirements, are reliable, and are cost effective. Careful consideration of operational testing results often point to weaknesses inherent in

programs that impact costs, as well as pointing to considerations important for later programs.

Question. The Service Secretaries.

Answer. Service Secretaries provide critical oversight of their departments, particularly regarding plans, programs, and policies. Based on more than 4 years of experience as part of Service-level leadership, I have a good understanding of the critical role that the Services and Military Departments play in the efficient and effective functioning of the defense establishment. If confirmed, I will endeavor to establish close working relationships with Service Secretaries, working together to solve key problems relating it each Service.

Question. The Chiefs of Staff of the Military Services.

Answer. Service Chiefs have responsibilities to organize, man, train, and equip their services to meet warfighting requirements and support combatant commanders. Their title 10 responsibilities for planning and programming of resources, as well as to develop acquisition programs, ensure regular interaction between the Director of CAPE and Chiefs of Staff of the Military Services. If confirmed, I will ensure that I quickly develop close working relationships with Service Chiefs in order to jointly meet the many challenges within DOD.

Question. The combatant commanders.

Answer. The combatant commanders are the key consumers of the "products" developed in the Pentagon—the forces, programs, and other capabilities necessary to implement the National Security Strategy. If confirmed, I will endeavor to understand the needs of the combatant commanders and to advocate for the programs that support their requirements most efficiently and effectively. I will ensure that I know and react to their needs.

Question. The heads of the Defense agencies.

Answer. The Defense agencies have responsibilities to develop programs and budget to meet their requirements. If confirmed, I will be sensitive to the needs of the Defense agencies and be available to help address their challenges.

Question. The service acquisition executives.

Answer. If confirmed, I will work closely with service acquisition executives to provide analysis, to meet the challenges of troubled programs and if required, develop alternatives to meet Defense needs.

Question. The program executive officers and program managers of major defense acquisition programs.

Answer. If confirmed, I will work closely with program executive officers and program managers to provide analysis to help meet the challenges of troubled programs and if required, develop alternatives to meet Defense needs.

Question. The cost estimating offices of the Military Departments.

Answer. If confirmed, I will ensure a close working relationship with the cost estimating offices of the Military Departments, ensuring that independent cost estimates fully represent the Service acquisition plans. The cost estimating offices of the Military Departments provide the baseline data and plans that form the basis for cost estimates for acquisition programs, and I believe that close collaboration between CAPE and the service cost estimating agencies is especially helpful when it comes to sharing analytic best practices, building robust data sets necessary for developing good cost estimating relationships, and testing critical assumptions that underpin program cost estimates.

ORGANIZATION AND STAFFING

Question. What steps do you believe you will need to take, if confirmed, to ensure that the office of the Director of CAPE is fully functional and organized in a manner consistent with statutory requirements?

Answer. If confirmed, I will continue to implement and refine the strategic plan to transition the organization into fulfilling its expanded roles and responsibilities in a way that both meets the intent of WSARA and the needs of the Department. I will review the organization to determine whether or not additional staff will be needed along with organizational changes to fulfill the expanded CAPE responsibilities and fully comply with the statutory requirements of WSARA.

Question. Do you see the need for any changes in the structure, organization, or reporting relationships of the office of the Director of CAPE?

Answer. Not at this time. If confirmed, I will evaluate the current structure, organization, and reporting relationships of the office of the Director of CAPE and recommend adjustments, if needed. If confirmed, I will assess these issues and recommend changes as necessary.

Question. Section 139c(d)(8) of title 10, U.S.C., requires the Director of CAPE to lead "the development of improved analytical skills and competencies within the

CAPE workforce of the Department of Defense." Section 2334(f) of title 10, U.S.C., requires the Secretary of Defense to ensure that the Director of CAPE has sufficient staff of military and civilian personnel to enable the Director to carry out the duties and responsibilities of the Director under this section."

Do you believe that the office of the Director of CAPE currently has sufficient staff of appropriately qualified and trained personnel to carry out its duties and responsibilities?

Answer. It is my understanding that along with the reorganization, when Program Analysis and Evaluation transformed into CAPE as mandated by WSARA, there was a transformation of the managerial style. The goal of this managerial shift was to move to a more agile and flexible organizational structure and enable CAPE to provide the capability to carry out its duties and responsibilities without the growth in personnel that was initially expected. If confirmed, I will move rapidly to evaluate the management and staffing of CAPE and take appropriate steps to ensure that CAPE will continue to help the Department realize the program performance goals established by the President and Congress.

Question. What steps do you plan to take, if confirmed, to assess the staffing needs of your office and ensure that you have sufficient staff of appropriately qualified and trained personnel to carry out your duties and responsibilities?

Answer. If confirmed, I will review the assessments and planning done to date, and will provide further guidance as required to ensure continued adherence to WSARA.

Question. What is your view of the current staffing of cost assessment and cost estimating functions of the Military Departments and defense agencies?

Answer. The cost estimating workforce is distributed among several organizations throughout the Department. Consequently, identifying and remedying issues with the size, education experience and organization of the DOD cost estimating workforce requires an integrated and collaborative effort, with the Director, CAPE as the leader and primary advocate for the entire DOD cost community. Efforts toward that end began last year with activities to gather data on the workforce size, grade, and demographics, as well as experience and education levels. Beyond that, there is interest in measuring projected workload volume and content (i.e., what the cost assessment community is actually doing), to help assess whether scarce resources are properly focused on strategic priorities. However, these efforts are currently suspended, due to the tremendous uncertainty in the projected DOD budget and personnel levels. OSD and the Military Departments are for the most part currently operating under a hiring freeze, and face the possibility of civilian furloughs or reductions. I intend to resume these activities next year if there is more stability in the budget environment. From my Air Force experience, the Air Force is currently short approximately 200 cost estimating billets based on an Air Force manpower study.

Question. If confirmed, what role if any do you expect to play in ensuring that the cost assessment and cost estimating functions of the Military Departments and defense agencies have sufficient staff of appropriately qualified and trained personnel to carry out their duties and responsibilities?

Answer. In my view, the CAPE has made appropriate use of the expertise and resources of the Military Departments, especially in the area of data collection. The Military Departments have undertaken a long-term initiative to collect actual operating and support cost information through the VAMOSC systems. This has resulted in better quality cost estimates throughout the Department. For Milestone reviews, CAPE instituted a policy that a signed, dated service cost estimate must be delivered to the CAPE prior to delivery of an ICE which gives CAPE a point of departure and cross-check. This increased rigor has resulted in overall better cost estimates prepared by the Military Departments. Also, during the Department's Program Budget Review, CAPE teams with the Military Departments to ensure MDAP/MAIS programs are funded to the appropriate, defendable, and realistic cost estimate.

Question. In your view, has the office of the Director of CAPE been making appropriate use of the expertise and resources of the cost assessment and cost estimating offices of the Military Departments and Defense Agencies?

Answer. I am aware of the coordination between CAPE and the other DOD offices. I believe that close collaboration between CAPE and the service cost estimating agencies is especially helpful when it comes to sharing analytic best practices, building robust data sets necessary for developing good cost estimating relationships, and testing critical assumptions that underpin program cost estimates. If confirmed, I will ensure that CAPE maintains the statutorily required independence in its cost estimates, while partnering to the fullest extent possible with the cost estimating

offices of the Military Departments, so that the Department receives the best possible cost estimates.

IMPACT OF SEQUESTRATION

Question. What impact do you expect sequestration (and the Secretary's directive to reduce staffing by 20 percent) to have on the organization and staffing of the office of the Director of CAPE?

Answer. I understand that the process for addressing the directive within CAPE is ongoing, and at this time, I do not have sufficient knowledge to offer a complete assessment of the impact. However, if confirmed, I will quickly evaluate the organization and staffing and take appropriate steps to ensure that CAPE's staff will remain able to meet the performance goals established by the President and Congress.

Question. What impact do you expect these measures to have on the office's ability to carry out its statutory duties, including the requirement to provide cost estimates for all major defense acquisition programs?

Answer. I do not have sufficient knowledge to offer a complete assessment of the impact at this time. However, if confirmed, I will quickly evaluate the staffing and take appropriate steps to ensure that CAPE is resourced to carry out all statutory duties.

Question. What impact do you expect sequestration to have on the costs of major defense acquisition programs (including multi-year contracts for such programs)?

Answer. Impacts will vary from program to program and will depend on many variables. It is reasonable, though, to assume some program unit costs will increase as orders are reduced to meet the funding levels mandated by sequestration. Budget instability makes it difficult to take advantage of the cost savings gained in multi-year procurement strategies. It is my understanding that CAPE and the Services are already working to identify the risks posed by sequester-level reductions. If confirmed, I will work to proactively address and mitigate issues that may arise.

Question. Do you foresee a need for new or revised cost estimates for such programs to take into account the impact of sequestration?

Answer. Yes. Cost estimates are regularly revised as programs pass through milestone events or experience significant changes. It is my understanding that sequestration impacts are currently being (and will continue to be) captured in updates to existing cost estimates.

ACQUISITION PROCESS

Question. What is your understanding of the role of the Director of CAPE in the acquisition process?

Answer. It is my understanding that the Director of CAPE plays multiple key roles in the acquisition process. The Director is responsible for providing guidance and oversight for Analyses of Alternatives to ensure that the Department considers the full range of program and non-materiel alternatives that could provide the needed military capabilities, as quickly as possible, at the lowest possible cost. The Director is also responsible, throughout the entire acquisition process, for ensuring that program cost and schedule estimates are properly prepared and considered in the Department's deliberations on major acquisition programs. The Director also is responsible for assessing whether a program is likely to achieve the desired capabilities.

Question. What is your view of the significance of sound, unbiased cost estimating throughout the acquisition process?

Answer. It is my personal view and clearly the view of the authors of WSARA, that independent, rigorous, unbiased cost and schedule estimates, paired with thorough risk assessments, are essential for effective acquisition decisionmaking and oversight. Achieving the goal of reducing cost and schedule growth in the Department's portfolio of acquisition programs requires that good cost estimates be available and considered throughout the acquisition process.

Question. What is your understanding of the role of the Director of CAPE in the requirements and resource-allocation processes?

Answer. The Director is an advisor to the Joint Requirements Oversight Council for assessing the resource requirements and programmatic risk of a desired capability. The Director is primarily responsible for executing the planning and programming phases of the Department's planning, programming, budgeting, and execution system, and coordinates closely with the Under Secretary of Defense (Comptroller) throughout the budget and execution stages of that process.

Question. Do you see the need for any additional processes or mechanisms to ensure coordination between the budget, acquisition, and requirements systems of

DOD and ensure that appropriate trade-offs are made between cost, schedule, and performance requirements early in the acquisition process?

Answer. If confirmed, I intend to use the authorities granted by WSARA to ensure that programs are properly initiated and are postured for success. I will evaluate and recommend adjustments, as needed, to facilitate informed discussion of trade-offs.

Question. Do you see the need to review the existing processes and mechanisms to determine those parts of the process which do not contribute significant or, on balance, create adequate value to the system?

Answer. I understand that CAPE is an important participant in the acquisition process and also believe that achieving significant efficiencies in headquarters operations will require redesigning processes to be less labor intensive and time-consuming. For many acquisition programs in development or production lengthening schedules can drive significant cost increases. If confirmed, I will evaluate and look to improve CAPE's role in the DOD 5000 processes while adhering to the requirements of WSARA.

Question. Do you believe that the current investment budget for major systems is affordable given increasing historic cost growth in major systems, costs of current operations, the need for asset recapitalization, and the impact of sequestration?

Answer. Given the current reality of sequestration, all major systems budgets will need to be re-evaluated. While there are some preliminary indications that recent reforms may have helped slow weapons system cost growth, much work remains to be done. Additionally, the slow process of reducing costs for personnel and infrastructure, as laid out by the Strategic Choices and Management Review, means that investment and readiness may have to significantly decrease in the next several years in order to achieve the reduced funding levels mandated by the sequester. If confirmed, I would intend to focus attention on analyzing trade-offs between the current investment budget and the other pressures on resources across the entire Department.

Question. If not, what role do you see for the Director of CAPE in addressing this issue?

Answer. If confirmed, I will evaluate these trade-offs and recommend adjustments, if needed, and provide management direction as necessary to ensure that we have an affordable, long-term investment strategy.

Question. Many acquisition experts attribute the failure of DOD acquisition programs to a cultural bias that routinely produces overly optimistic cost and schedule estimates and unrealistic performance expectations. As Senator Levin explained at a June 2008 hearing, "contractors and program offices have every reason to produce optimistic cost estimates and unrealistic performance expectations, because programs that promise revolutionary change and project lower costs are more likely to be approved and funded by senior administration officials and by Congress."

Do you agree with the assessment that overly optimistic cost and schedule estimates and unrealistic performance expectations contribute to the failure of major defense acquisition programs?

Answer. Yes.

Question. What steps if any would you take, if confirmed, to ensure that the Department's cost, schedule and performance estimates are realistic?

Answer. To ensure the Department's cost, schedule and performance estimates are realistic, it is important to have a systematic and institutionalized cost data collection throughout DOD to support estimates for current and future acquisition programs. The Defense Cost and Resource Center (DCARC) is the OSD office responsible for administrating the CSDR system, used for acquisition cost data. I understand from my AFCAA staff that this year, the DCARC continued to update and strengthen the procedures, report formats, and detailed implementation guidance for CSDR. Additionally, CAPE's annual report has found that the quality of the cost estimates for MDAPs provided by the military departments continued to improve this year due to the increase quality of data.

In addition, as part of the Department's program and budget review process, CAPE—in conjunction with USD(AT&L)—reviewed each acquisition program with significant funding changes from the latest baseline or prior year's President's budget to determine the source of the cost estimate supporting the revised program and to ensure that the program remained fully funded. This process of tracking to the approved estimate will be even more important in the future, as the Department faces significant funding constraints, resulting in more reductions to program quantities and annual procurement rates, and more pressures to budget programs at less than full funding.

Question. Do you believe that early communication between the acquisition, budget and requirements communities in DOD can help ensure more realistic cost, schedule, and performance expectations?

Answer. Yes.

Question. If so, what steps if any would you take, if confirmed, to assist in such communication?

Answer. I do not yet have a detailed plan for changes to the early-stage acquisition communication and decision process. If confirmed, I would consult with relevant stakeholders to understand the full range of considerations. I understand that CAPE has played an important role in facilitating joint deliberations between the acquisition, requirements, and PPBE processes and remain committed to improved sharing of information between these communities to enhance transparency within the Department.

Question. In the Budget Blueprint that supported the fiscal year 2010 President's budget request, the administration committed to "set[ting] realistic requirements and stick[ing] to them and incorporat[ing] 'best practices' by not allowing programs to proceed from one stage of the acquisition cycle to the next until they have achieved the maturity to clearly lower the risk of cost growth and schedule slippage."

What role do you see for the Director of CAPE in helping to ensure that the Department makes good on this commitment?

Answer. The Director is the principal official in DOD responsible for cost and schedule estimation and for assessing expected program effectiveness.

Question. Over the last several years, the Government Accountability Office (GAO) has prepared a series of reports for this committee comparing the DOD approach to the acquisition of major systems with the approach taken by best performers in the private sector. GAO concluded that private sector programs are more successful because they consistently require a high level of maturity for new technologies before such technologies are incorporated into product development programs. The Department has responded to these findings by adopting technological maturity goals in its acquisition policies.

How important is it, in your view, for the Department to mature its technologies with research and development funds before these technologies are incorporated into product development programs?

Answer. In my view it is critical for programs to reach the appropriate level of maturity before proceeding to the next acquisition stage.

Question. What role do you see for the Director of CAPE in helping to ensure that the key components and technologies to be incorporated into major acquisition programs meet the Department's technological maturity goals?

Answer. If confirmed, I will ensure that technology risks and maturity levels are fully incorporated in the cost and schedule assessments, including Independent Cost Estimates, prepared for all major programs.

Question. DOD has increasingly turned to incremental acquisition and spiral development approaches in an effort to make cost, schedule, and performance expectations more realistic and achievable.

Do you believe that incremental acquisition and spiral development can help improve the performance of the Department's major acquisition programs?

Answer. Yes. I believe that incremental acquisition and spiral development can be one effective way to reduce acquisition risk and should be considered when appropriate across DOD's portfolio of acquisition programs.

Question. In your view, has the Department's approach to incremental acquisition and spiral development been successful? Why or why not?

Answer. I believe that the use of this approach must be considered, on a case-by-case basis, with all factors assessed and weighed in the decision. If confirmed, I will advocate for the consideration and evaluation of spiral development and incremental acquisition strategies in applicable situations. There have been improvements in the Department's acquisition performance after the enactment of WSARA. For example, the number of Nunn-McCurdy breaches has steadily decreased since fiscal year 2010, with only three significant breaches and no critical breaches in fiscal year 2013. Also, since passage of WSARA, the Analysis of Alternatives (AoA) appear to have improved due to improvements in AoA guidance, study plans, and compliance.

Question. What steps if any do you believe are needed to ensure that the requirements process, budget process, and testing regime can accommodate incremental acquisition and spiral development approaches?

Answer. I do not have sufficient knowledge to offer a detailed assessment at this time; however, I believe that these areas need to be flexible enough to support incremental acquisition and spiral development approaches.

Question. How should the Department ensure that the incremental acquisition and spiral development programs have appropriate baselines against which to measure performance?

Answer. The Department is required to prepare and measure performance against rigorous acquisition program baselines for major acquisition programs, including acquisition programs that employ these concepts. If confirmed, I will ensure realistic independent cost and schedule estimates are prepared for all major acquisition programs, including the programs that employ these concepts.

Question. The poor performance of major defense acquisition programs has also been attributed to instability in funding and requirements. In the past, DOD has attempted to provide greater funding stability through the use of multi-year contracts. More recently, the Department has sought greater requirements stability by instituting Configuration Steering Boards to exercise control over any changes to requirements that would increase program costs.

What are your views on multi-year procurements? Under what circumstances do you believe they should be used?

Answer. In general, I believe that multi-year procurement strategies can result in savings. I recognize that multi-year contracts offer the possibility of cost savings from economic order quantities. If confirmed, I will ensure the CAPE organization prepares unbiased analyses to quantify the resultant savings from the use of multi-year procurement strategies, and to assess the impact on the Department of reductions in acquisition and budget flexibilities.

Question. What is your opinion on the level of cost savings that constitute "substantial savings" for purposes of the defense multi-year procurement statute, 10 U.S.C. § 2306b?

Answer. It is my understanding that CAPE provides the estimates of the savings to be achieved by multi-year procurements, and that the Under Secretary of Defense for Acquisition Technology and Logistics determines if the savings are substantial. I understand that past practice and Congressional guidance has often focused on 10 percent as a cost savings threshold for justifying multi-year procurements. While 10 percent is often a reasonable standard the merits of the multi-year procurements should be considered on a case-by-case basis. I believe that such consideration should include the potential trade-off between cost savings and reductions in acquisition and budget flexibilities. Sometimes less than 10 percent savings may suffice for a program, while at other times retaining budgetary flexibility may argue for foregoing a multi-year that could generate more than 10 percent cost savings.

Question. Under what circumstances, if any, do you believe that a multi-year contract should be used for procuring weapons systems that have unsatisfactory program histories, e.g., displaying poor cost, scheduling, or performance outcomes but which might otherwise comply with the requirements of the defense multi-year procurement statute, 10 U.S.C. § 2306b?

Answer. I believe multi-year strategies should be evaluated on a case-by-case basis, and past program performance is one key factor in deliberations on possible employment of multi-year procurement strategies.

Question. How would you analyze and evaluate proposals for multi-year procurement for such programs?

Answer. If confirmed, I will ensure that proposals for multi-year procurement will be carefully and fairly assessed and then compared with acquisition strategies that do not employ multi-year procurement. In evaluating those projections, I will also ensure that multi-year savings projections are compared with actual savings achieved from historical programs.

Question. If confirmed, what criteria would you apply in assessing whether procuring such a system under a multi-year contract, is appropriate and should be proposed to Congress?

Answer. Among other issues, I would recommend including a review of all statutory and regulatory requirements and an assessment of the trade-offs between cost savings and reductions in acquisition and budget flexibilities. The specific implementation would likely vary from program to program.

Question. Under what circumstances, if any, should DOD ever break a multi-year procurement?

Answer. In my view, exceptional circumstances that lead to the break of a multi-year procurement should be carefully considered case by case. Some factors that would warrant this consideration could include dramatic changes to the national security situation, significant changes to the fiscal environment facing DOD, or significant changes in the acquisition program itself.

Question. What other steps, if any, would you recommend taking to increase the funding and requirements stability of major defense acquisition programs?

Answer. If confirmed, I will take actions in concert with USD(AT&L) to ensure that independent cost estimates developed or approved by the Director are fully funded in the Future Years Defense Program, that changes to programs and cost estimates are properly tracked over time, that program cost performance is tracked consistent with the metrics specified in WSARA, and that proposed changes to programs that influence costs are fully evaluated and considered prior to implementation of changes to programs.

If confirmed, I will also recommend a careful examination of the Operations and Support costs for the Department. Optimistic forecasts of these costs sometimes contribute to instability in acquisition programs by demanding a greater percentage of available resources than originally expected, thereby undermining acquisition plans. Realistically funding these accounts, and controlling cost growth where possible, may help stabilize mid- and long-term acquisition plans.

Question. The JROC recently issued guidance which "encourages Program Managers, Program Executive Officers and Component Acquisition Executives, in coordination with the requirements sponsor, to officially request requirements relief, through the appropriate requirements validation authority, where Key Performance Parameters (KPP) appear out of line with the appropriate cost-benefit analysis." The JROC stated "[w]hile there are no limitations for requesting requirement relief, KPP relief should be considered especially appropriate in cases where significant cost savings may be achieved with marginal impact on operational capability (i.e., spending 15 percent of a program's budget to get the last 3 percent of KPP performance)."

Do you support the new JROC guidance?

Answer. Yes. I believe that if a KPP of a program is out of line with an appropriate cost-benefit analysis, it is proper to consider granting relief to correctly align the cost to the capability. Refining requirements can be highly beneficial to achieving balance between cost, schedule, and performance. Despite the benefit of reduced costs, we must ensure that we are not placing unacceptable risk on the warfighter in order to relax requirements.

Question. Are there additional changes the JROC should consider, in your view?

Answer. I am not aware of the need to make any additional changes or improvements to the JROC guidance at this time.

Question. The current acquisition system is intended to avoid fragmentation by providing that program managers report only to program executive officers, who report only to service acquisition executives, who are subject to the management and supervision of the Under Secretary of Defense for Acquisition, Technology, and Logistics.

Do you support the chain of command for the acquisition system, as currently structured?

Answer. I believe the current structure of the acquisition system has helped to reduce fragmentation in the process. If confirmed, I will work with the service acquisition executives and the Under Secretary of Defense for Acquisition, Technology, and Logistics to seek out ways to further reduce fragmentation and other inefficiencies in the acquisition system.

Question. The Independent Panel charged with reviewing the 2010 Quadrennial Defense Review recommended increasing the role of the respective services in the management of acquisition programs through a system called "In-Line Management." Specifically, the recommendation called for increasing the role of the Service Secretaries in the acquisition process. In addition, the Defense Business Board's (DBB) fiscal year 2012 report titled: Linking and Streamlining the Defense Requirements, Acquisition and Budget Process also advocated for the "Military Service Chief" to have a greater role in the acquisition process.

What are your thoughts about value of increasing the management responsibilities of Service Secretaries and Service Chiefs in the acquisition process?

Do you believe adding the Service Secretaries and Chiefs of Staff to the acquisition chain of command would help address the underlying causes of cost, schedule, and performance problems in the acquisition system?

Do you believe that such a change would increase, or decrease, fragmentation of authority in the acquisition system?

Answer. To ensure optimal use of funds provided to the Department, it is critical to minimize cost, schedule, and performance problems. I believe the key to minimizing these problems is identifying the correct requirements early in the process, influenced by an unbiased, realistic assessment of their viability. The experience and insights of the Service Chiefs and Secretaries would be very helpful in discussions of requirement trade-offs and continued relevance. Based on a preliminary assessment, I support the Department's response to the DBB recommendation and I would welcome an increased role for the Service Chiefs and Secretaries in the proc-

ess. If confirmed, I would expect to have more firsthand experience and develop a more fully informed view.

This would require close, early alignment between CAPE, the Services, the JROC, and the Under Secretary of Defense for Acquisition and Technology.

COST ASSESSMENT

Question. Section 2334 of title 10, U.S.C., requires the Director of CAPE to prescribe policies and procedures for the conduct of cost estimation and cost analysis for the acquisition programs of DOD.

What are the major issues that you believe should be addressed in policies and procedures for the conduct of cost estimation and cost analysis for DOD acquisition programs?

Answer. CAPE policy should enforce consistent methodologies, improve education and training, define process timelines, enhance risk analysis, and identify roles and responsibilities for cost estimating across the weapon system life cycle. Consistent cost estimating methods across departments, coupled with a trained workforce employing those methods, reduces review time, reconciliation, and associated rework which can save schedule time for acquisition programs and reduce costs.

Question. What is your view of DOD policies and procedures currently in place for the conduct of cost estimation and cost analysis for DOD acquisition programs? Are there any significant gaps that you would like to fill or significant changes that you would like to make?

Answer. The current DOD policies and procedures are being updated to codify the requirements of WSARA. CAPE is now working to complete DOD Manual 5000.04–M, Cost Analysis Guidance and Procedures. This Manual will be the primary vehicle for implementing the cost assessment provisions of WSARA. In particular, it will provide guidance to the military departments and defense agencies concerning the preparation, presentation, and documentation of life-cycle cost estimates for defense acquisition programs

Question. Section 2334(a)(6) requires the Director to conduct independent cost estimates and cost analyses for certain major defense acquisition programs and major automated information system programs at key points in the acquisition process and "at any other time considered appropriate by the Director or upon the request of the Under Secretary of Defense for Acquisition, Technology, and Logistics."

In your view, does the office of the Director currently have the staffing and resources necessary to perform this function, or will additional resources be required?

Answer. If confirmed, I will quickly evaluate the staffing and resource levels and take appropriate steps to ensure that CAPE's cost assessment staff will be fully able to continue to help the Department realize the aggressive program performance goals established by the President and Congress.

Question. What is your view of the extent to which it would be appropriate to use Federally Funded Research and Development Centers or other contractors to assist in this function?

Answer. It is my understanding that the Department is still working to reestablish the capabilities of the government acquisition workforce, though the fiscal environment has curtailed much planned growth in acquisition workforce capabilities. Even with this trend, however, there are numerous functions, such as cost analysis research, that an FFRDC or a support contractor could provide to assist the Department in meeting its cost estimating requirements provided we remain compliant with the 2013 NDAA that requires each MDAP/MAIS lead cost estimator be a member of the armed forces or a full-time employee of DOD.

Question. Are there particular points in the acquisition process, other than those required by statute, at which you think that independent cost estimates and cost analyses would be appropriate?

Answer. The current acquisition process in the Department is event-driven and episodic in nature, and is driven primarily by the key milestones identified in statute. In my view, the WSARA requirements drive the Department to a model involving more continuous involvement of the cost analysis community, and this is the approach I have sought to follow with AFCAA. If confirmed, I will support a more continuous involvement of CAPE in following and tracking program performance, updating cost and schedule estimates, and in evaluating new program risks as they are identified, though I recognize that resource constraints will limit my ability to fully achieve this vision.

Question. The Director is required to "[r]eview all cost estimates and cost analyses" conducted by the military departments and defense agencies for major defense acquisition programs and major automated information system programs other than

those covered by section 2334(a)(6). At certain points in the acquisition process, the Director is required to determine whether such estimates are reasonable.

In your view, does the office of the Director currently have the staffing and resources necessary to perform this function, or will additional resources be required?

Answer. If confirmed, I will quickly evaluate the staffing and resource levels and take appropriate steps to ensure CAPE's cost assessment personnel will be fully able to continue to help the Department realize the aggressive program performance goals established by the President and Congress. I recognize that all headquarters functions across DOD are under pressure to reduce staffing and resources and do not expect that CAPE will be exempt from this pressure.

Question. What is your view of the extent to which it would be appropriate to use Federally Funded Research and Development Centers or other contractors to assist in this function?

Answer. There are numerous functions, such as cost analysis research, that an FFRDC or a support contractor could provide to assist the Department in meeting its cost estimating requirements. All the Department's cost analysis agencies use contract/FFRDC support to some degree. In general, I support the current effort to enhance the government's organic cost estimating capability. However, the current fiscal pressures will likely result in reductions to both the CAPE staff and funding for the contract/FFRDC support.

Question. What action would you expect to take, if confirmed, if you were to determine that a cost estimate or cost analysis conducted by one of the military departments or defense agencies in connection with a major defense acquisition program or major automated system program was not reasonable?

Answer. If confirmed, in this situation I would direct the Deputy Director for Cost Assessment in CAPE to prepare a separate independent cost estimate and would recommend that the program not be permitted to proceed until the new independent cost estimate was completed, considered, and properly funded in the Future Years Defense Program. In my experience overseeing AFCAA, I found that situations where Program Office Estimates and independent cost estimates were likely to diverge greatly could generally be identified in advance and issues avoided by bringing analysts together to examine assumptions and models—saving time and avoiding unnecessary costs without sacrificing analytic independence.

PROGRAM EVALUATION

Question. Section 139a (d)(5) of title 10, U.S.C., makes the Director of CAPE responsible for "[r]eview, analysis, and evaluation of programs for executing approved strategies and policies, ensuring that information on programs is presented accurately and completely." Section 139a(d)(7) makes the Director responsible for "[a]ssessments of alternative plans, programs, and policies with respect to the acquisition programs of the Department of Defense."

What is your view of the significance of independent review, analysis, and evaluation of programs, and assessments of alternative programs, to the effective management of DOD?

Answer. Independent analyses and evaluation of programs help identify underlying risk in programs sometimes not seen in the service position—whether cost, schedule or performance risk. I believe that identifying these risks and offering the means to mitigate them will position the Department leadership to make informed decisions for acquiring and resourcing program plans.

Question. Do you see the need for any changes or improvements to the organization, process, or methodology used by the Department for such review, analysis, and assessments?

Answer. I am not aware of the need to make any changes or improvements to the process or methodology at this time. It is possible that additional decision support will be necessary to fulfill this, either via new staff or a reorganization of missions within existing staff. However, if confirmed, I will review the process and methodology and make recommendations for improvements, as appropriate.

Question. Does the Director of CAPE have the staffing and resources needed to carry out this function?

Answer. If confirmed, I plan to evaluate the need for the organizational changes necessary to fully comply with the intent of the legislation and the resulting impact on resources.

Question. How do you believe that the Director of CAPE should interact with Service acquisition executives, program executive officers, program managers, and other program officials in preparing independent evaluations of major defense acquisition programs?

Answer. Preparation of independent evaluations of major defense acquisition programs is highly dependent on gaining unfettered access to information about the programs. I believe that it is incumbent upon the Director of CAPE to create strong relationships across the Department with service acquisition executives and other program subordinates to ensure continued access to this information. At the same time, I believe that the Director must make clear that the analyses done by the CAPE organization maintain the required independence and continue to be unbiased and reliable in developing recommendations based on the analyses.

PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION SYSTEM

Question. What role do you expect to play, if confirmed, on matters relating to the planning and programming phases of the Planning, Programming, Budgeting, and Execution (PPBE) system?

Answer. I expect that I will be one of Secretary Hagel's closest advisors on all program evaluation matters. Further, I expect that I will coordinate the performance of the Program Review and ensure a close working relationship with the Under Secretary of Defense (Comptroller) as he coordinates the performance of the Budget Review. In my role I expect to analyze, evaluate, and provide alternative plans and programs for U.S. defense objectives and evaluate programs to ensure execution of approved strategies and policies. I anticipate performing critical reviews of requirements, capabilities, and life-cycle costs of current and proposed defense programs, with an eye toward making recommendations and identifying options for the Secretary of Defense.

Question. What role do you expect to play, if confirmed, in the preparation of materials and guidance for the PPBE system?

Answer. If confirmed, I will direct preparation for overarching guidance for the programming phase of PPBE. I also expect that I will prepare and coordinate closely with the Under Secretary of Defense (Comptroller) in the preparation of Fiscal Guidance to the Defense components. Further, I will expect to coordinate with the Under Secretary of Defense (Policy) in implementation of strategic policy decisions reached through processes such as the Quadrennial Defense Review. I expect that I will continue to prepare and deliver to Congress the Future Years Defense Program for DOD.

Question. Do you see the need for any changes or improvements to the PPBE system?

Answer. The PPBE system has seen virtually constant, incremental change throughout much of its recent history, but I do not have any concrete recommendations to make at this time. If confirmed I will work with other stakeholders to ensure that the PPBE system best supports the efficient and effective allocation of taxpayer dollars to the highest national security priorities of DOD.

ANALYSES OF ALTERNATIVES

Question. The Director of CAPE is responsible for the formulation of study guidance for analyses of alternatives for major defense acquisition programs and the performance of such analyses, as directed by the Secretary of Defense.

Do you believe that DOD has been making appropriate use of AoA in connection with major defense acquisition programs?

Answer. While at this time I do not have sufficient knowledge to offer an assessment of the Department's use of AoAs, I believe analyses of alternatives can identify areas where trade-offs can be made to reduce cost, schedule, and performance risk.

Question. Do you see the need for any change in the timing, content, or approach that the Department takes to analyses of alternatives in connection with major defense acquisition programs?

Answer. No. The AoAs is usually done prior to Milestone A, thereby offering the earliest opportunity to influence the acquisition strategy and program content. If confirmed, I will ensure that the AoAs continues to be updated, as appropriate, as the program proceeds to a full-rate production decision.

Question. Do you believe that the office of the Director of CAPE and other relevant components of the Department are appropriately organized and staffed to carry out effective analyses of alternatives in connection with major defense acquisition programs?

Answer. Properly organized, yes. If confirmed, I will quickly evaluate and take appropriate steps to ensure that CAPE is properly organized to fulfill the responsibilities and fully comply with the statutory requirements of WSARA.

OPERATING AND SUPPORT COSTS

Question. Section 2334(e) of title 10, U.S.C., requires the Director to review and report on existing systems and methods of DOD for tracking and assessing operating and support costs on major defense acquisition programs.

Do you think that the Department is currently doing an adequate job of estimating operating and support costs for major defense acquisition programs?

Answer. I appreciate the challenges of estimating operating and support costs of increasingly complex weapon systems with ever-changing operational missions. The WSARA of 2009 requires a review of systems and methods used for developing estimates of operating and support costs. It is my understanding that a division has been established in CAPE to analyze the adequacy of systems and methods used for developing estimates of operating and support costs. If confirmed, I will review their analyses and recommend adjustments, if needed.

Question. Do you think that the Department is currently doing an adequate job of tracking and assessing operating and support costs for major defense acquisition programs?

Answer. I recognize that effective systems and methods must be in place to ensure that budgets and programs reflect the most current experience in operating and support costs. The WSARA of 2009 requires a review of systems and methods used for tracking and assessing operating and support costs. In my role as the Assistant Secretary of the Air Force for Financial Management and Comptroller, an Operating and Support estimating division was created in AFCAA to perform independent assessments of the operating and support costs of AF major defense acquisition programs. It is my understanding that a new division has been established in CAPE that will track and assess operating and support costs for major defense acquisition programs. If confirmed, I will review their analyses and recommend adjustments, if needed.

Question. What would be your view of a "Nunn-McCurdy"-type system for programs that substantially exceed estimates for operating and support costs?

Answer. I understand the importance of controlling the operating and support costs of our major weapon systems. I also know that this is a complicated problem—many factors contribute to increases in operating and support cost growth. I am advised that the CAPE directorate has worked to assess the feasibility and advisability of establishing some form of baseline for operating and support costs, as required in the Weapon System Acquisition and Reform Act of 2009. Increased visibility of operations and support costs is very important to enable management action to contain costs, regardless of whether a formal breech process is established. If confirmed, I will make a review of the team's progress on this question a near-term priority.

Question. What is your view on the role that the office of the Director of CAPE does and should play in assessing operating and support costs on major defense acquisition programs?

Answer. I recognize that operating and support costs are a significant driver to both major defense acquisition program costs and the department's budget. The Weapon System Acquisition and Reform Act of 2009 requires CAPE to ensure that the cost estimation and cost analysis processes of the department provide accurate information and realistic estimates of costs for acquisition programs. I understand a new division in CAPE has been established that will track and assess operating and support costs for major defense acquisition programs. I am also aware that an operating and support cost estimating guide has been written and that the Department maintains operating and support cost databases. If confirmed, I will review their analyses and activities and recommend adjustments, if needed while partnering with USD(AT&L) to make operating and support costs more visible in the milestone decision process.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Director of CAPE?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

COORDINATION OF REQUIREMENTS, ACQUISITION AND BUDGETING

1. Senator INHOFE. Dr. Morin, in a July 3, 2013, letter to Congress General Dempsey, "acknowledged the need to improve coordination among the requirements, acquisition and budgeting process." Toward that end a "quarterly leadership forum" was created which includes the Cost Assessment and Program Evaluation (CAPE) Director. General Dempsey wrote: "The Department will use this forum to ensure roadblocks are promptly addressed, continue ongoing efforts to better align requirements and acquisition processes and further engage Service Chiefs in the acquisition process." If confirmed, what do you view as your role on the forum?

Dr. MORIN. It is my understanding that the Quarterly Leadership Forum is a series of meetings dedicated to improving the coordination between the requirements, acquisition, and budgeting processes. Attendees include the leadership of the Joint Staff, the Under Secretary of Defense for Acquisition, Technology and Logistics, and the Director of CAPE. The explicit purpose of these meetings is to link the requirements, acquisition, and budgetary processes to help provide timely delivery of warfighter capabilities at a reasonable cost.

I have not participated in this forum in my current role, but if confirmed will look forward to taking part and contributing CAPE's insights to the group. I believe CAPE insights will include ensuring lessons are incorporated into the processes to enable the Department to more easily recognize and break through process-driven impediments to the development and fielding of warfighter capabilities in an effective and timely manner.

The ability of the DOD leadership to coordinate requirements, acquisition, and budgeting has been strained due to the enormous fiscal uncertainty facing the Department, which makes frank and timely discussions across these communities all the more important.

2. Senator INHOFE. Dr. Morin, what ideas do you think are important for the quarterly leadership forum to address and consider?

Dr. MORIN. The Quarterly Leadership Forum should include and consider the following ideas:

- The importance of streamlining process time and providing clear lines of accountability without sacrificing discipline or key oversight, and
- Expectations for rigorous cost estimates and the budgetary discipline to fully fund programs to valid estimates, in line with key priorities.

ACCURATE COST ESTIMATES

3. Senator INHOFE. Dr. Morin, to help ensure the Services submit more realistic cost estimates CAPE instituted policies requiring greater accountability from the Services. These new requirements included an obligation for the Services to produce a "signed" cost estimate to be reviewed by CAPE and to reaffirm the Services commitment to fully fund an acquisition program during the preparation of the next 5-year spending plan. What are your plans and strategies to use the capabilities of CAPE to achieve even more savings in the future?

Dr. MORIN. Following the passage of the Weapons System Acquisition Reform Act in 2009, I understand CAPE instituted new business processes for consideration of cost estimates prepared by the military services for major acquisition programs. These processes require: (1) each cost estimate be submitted and explained in a signed and dated document; and 2) financial and acquisition leaders of the military departments provide a commitment (to fully fund programs to their Service Cost Position in the next Future Years Defense Program. I have seen these new processes

improve both the accountability and transparency associated with the cost estimates prepared in the Military Departments.

If confirmed, I plan to use and expand several ongoing initiatives in CAPE to improve the Department's cost estimates and achieve even greater savings in the future, specifically through guidance rewrites, increased analytical emphasis on multi-year procurements, and integration/enhancements of cost collection systems to increase analyst productivity. First, I understand CAPE is coordinating with the Military Departments to update its manual, DOD 5000.4–M, Cost Analysis Guidance and Procedures. Once complete, this update will provide authoritative guidance to the military departments and defense agencies concerning the preparation, presentation, and documentation of life-cycle cost estimates for defense acquisition programs, which in turn should increase cost analyst efficiency. The new version of DOD 5000.4–M will focus on identifying decisions that offer the opportunity to save money rather than just preparing an independent cost estimate for the program of record and stopping there.

Second, CAPE has instituted a rigorous analytic process to support certification of the savings associated with multi-year procurement contracts. This process involves direct interaction of CAPE analysts with program office personnel, within each of the military departments, as well as involvement of cost analysis personnel from the military service cost centers and the system commands, to support improved understanding of costs in support of negotiation of the best possible business contract arrangement for the Department. It also involves direct interaction of CAPE with the leadership of the prime contractor for the program, to show them the cost analyses and demonstrate the strengths and weaknesses of their initial contract proposals. This process, which was initiated 3 years ago, has resulted in expected contract savings of 10–19 percent on a number of aircraft programs that have employed multi-year contracting strategies. I understand CAPE is working on a number of other initiatives in this area, and if confirmed, I will delve further into these issues.

COLLABORATION AND PARTNERSHIP

4. Senator INHOFE. Dr. Morin, the current Director of CAPE stated in 2011 that, "we found cases where the program managers, the acquisition executives, the partners in industry and the analysts in Cost Assessment and Program Evaluation all working together—those are the places where we've seen the most success in program's going forward." Do you agree with that approach?

Dr. MORIN. I have seen multiple cases where Air Force and CAPE analysts have been able to work closely together to develop rigorous, independent estimates that are credible to program management and the acquisition executives, and which provide a good baseline for budgeting and for developing cost savings proposals. Collaboration with industry has been very helpful in developing more rigorous and consistent cost accounting standards and work breakdown structures for earned value management. Early engagement between the various responsible analysts and acquisition professionals can help streamline acquisition timelines, thereby saving cost.

5. Senator INHOFE. Dr. Morin, do you believe CAPE should be more detached in order to maintain the independence of its analysis?

Dr. MORIN. I believe that the cost assessment team has an appropriate level of independence and find their estimates to be credible and unbiased. The WSARA statute provides that the CAPE Director reports directly to the Secretary and Deputy Secretary of Defense and can provide views directly to those leaders without the approval of any other official, ensuring that independent views on cost estimating are shared directly with top DOD leadership. Continued work is required to improve the quality of estimating and hence the accuracy and precision with which analysts are able to predict the cost of future programs.

[The nomination reference of Dr. Jamie M. Morin follows:]

NOMINATION REFERENCE AND REPORT

SENATE OF THE UNITED STATES,
September 11, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Jamie Michael Morin, of Michigan, to be Director of Cost Assessment and Program Evaluation, Department of Defense, Christine H. Fox, resigned.

[The biographical sketch of Dr. Jamie M. Morin, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF DR. JAMIE M. MORIN

Education:

Georgetown University

- September 1993–December 1996
- Bachelor of Science in Foreign Service Degree awarded cum laude December 1996
- Peter Krogh Scholar of the School of Foreign Service 1994–1996

London School of Economics

- September 1997–September 1998
- Master of Science in Public Administration and Public Policy Degree awarded with distinction June 1994

Yale University

- September 1998–May 2003
- Master of Arts in Political Science awarded May 2001
- Master of Philosophy in Political Science awarded May 2001
- Ph.D. in Political Science awarded May 2003

Employment record:

U.S. Air Force

- Assistant Secretary of the Air Force (Financial Management and Comptroller)
- July 2009–present
- Acting Under Secretary of the Air Force, July 2012–April 2013

U.S. Senate Committee on the Budget

- Senior Defense Analyst
- July 2003–July 2009
- Additional duties as senior analyst for foreign affairs at various times during this tenure.

Miller Center for Public Affairs (University of Virginia)

- National Fellow in Public Affairs
- July 2002–July 2003

Center for Strategic and Budgetary Assessments

- Visiting Fellow
- June 2001–September 2001

J.E. Austin Associates

- Economist and Strategy Specialist (May 2000–September 2000)
- Research Assistant then Research Associate and then Consultant (October 1995–September 1997)
- October 1995–September 1997; May 2000–September 2000

Office of the Secretary of Defense

- Intern
- June 1999–September 1999

Honors and awards:

Air Force Meritorious Civilian Service Medal (2013)

Named a "Young Global Leader" by the World Economic Forum's Forum of Young Global Leaders (2013)

Dirksen Center—Congressional Research Award (2003)

Miller Center (UVA)—National Fellow in Public Affairs (2002–2003)

Yale University—Yale University Fellowship (1998–2002), Dissertation Fellowship (2002–2003)

Smith-Richardson Foundation—Research Fellowship (2001, 2002)

Nominated by students for the Yale College Teaching Prize (1999)

DACOR Bacon House Foundation—Tutthill Fellowship (1997)

Krogh Scholar, Georgetown University School of Foreign Service (1995–1996)

Eagle Scout, Boy Scouts of America (1992)

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate, and certain senior military officers as determined by the committee, to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Dr. Jamie M. Morin in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Jamie Michael Morin.

2. **Position to which nominated:**
Director, Cost Assessment and Program Evaluation

3. **Date of nomination:**
September 11, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
May 28, 1975, Southfield, MI.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Megan Anne Baker-Morin
(Note: she uses the hyphenated version for some purposes, Megan Anne Baker professionally).

7. **Names and ages of children:**
William (Liam) Morin, age 8.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Ph.D. in Political Science, Yale University, 2003. Attended 1998–2003.
M.Phil., Yale University, 2001.
M.A., Yale University, 2001.
M.Sc. in Public Administration and Public Policy, London School of Economics, 1998. Attended 1997–1998.
B.S.F.S in International Security and Diplomacy, Georgetown University School of Foreign Service, 1996. Attended 1993–1996.
High School Diploma, University of Detroit Jesuit High School, 1993. Attended 1989–1993.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Acting Under Secretary of the Air Force, Washington DC (July 2012 to April 2013).

Assistant Secretary of the Air Force (Financial Management and Comptroller), Washington DC (June 2009 to present).

Senior Defense Analyst, U.S. Senate Committee on the Budget, Washington DC (July 2003 to June 2009).

National Fellow in Public Affairs, Miller Center for Public Affairs, University of Virginia, Charlottesville, VA (July 2002 to July 2003) .

10. **Government experience:** List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above.

As a visiting fellow at the Center for Strategic and Budgetary Assessments, I assisted with research and writing of a study for the Department of Defense's Office of Net Assessment.

As a consultant with J.E. Austin Associates, I participated in several U.S. Agency for International Development economic development projects.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

Member of Yale, Georgetown, and University of Detroit Jesuit High School alumni associations

Member of American Society of Military Comptrollers

Member of Air Force Association

Member of the Forum of Young Global Leaders of the World Economic Forum

Term Member of the Council on Foreign Relations

Member of the "Term Member Advisory Committee," with no fiduciary or management responsibilities.

Den Leader, Cub Scout Pack 98, St Anthony's Catholic Church, Washington DC

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for whichyou have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Volunteer advisor on defense budget policy, Obama for America, 2007–2008.

Volunteer, Virginia Campaign for Change, November 2008.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

$200 - Obama for America, October 22, 2011

$200 - Obama for America, February 24, 2012

$800 - Obama for America, ($100 per month from April–November 2012)

$250 - Barack Obama (General Election), October 22, 2008

$200 - Barack Obama (Primary), July 9, 2008

$200 - Barack Obama (Primary), January 8, 2008 (estimated)

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Air Force Meritorious Civilian Service Medal (2013)

Named a "Young Global Leader" by the World Economic Forum's Forum of Young Global Leaders (2013)

Dirksen Center - Congressional Research Award (2003)

Miller Center (UVA) - National Fellow in Public Affairs (2002–2003)

Yale University - Yale University Fellowship (1998–2002), Dissertation Fellowship (2002–2003)

Smith-Richardson Foundation - Research Fellowship (2001, 2002)

Nominated by students for the Yale College Teaching Prize (1999)

DACOR Bacon House Foundation - Tutthill Fellowship (1997)

Krogh Scholar, Georgetown University School of Foreign Service (1995–1996)

Eagle Scout, Boy Scouts of America (1992)

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Quarterly articles in Air Force Comptroller Magazine: 2009–2013

"Making Every Dollar Count," Armed Forces Comptroller, Spring 2013

"Deepening U.S.-Asian Relationships by Expanding Military Partnership" Blog post at the World Economic Forum blog, http://forumblog.org/2013/03/deepening-us-asian-relationships-by-expanding-military-partnership/

"Achieving Acquisition Excellence in the Air Force: A Financial Management Perspective," Armed Force Comptroller, March 2010.

Squaring the Pentagon: The Politics of Post-Cold War Defense Retrenchment, Ph.D. Dissertation, Yale University Department of Political Science, 2003.

"The Politics of Post-Cold War Defense Retrenchment," Paper presented to the New Faces in International Security Conference, Triangle Institute for Security Studies, (2003).

"Did Congress Shape America's Post-Cold War Defense? Measuring the Politics of Budgetary Retrenchment," Paper presented to the American Political Science Association's 2003 annual conference.

"Explaining the Shape of the Post-Cold War U.S. Military," Paper presented to the Miller Center Fellows. Conference, May 2003.

"Congressional Assertion in Defense Budgeting During Retrenchment," Presentation to the Miller Center Fellows Kick-off Conference (2002).

"Comment on Josef Joffe's 'Who's Afraid of Mr. Big,'" The National Interest (Fall 2001).

"European Economic and Monetary Union and Trans-Atlantic Security Relations," International Security Review (London, RUSI: 1999).

"EMU and U.S. Troops in Europe," Royal United Services Institute Newsbrief (London, RUSI: April 1998).

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

Air Force Financial Services Office Worldwide Conference - November 4, 2009

American Society of Military Comptrollers, Corporate Board Breakfast - December 3, 2009

American Society of Military Comptrollers, National Professional Development Institute - June 2, 2010

American Society of Military Comptrollers, Washington Chapter - June 14, 2010

American Society of Military Comptrollers, National Professional Development Institute - June 1, 2011

Address to Research Corridor Unmanned Aircraft Systems Summit - May 22, 2012

The Fletcher School Lecture and Luncheon - October 16, 2012

TechAmerica - December 5, 2012

Government Executive Media Group: "Focus on Defense" - December 6, 2012

Wright-Patterson Air Force Base Industry Outreach Event - December 17, 2012

The State of Small Business - December 17, 2012

Air Force Association Breakfast Series - January 15, 2013

Center for Naval Analyses Military Advisory Board - January 30, 2013

Georgetown Asia Rebalance Forum - February 27, 2013

National Defense Industrial Association Luncheon - March 11, 2013

Northwest Florida Defense Coalition Fly-In - March 12, 2013

Energy Media Teleconference - March 21, 2013

Space Budget Rollout - April 15, 2013

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JAMIE M. MORIN.

This 26th day of September, 2013.

[The nomination of Dr. Jamie M. Morin was reported to the Senate by Chairman Levin on October 31, 2013, with the recommendation that the nomination be confirmed. The nomination was returned to the President at the end of the first session of the 113th Congress on January 6, 2014, under provisions of Senate Rule XXXI, paragraph 6, of the Standing Rules of the Senate.]

[Prepared questions submitted to Dr. Jo Ann Rooney by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the military departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater Nichols Act provisions?

Answer. I do not see the need to modify any provision of the Goldwater Nichols Act.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. I do not see the need to modify any provisions of the Goldwater Nichols Act.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. If confirmed, I will bring over 25 years of senior leadership experience to this position along with education credentials in finance, law, taxation, and education. In my most recent role inthe Department of Defense (DOD), I had the honor and privilege to serve as Acting Under Secretary/Principal Deputy Under Secretary of Defense (USD/PDUSD) for Personnel and Readiness. In this role, I was responsible for Total Force Management as it relates to Health Affairs, National Guard and Reserve Affairs and Readiness and Force Management including: military personnel policies, civilian personnel policies, readiness, military, community and fam-

ily programs, equal opportunity, morale, welfare, recreation and quality of life matters. I had direct responsibility and accountability for over 30,000 employees and a budget of $73 billion including: the oversight and administration of the $50 billion Defense Health Program (including all military treatment facilities (59 hospitals and 360 clinics), the Graduate Medical University and Tricare Management Activities); Defense Commissaries and Exchanges with $14.5 billion in annual sales; the Defense Education Activity which supports over 100,000 students worldwide; and the Defense Equal Opportunity Management Institute. In addition, as Acting USD/PDUSD and a member of the Secretary's senior leadership team, I actively participated alongside uniformed service leaders in the development of the Defense Strategy and defense budget for fiscal years 2013–2017. During my tenure, we worked closely with senior military and civilian leaders across all Services on the implementing the repeal of "Don't Ask Don't Tell" and the review of benefits post-repeal; completion of the Women In the Service Report; development of the initial rollout of enhanced sexual assault prevention programs and policies; directing the Dover Port Mortuary task force and response (including direct meetings with family members); ongoing improvements to the Disability Evaluation System for wounded, ill and injured servicemembers across each of the uniformed services including enhancement of programs for treatment and diagnoses for PTSD and TBI; reviewing military compensation including retirement reform; developing a new policy and program resulting in a fundamental redesign of the manner in which servicemembers are transitioned to veterans status (TAP); and developing the risk mitigation plan for the Secretary of Defense in response to the Chairman of the Joint Chiefs of Staff's risk assessment. Along with the DepSecVA, I co-chaired the DOD/VA Joint Executive Council (JEC) bringing together military and civilian leadership from both departments to make decisions addressing key issues involving both agencies.

During 8 years as president of a doctoral level university, we successfully addressed serious financial challenges enabling the institution to realize significant operating surpluses after years of deficits. In addition, we developed an innovative educational model that directly impacted retention, graduation rates and student success. Various corporate and civic engagements have enabled me to lead organizations through dynamic structural and financial challenges allowing them to better serve their constituents. In particular, my work on the Jewish Hospital and St. Mary's HealthCare (JHSMH) health care system board of trustees as vice chair, allowed me to be directly involved in developing policies and procedures impacting patient care, safety, operating efficiencies and human resource policies across a system of approximately $1 billion encompassing ambulatory, community hospital and tertiary care facilities, an inpatient psychiatric hospital, comprehensive rehabilitation facility, and clinical research.

DUTIES

Question. Section 5015 of title 10, U.S.C., states the Under Secretary of the Navy shall perform such duties and exercise such powers as the Secretary of the Navy may prescribe.

What is your understanding of the duties and functions of the Under Secretary of the Navy?

Answer. The statutory duties and functions of the Under Secretary of the Navy are broadly defined to "perform such duties and exercise such powers as the Secretary of the Navy may prescribe." By statute, the Under Secretary is first in succession in the event of the Secretary of the Navy dies, resigns, is removed from office, is absent or is disabled. By regulation, The Under Secretary is designated as the deputy and principal assistant to the Secretary of the Navy and acts with full authority of the Secretary in managing the Department of the Navy. The Under Secretary serves as the Chief of Staff of the Secretariat and the Chief Operating Officer of the Department. In accordance with section 904(b) of the National Defense Authorization Act for Fiscal Year 2008, the Under Secretary is also the Department's Chief Management Officer.

Question. What recommendations, if any, do you have for changes in the duties and functions of the Under Secretary of the Navy, as set forth in section 5015 of title 10, U.S.C., or in DOD regulations pertaining to functions of the Under Secretary of the Navy?

Answer. I have reviewed the statutory and regulatory functions of the Secretary of the Navy and presently do not recommend any modification. If confirmed and I identify areas that I believe merit changes, I will propose those changes through the appropriate established processes.

Question. Assuming you are confirmed, what additional duties, if any, do you expect will be prescribed for you?

Answer. If confirmed, I look forward to working with the Secretary of the Navy to further his vision and goals for the Navy and Marine Corps. I expect the Secretary will assign me duties consistent with my background, my strengths, and the present needs of the Department of the Navy.

Question. Section 904(b) of the National Defense Authorization Act for Fiscal Year 2008, directs the Secretary of a military department to designate the Under Secretary of such Military Department to assume the primary management responsibility for business operations.

What is your understanding of the business operations responsibilities of the Under Secretary of the Navy?

Answer. The Under Secretary of the Navy is responsible for overseeing all business operations of the Department. More specifically, the Under Secretary of the Navy directs the shaping of a leaner, more integrated, and simplified business environment and guides opportunities to streamline processes.

RELATIONSHIPS

Question. Please describe your understanding of the relationship of the Under Secretary of the Navy to the following officials:

The Secretary of Defense.

Answer. The Secretary of Defense is the principal assistant to the President in all matters relating to DOD. The Secretary of the Navy reports directly to the Secretary of Defense and ensures that his priorities are implemented in the Department of the Navy. When acting as the Secretary of the Navy, the Under Secretary would do the same.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense, on occasion, serves as Acting Secretary of Defense. The Deputy Secretary of Defense also serves as the Chief Management Officer of DOD. If confirmed, I will work closely with the Deputy Secretary of Defense on a range of matters to include supporting the Deputy Secretary of Defense in his role as Chief Management Officer of DOD.

Question. The Deputy Chief Management Officer of DOD.

Answer. The Deputy Chief Management Officer is the principal staff assistant to the Secretary and Deputy Secretary of Defense for matters relating to the management and improvement of integrated DOD business operations. If confirmed, I will work directly with the Deputy Secretary of Defense (DOD CMO) and the DOD DCMO on the full range of matters involving the management of DOD. If confirmed, I will assist in the development of a comprehensive Departmental transformation plan and business systems architecture and oversee the identification and implementation of potential business process improvements.

Question. The Director of the Business Transformation Agency.

Answer. I understand that this agency was disestablished by the Secretary of Defense in 2011 and transferred functions to the DOD Deputy Chief Management Officer.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman of the Joint Chiefs of Staff is the principal military advisor to the President, the National Security Council, and the Secretary of Defense. If confirmed, I will work closely with the Chairman through the Chief of Naval Operations and Commandant of the Marine Corps on appropriate matters affecting the Navy and Marine Corps.

Question. The Vice Chairman of the Joint Chiefs of Staff.

Answer. The Vice Chairman has the same statutory authorities and obligations as other members of the Joint Chiefs of Staff. When performing duties as the Acting Chairman, the Vice Chairman's relationship with the combatant commanders is exactly the same as that of the Chairman. If confirmed, I will work closely with the Vice Chairman through the Chief of Naval Operations and Commandant of the Marine Corps on appropriate matters affecting the Navy and Marine Corps.

Question. The Secretary of the Navy.

Answer. Subject to the authority, direction, and control of the Secretary of Defense, the Secretary of the Navy is responsible for, and has the authority necessary to conduct all affairs of the Department of the Navy. The Under Secretary of the Navy is the deputy and principal assistant to the Secretary of the Navy and acts with full authority of the Secretary in managing the Department of the Navy.

Question. The Chief of Naval Operations.

Answer. The Chief of Naval Operations (CNO) performs his duties under the authority, direction and control of the Secretary of the Navy and is directly responsible

to the Secretary according to title 10. The Under Secretary deals directly with the CNO in all Department leadership meetings and when acting in the Secretary's stead. The Under Secretary works most closely with the Vice Chief of Naval Operations (VCNO). If confirmed, I would foster a close working relationship with the CNO and the VCNO to ensure that policies and resources are appropriate to meet the needs of the Navy and respect the CNO's additional responsibilities as a member of the Joint Chiefs of Staff.

Question. The Commandant of the Marine Corps.

Answer. The Commandant of the Marine Corps performs his duties under the authority, direction and control of the Secretary of the Navy and is directly responsible to the Secretary according to title 10. The Under Secretary deals directly with the Commandant of the Marine Corps in all Department leadership meetings and when acting in the Secretary's stead. The Under Secretary works most closely with the Assistant Commandant of the Marine Corps. If confirmed, I would foster a close working relationship with the Commandant and the Assistant Commandant of the Marine Corps to ensure that policies and resources are appropriate to meet the needs of the Navy and Marine Corps, and respect the Commandant's additional responsibilities as a member of the Joint Chiefs of Staff.

Question. The Assistant Secretaries of the Navy.

Answer. There are four Assistant Secretaries of the Navy performing statutory functions and such duties as the Secretary prescribes. If confirmed, I will work with each of the Assistant Secretaries of the Navy to achieve the Secretary's goals.

Question. The General Counsel of the Navy.

Answer. The General Counsel of the Navy serves as the senior civilian legal advisor to the Department of the Navy, the Secretary's chief ethics official and performs such functions as the Secretary of the Navy shall direct. If confirmed, I will work closely with the General Counsel to achieve the Secretary's goals.

Question. The Inspector General of the Navy.

Answer. The Navy Inspector General is in the Office of the Secretary of the Navy. When directed, the Navy Inspector General inquires into and reports upon any matter that affects the discipline or military efficiency of the Department of the Navy. He shall make such inspections, investigations, and reports as the Secretary of the Navy directs. He also proposes programs of inspections and investigations as appropriate. If confirmed, I will work closely with the Inspector General to achieve the Secretary's goals.

Question. The Surgeon General of the Navy.

Answer. The Surgeon General provides direction, guidance and management of Navy medical personnel worldwide. The Surgeon General advises the Secretary of the Navy as well as the Assistant Secretary of Defense for Health Affairs on matters pertaining to Navy and Marine Corps force and the health of personnel. If confirmed, I will work closely with the Surgeon General to achieve the Secretary's goals.

Question. The Director of the Navy's Business Transformation Office.

Answer. The Director of the Navy's Office of Business Transformation is currently designated as the DoN DCMO. If confirmed, I would work closely with the DCMO to determine needed changes to Departmental transformation plans, business systems architecture, and to identify needed business process improvements.

Question. The Judge Advocate General of the Navy.

Answer. The Judge Advocate General of the Navy is the senior uniformed legal advisor to the Secretary of the Navy, provides independent legal advice to the Secretary of the Navy and the Chief of Naval Operations and performs duties relating to any and all Department of the Navy legal matters assigned to her by the Secretary. If confirmed, I look forward to developing a good working relationship with the Judge Advocate General and her staff.

Question. The Under Secretaries of the Military Services.

Answer. If confirmed, I will work diligently to develop close working relationships with the Under Secretaries of the Army and Air Force, particularly in our capacities as Chief Management Officers for our respective Services.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges, if any, that you would confront if confirmed as Under Secretary of the Navy?

Answer. DOD and all of the Services are facing numerous challenges brought on by over 10 years of war and fiscal uncertainty. These factors directly impact decisions on current programs, support for the warfighter and investment in future capabilities and requirements. The Navy and Marine Corps are deployed around the world engaged in the full spectrum of military missions, from direct combat oper-

ations to providing security in the maritime domain to humanitarian assistance. Determining the best balance between meeting current challenges, building a relevant and capable future force, enabling and supporting sailors, marines, their families, and the civilian workforce will pose the most significant challenges in the years ahead. It is also critical to be good stewards of taxpayer dollars, being accountable for ensuring these resources are invested wisely and efficiently. In the role as Chief Management Officer, continued improvement to program and budget development and the cost effectiveness of the acquisition program, will remain major challenges and priorities.

If confirmed, I will work tirelessly to address these issues and would work closely with DOD, Navy and Marine Corps leadership, and this committee to develop and execute strategies to address these challenges.

Question. If confirmed, how would you prioritize and what plans would you have, if any, for addressing these challenges?

Answer. In response to the strategic guidance from the President, the Secretary of the Navy, Chief of Naval Operations and Commandant of the Marine Corp have articulated clear priorities focused on people, platforms, power and partnerships. If confirmed, I look forward to working with the Secretary of the Navy, senior Military and DOD leadership, and this committee to meet these challenges and priorities including but not limited to:

- Ensuring the readiness of our force to meet current and future missions around the world by recruiting, training, and retaining highly-skilled sailors and marines, and supporting the families of the servicemembers;
- supporting a diverse and well-trained civilian workforce;
- continuing to address the critical issues of sexual assault and suicides among our sailors and marines;
- maintaining a long-term ship building program that supports the needs for modernization and future capabilities, supports a robust industrial base, and is both achievable and fiscally sustainable;
- promoting acquisition excellence, stewardship, accountability and innovation; and,
- supporting the enhancement of enterprise-wide business systems to improve core business operations, performance metrics and accountability.

DUTIES AND RESPONSIBILITIES AS CHIEF MANAGEMENT OFFICER

Question. Section 904 of the National Defense Authorization Act for Fiscal Year 2008 designates the Under Secretary of the Navy as the Navy's Chief Management Officer (CMO). Section 908 of the National Defense Authorization Act for Fiscal Year 2009 requires the CMO of each of the military departments to carry out a comprehensive business transformation initiative, with the support of a new Business Transformation Office.

What is your understanding of the duties and responsibilities of the Under Secretary in his capacity as CMO of the Department of the Navy?

Answer. If confirmed, my most important duty as CMO will be to ensure that the Department of the Navy has a pragmatic and well-thought out comprehensive business transformation plan with measureable performance goals and objectives. In addition, I will continue to support a well-defined enterprise-wide business systems architecture. I would work with the DCMO to:

- Fully analyze the budget, finance, accounting, and human resource operations of the Department of the Navy in an effort to identify, streamline, and ultimately transform these related processes;
- Eliminate or replace systems whose business case analyses are determined not to be cost effective or otherwise inconsistent with business enterprise architecture transition plans;
- Monitor the implementation of the Department of the Navy's Business Transformation Plan.

Question. What background and expertise do you possess that you believe qualify you to perform these duties and responsibilities?

Answer. The Under/CMO must have a thorough knowledge of the Department of the Navy; to include the culture of both services, the government employees that support them and the industrial base. The Under/CMO should also have or develop knowledge on the way programs and budgets are developed and be a strong leader and manager. I have served as the Acting Under Secretary/Principal Deputy Under Secretary of Defense for Personnel and Readiness, as well as the deputy senior policy advisor to the Secretary of Defense on recruitment, career development, pay and benefits for 1.4 million Active Duty military personnel, 1.3 million Guard and Reserve personnel, nearly 700,000 DOD civilians, and was responsible for overseeing

the overall state of military readiness. In years past, I have served as chief counsel, chief operating officer, and chief financial officer in the private sector. I have taken a struggling university to financial success while simultaneously implementing major programmatic, changes, IT transformation and infrastructure upgrades and have also served in a leadership role on the board of a major hospital system undergoing significant operational and organizational change. I believe that my background along with formal education, particularly in law and finance, provides a solid foundation for the position as CMO but I accept that I must continue to learn, and will rely greatly on the knowledge and advice of the team in the Departments of Defense and Navy.

Question. Do you believe that the CMO and the Business Transformation Office have the resources and authority needed to carry out the business transformation of the Department of the Navy?

Answer. I believe the CMO and the Business Transformation Office have the resources and authority needed to carry out the business transformation of the Department. If confirmed, I would consult with the Secretary of the Navy, DOD DCMO, and DOD CMO if I discover that those resources and authorities were insufficient.

Question. What role do you believe the CMO and the Business Transformation Office should play in the planning, development, and implementation of specific business systems by the military departments?

Answer. I believe the CMO and DCMO/BTO should serve as guides and enablers for implementing sound best practices regarding planning, development, and implementation of business systems, and verify those policies are being followed appropriately in accordance with DOD guidelines. If confirmed, I would work with the DCMO/BTO to institute rigorous investment management and business process reengineering (BPR) procedures for their managed business systems.

Question. What changes, if any, would you recommend to the statutory provisions establishing the position of CMO and creating the Business Transformation Office?

Answer. At this time, I do not believe that any changes are necessary, but if confirmed, I would consult with the Secretary of the Navy, DOD DCMO, and DOD CMO if my experience led me to believe that changes were warranted.

Question. Section 2222 of title 10, U.S.C., requires that the Secretary of Defense develop a comprehensive business enterprise architecture and transition plan to guide the development of its business systems and processes. The Department has chosen to implement the requirement for an enterprise architecture and transition plan through a "federated" approach in which the Business Transformation Agency has developed the top level architecture while leaving it to the military departments to fill in most of the detail. The Navy's business systems, like those of the other military departments, remain incapable of providing timely, reliable financial data to support management decisions.

If confirmed, what steps, if any, would you take to ensure that the Navy develops the business systems and processes it needs to appropriately manage funds in the best interest of the taxpayer and the national defense?

Answer. If confirmed, I will ensure that the proper business case analyses and appropriate establishment and application of business enterprise architectures support the capability of providing timely, reliable data to support management decisions. I will approach this responsibility mindful of our role as public servants to be guardians of the public fiscal resources.

Question. Do you believe that a comprehensive, integrated, enterprise-wide architecture and transition plan is essential to the successful transformation of the Navy's business systems?

Answer. I am skeptical that a single architecture for an organization as large and complex as the Department of the Navy is practical or efficient. This does not mean that all standards, policies, and processes should not be established to rival the best of those in the private sector. It does mean that, if confirmed, I am accountable to ensure the appropriate analysis and process development occur to transform outdated and inefficient business operations into those that are streamlined, cost effective, and well-planned.

Question. What steps would you take, if confirmed, to ensure that the Navy's enterprise architecture and transition plan meet the requirements of section 2222?

Answer. I understand that much progress was made last year to ensure conditions for fiscal year 2014 obligation of funds for covered defense business system programs met the requirements of section 2222. The fiscal year 2014 Department of the Navy Organizational Execution Plans and Precertification memo was completed on time and met or exceeded requirements. If confirmed, I will continue that work with the Business Transformation Council, Investment Review Board, and DOD DCMO to fully meet the requirements specified in law.

Question. What are your views on the importance and role of timely and accurate financial and business information in managing operations and holding managers accountable?

Answer. Timely and accurate financial and business information is essential in managing the Department's business operations. In order to make informed decisions, the Department's senior leaders must have credible, reliable, authoritative information at the right time.

Question. How would you address a situation in which you found that reliable, useful, and timely financial and business information was not routinely available for these purposes?

Answer. If confirmed, I would prioritize their requirement to have processes in place and appropriate systems subsequently needed to produce the data.

Question. What role do you envision playing, if confirmed, in managing or providing oversight over the improvement of the financial and business information available to Navy managers?

Answer. If confirmed, I will work closely with the Department of the Navy DCMO and the Assistant Secretary of the Navy Financial Manager/Comptroller to confirm the establishment of specific requirements and execute measures required to improve the quality of financial information used for decisionmaking.

AUDITABLE FINANCIAL STATEMENTS

Question. Section 1003 of the National Defense Authorization Act for Fiscal Year 2010 requires the Chief Management Officer of DOD to establish a plan to ensure that DOD's financial statements are validated as ready for audit by not later than September 30, 2017. The Secretary of Defense has established the additional goal of ensuring that the statement of DOD's budgetary resources is validated as ready for audit by not later than September 30, 2014.

In your opinion, is the Department of the Navy on track to achieve these objectives, particularly with regard to data quality, internal controls, and business process re-engineering?

Answer. I do not yet have enough information to form an opinion on this matter; however, I understand that the Department has a Financial Improvement Plan and is making progress toward achieving auditable financial statements. I am aware that difficult issues must be addressed, including the valuation of major weapon systems and equipment. I have not had the opportunity to review the plan and at this time could not inform you of my confidence level that the September 30, 2014 goal is achievable.

Question. If not, what impediments may hinder the Navy's ability to achieve this goal and how would you address them?

Answer. I do not yet have enough information to form an opinion on this matter; however, I expect that the impacts of past, present and any future furlough of Government civilian personnel could serve as an impediment. Likewise, the budget uncertainty for fiscal year 2014 and beyond is a likely impediment. If confirmed, I will maintain a steady focus and commitment on all Department efforts to enable audit readiness consistent with the statutory requirement and to ensure they are built on a foundation that results in sustainable audit environments well into the future.

Question. In your view, are the steps that the Navy needs to take to meet the 2014 goal consistent with the steps that DOD needs to take to achieve full auditability?

Answer. If confirmed, I am committed to maintaining a steady focus on all Department efforts towards audit readiness and achieving clean audit opinions. This consistent focus is critical to the success of the 2014 goal. If confirmed, I will review the objectives that have been prepared and determine whether they appear to be reasonable and effective.

Question. What steps will you take, if confirmed, to ensure that the Navy moves to achieve these objectives without an unaffordable or unsustainable level of one-time fixes and manual work-arounds?

Answer. If confirmed, I will maintain a steady focus and commitment on all Department efforts to enable audit readiness and to ensure they are built on a foundation that results in sustainable audit environments well into the future. This includes documentation and standardization of business processes across the Navy to ensure they are traceable, sustainable, and auditable.

NAVY POLICIES REGARDING DRUG AND ALCOHOL ABUSE

Question. What is your understanding of the Navy's policy with respect to disciplinary action and administrative separation of Navy and Marine Corps personnel who have been determined to have used illegal drugs? Do you agree with this policy?

Answer. The Department of the Navy has a zero tolerance policy regarding illegal drug use and that this policy is clearly understood by all sailors and marines from the moment they enter the Service. Zero tolerance, in this context, means that sailors and marines that use illegal drugs, which includes unauthorized use or abuse of prescription drugs, will be held accountable, as appropriate, under the Uniform Code of Military Justice and unless discharged by a court-martial, subjected to mandatory administrative processing for separation from the Service. I agree with this policy.

Question. What is your understanding of the Navy's policy with respect to rehabilitation and retention on active duty of members of the Navy and Marine Corps who have been determined to have used illegal drugs or abused alcohol or prescription drugs? Do you agree with this policy?

Answer. I agree with the Department's drug and alcohol policy. I understand that while Navy and Marine Corps personnel who violate the Department of the Navy's drug policy will be appropriately punished and processed for separation, they will also be screened for counseling prior to administrative processing, and they will be given the opportunity to benefit from whatever treatment is deemed necessary.

As for alcohol abuse, I understand that the Department of the Navy's policy is to de-glamorize use, and to treat and track alcohol abuse. I further understand that there is a zero tolerance policy for driving while under the influence and that all alcohol-related vehicle incidents are reviewed prior to an officer's promotion to determine whether that officer is suitable for advancement to the next higher pay grade. Irrespective of how alcohol abuse is identified, I understand that Navy and Marine Corps personnel will be screened and provided an opportunity to participate in treatment, up to and including inpatient care.

I believe there is a duty to ensure sailors and marines receive the care they need. However, failure to obey the rules results in consequences and I fully support the Department of the Navy's policy.

Question. Do you believe that the Navy has devoted sufficient resources for implementation of its rehabilitation policies and objectives since 2001? If not, in what ways have resources been insufficient?

Answer. Based on the information I have, I believe the Navy has devoted sufficient resources for implementation of its rehabilitation policies and objectives. If confirmed, I commit to developing a more thorough understanding of the resources the Navy has devoted to these policies and objectives.

RELIGIOUS GUIDELINES

Question. In your view, do Department of the Navy policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. Based on the information I have, I am aware that all requests for religious accommodation are evaluated and given due consideration. I do believe that current Defense Department policies appropriately accommodate the free exercise of religion and other beliefs but are balanced against the interest in avoiding adverse impact on good order and discipline as well as mission accomplishment.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact good order and discipline?

Answer. Consistent with the law, every religious accommodation request requires individualized analysis. I believe that under current law and policy, religious accommodation is appropriately balanced against the interest in avoiding adverse impacts on good order and discipline.

Question. In your view, do existing policies and practices regarding public prayers offered by Navy and Marine Corps chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious beliefs?

Answer. Current law protects chaplains from being required to perform any rite, ritual, or ceremony that is contrary to the conscience, moral principles, or religious beliefs of the chaplain. I believe that current policies strike an appropriate balance for military chaplains acting in a pluralistic environment while simultaneously protecting their religious freedoms.

Question. What is your assessment of measures taken at the Naval Academy to ensure religious tolerance and respect?

Answer. I understand that the same policies implemented throughout the Navy are also instituted at the Naval Academy and that religious tolerance and respect is afforded to all midshipmen, faculty and other assigned personnel.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. In 2012, for the fourth year in a row, there were more than 3,000 reported cases of sexual assault in the military, including 2,558 unrestricted reports, and an additional 816 restricted reports. Moreover, DOD's most recent survey indicates that the actual number of sexual offenses could be considerably higher, as 6.1 percent of active duty women and 1.2 percent of active duty men surveyed reported having experienced an incident of unwanted sexual contact in the previous 12 months. This survey has been criticized by some because its conclusions are extrapolated from an unscientific sample set and the questions asked in the survey were too imprecise. Both former Secretary of Defense Panetta and Secretary Hagel have implemented new initiatives for addressing sexual assault in the military.

What is your assessment of the Navy's implementation of the new policies for addressing sexual assault offenses?

Answer. By their new policies, some of which are unique among the services, the Navy has demonstrated that sexual assault prevention and response is a priority. It is apparent to me that the Navy is constantly looking for ways to confront this criminal activity and create an environment that facilitates prompt reporting and enables victim care. There have been a series of focused changes in place dealing directly with sexual assault prevention and response, such as: raising the disposition authority for a sexual assault case to an O–6 with special court-martial convening authority; ensuring a judge advocate is the investigating officer in an Article 32 hearing; implementing a Victims' Legal Counsel program; hiring additional Sexual Assault Resource Counselors and victim advocates; and in the case of the Navy service, hiring resiliency counselors to deploy with larger platforms, among others. However, the Navy is also addressing some of the other risk factors to include alcohol abuse. I am not yet in a position to assess the efficacy of these programs. If confirmed, I expect this assessment will be among my top priorities.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults have occurred?

Answer. My view is that commanders set the tone of their command. They are responsible and should be accountable for the health, safety, and morale of their units—to include the command climate with regard to gender issues and sexual assault. Their daily actions and comments, as transmitted through the chain of command, are visible models that inform subordinates of our true standards and expectations. Local commanders and chains of command are also the most effective way to ensure compassionate support individuals in need—something hard to do from afar. While Commanders do indeed need consistent and effective policy guidance and resource support from senior leadership, no strategy to combat sexual assault, no matter how well-founded, could ever succeed without the active engagement of commanding officers and their chains of command.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. A judge advocate outside the chain of command will be looking at a case through a different lens than a military commander. I believe the impact would be decisions based on evidence rather that the interest in preserving good order and discipline. I believe this will result in fewer prosecutions and therefore defeat the very problem that I understand it seeks to address. I understand that the Response Systems Panel directed by the NDAA for Fiscal Year 2013 is looking at this very issue and I would appreciate the opportunity to review data and recommendations they have before considering a change of this magnitude.

Question. What is your view of the protections afforded to victims who are required to testify at Article 32, Uniform Code of Military Justice, investigations that are required before charges can be referred to a General Court-Martial?

Answer. The Rape Shield Law applies to victims at an Article 32 investigation hearing. This protects the victims from intrusive questioning about their sexual history unless there is a specific exemption. While I'm not opposed to considering changes in the Article 32 process to afford greater protections, I am concerned that as victims and witnesses receive enhanced statutory and regulatory protection there is a risk of eroding the Constitutional protections of a criminal accused. I strongly believe we must work through any substantive changes deliberately so that we are fully informed, and I believe that the panels established in section 576 of the NDAA for Fiscal Year 2013 were wise and welcome requirements of Congress that will, if given the opportunity, better inform us all.

Question. What is your understanding of the resources and programs the Navy has in place to provide victims of sexual assaults the medical, psychological, and legal help that they need?

Answer. The Navy service is adding a Sexual Assault Prevention and Response (SAPR) officer at the rank of Commander or higher to major naval commands, has completed the hiring of Sexual Assault Response Coordinators and Victim Advocates and took the additional step of hiring Deployed Resiliency Counselors (DRC) to serve on larger warships. Additionally, the Navy service is in the process of implementing a Victims' Legal Counsel Program wherein Judge Advocates will help protect a victim's rights through the investigative and adjudicative stages of the military justice process.

Question. What is your view of the steps the Navy has taken to prevent additional sexual assaults? In your view, are these steps adequate?

Answer. Sexual assaults involving sailors and marines are completely unacceptable. Unfortunately, there are no simple answers. I am encouraged by the focused, persistent effort of the Department of the Navy.

Since 2009, the Department and each Service has worked to structure its sexual assault organizations. The Department of the Navy Sexual Assault Prevention and Response Office (DON–SAPRO) provides independent visibility and reports directly to the Secretary.

Each Service has implemented strategic plans to combat sexual assault and developed new training tools. All sailors and marines have received state-of-the-art sexual assault prevention training—most of them more than once. Both Services have adopted more aggressive campaigns against alcohol and everywhere emphasized the importance of bystander intervention to break up sexual assault situations. In doing so, they've underscored the importance of core values and the responsibility of every sailor and marine for both their own behavior and also to actively protect each other from harm.

Question. What is your view of the adequacy of the training and resources the Navy has in place to investigate and respond to allegations of sexual assault?

Answer. I am aware that the Department has undertaken a number of initiatives to improve training, investigate and respond to sexual assault including: special training for Navy Criminal Investigation Service (NCIS) agents and lawyers. Over the past 1–2 years, a cadre of approximately 18 criminal investigators has been hired—in most cases, individuals with extensive civilian experience in sexual assault investigations. The Department is now supplementing that commitment with the hiring of an additional 54 new NCIS agents to focus on sexual assault investigations—specifically in response to the increased NCIS workload resulting both from policy requirements to investigate all allegations of sexual assault of any nature, and from the success of Department-wide efforts to make sailors and marines more comfortable in reporting sexual assaults in the first place. If confirmed, I would continue to monitor the effectiveness of these initiatives and seek opportunities to advance additional training and resources to address the needs in this area.

Question. Do you consider the Navy's current sexual assault policies and procedures, particularly those on confidential reporting, to be effective?

Answer. I do. Substantial increases in both restricted and unrestricted reporting during fiscal year 2012 and fiscal year 2013 in both the Navy and Marine Corps demonstrate the emphasis the Department has placed on sexual assault victim support and the intensity of training initiatives to address the problem of under-reporting. Additionally, there are reporting procedures in place that require a commanding officer to report a complaint of sexual assault to the first Flag officer in the chain of command. They also must immediately initiate a situational report that is sent to JAG and NCIS channels as well as to all echelons of leadership. This increases visibility and accountability.

I understand the concept behind restricted reporting, but I also understand the criticism. We want to hold perpetrators of sexual assault responsible, but we cannot do that unless we know who they are. I believe that with the implementation of the Victims' Legal Counsel Program and with Victim Advocates in place, the rate of unrestricted over restricted reporting will improve.

Question. What is your view of the adequacy of resources in the Navy to investigate allegations of sexual misconduct and to hold perpetrators accountable for their actions? What problems, if any, are you aware of in the manner in which the confidential reporting procedures have been put into effect?

Answer. NCIS investigates all allegations of sexual assault. This requires resources. The Secretary has authorized the hiring of 54 additional NCIS agents to focus on sexual assault questions. In order for a report of sexual assault to remain a restricted report, a victim can only notify certain individuals. Once NCIS is notified of a sexual assault complaint, they must investigate whether or not the victim wants to cooperate; however, an investigation without a cooperating victim is very difficult.

Question. What is your view of the appropriate role for senior military and civilian leaders in the Secretariat, the Navy staff and the Marine Corps staff in overseeing the effectiveness of implementation of new policies relating to sexual assault?

Answer. Sexual assault prevention and response is a responsibility of leadership up and down the organization. In 2009, the Secretary of the Navy was the first to establish a Secretariat level office to oversee sexual assault prevention and response in the Department. The office is led by an SES who reports directly to the Secretary. This Secretariat-level SAPR strategy focuses on consistent top-down leadership message. Each Service also has their own program offices, led by a one-star Flag or General Officer who is responsible for overseeing the implementation of Service-specific programs.

Question. Do you believe that sexual assault continues to be an underreported crime within the Department for the Navy?

Answer. Yes—I believe it is the most under-reported crime. However, as the Navy implements new programs and policies, I would expect to see an increase in reporting as victims feel more comfortable coming forward to report these crimes.

Question. If so, what are the barriers that discourage or prevent victims from coming forward?

Answer. I believe the biggest challenges relate to the personal concerns of victims about embarrassment, self-blaming, and how victims feel they will be viewed by their friends and peers. These are tougher matters to overcome, and they ultimately depend on developing a culture that is simultaneously intolerant of sexual assault and focused on compassionate support of sexual assault victims.

Question. If confirmed, what additional steps would you take to remove barriers to reporting sexual assaults?

Answer. If confirmed, I would continue to focus on victim care. Victims of sexual assault need to feel safe and cared for and that their needs are being met. As more victims feel comfortable coming forward and reporting sexual assault, we will see the barriers to reporting begin to dissolve.

Question. In response to the Annual Report on Sexual Harassment and Violence at the Military Service Academies for Academic Program Year 2011–2012, the Secretary of Defense wrote to the Service Secretaries and the Under Secretary of Defense for Personnel and Readiness stating: "Despite our considerable and ongoing efforts, this year's Annual Report on Sexual Harassment and Violence at the Military Service Academies demonstrates that we have a persistent problem. I am concerned that we have not achieved greater progress in preventing sexual assault and sexual harassment among academy cadets and midshipmen. These crimes and abhorrent behavior are incompatible with the core values we require of our Armed Forces' future officers. A strong and immediate response is needed."

What has the Navy done to respond the Secretary of Defense's requirement for a strong and immediate response?

Answer. I understand that the Secretary and the Chief of Naval Operations both place a personal high priority on issues at the Naval Academy. Earlier this year there was an extensive review of SAPR program structure and staffing. As a result, the Academy has assigned two civilian full-time Sexual Assault Response Coordinators (SARCs) and two civilian full-time Sexual Assault Prevention and Response Victim Advocates (VAs). The SARCs now report directly to the Superintendent and no military personnel are assigned SARC responsibilities. The VAs report directly to the SARCs. Additionally, an experienced Judge Advocate and trial attorney was recently put in place as the first Victim's Legal Counsel in the Navy.

In addition, a survey was conducted of all Midshipmen to explore perspectives on sexual assault circumstances, the command climate, and barriers to reporting. Those results helped inform the Academy's own efforts to engage local stakeholders in confronting key issues.

Question. If confirmed, what additional steps will you take to address the findings contained in this report?

Answer. Senior military and civilian leaders at all levels from the Secretariat down must continue to focus on promoting environments at the Naval Academy and all commands that prevent sexual assault. If confirmed, I will work with the Secretary and service leaders to maintain a focused and persistent commitment on these issues.

ANNUAL INCREASE IN RATES OF BASIC PAY BELOW THE EMPLOYMENT COST INDEX

Question. The Department has requested an across-the-board pay raise for 2014 for military personnel of 1 percent, versus a 1.8 percent rise in the Employment Cost Index (ECI) benchmark, and has indicated that in order to restrain the growth

of personnel costs, similar below-ECI pay raises may be necessary over the next several years.

What is your assessment of the impact a 1 percent pay raise would have on Navy and Marine Corps recruiting and retention for 2014?

Answer. Military compensation is highly competitive today, and the President's proposed slowdown in base pay growth is not likely to cause recruiting or retention problems in the near term provided recruiting bonuses and retention pays are preserved. With the modest increases in the pay table as proposed in the President's budget, servicemembers will still realize sizable pay increases through promotions and longevity. In the current fiscal environment, there is room to slow down base pay growth, thereby helping to mitigate further cuts to force structure, readiness and modernization.

Question. What would be the impact of a 1 percent pay raise in 2015 through 2017 on recruiting and retention? What level of savings would you anticipate achieving relative to pay raises equal to ECI for those years?

Answer. Total military compensation has to be sufficient to attract and retain the numbers and quality the services need in uniform to fulfill our missions. Military compensation has gained ground relative to comparable civilian compensation in recent years. In my view, military pay raises below ECI for a few years would not cause major recruiting or retention problems for the Department of the Navy.

Assuming a comparison between a 1.8 percent ECI increase and a 1 percent proposed increase from 2015 to 2017 and that service end strengths remain at fiscal year 2014 requested levels, I would expect the Department of the Navy to save $900 million in Active Duty basic pay and $130 million in Reserve component pay for those 3 years.

END STRENGTH REDUCTIONS

Question. The Department last year laid out a defense strategy that proposes an eventual end strength of 182,000 for the Marine Corps over the next 5 years.

What is your understanding of the Marine Corps' ability to meet these goals without forcing out marines who have served in combat over the past 10 years with the implicit promise that they could compete for career service and retirement?

Answer. The promise of a military retirement is one of the solemn pledges made to compensate our servicemembers when they volunteer for a full career. However, it is time for a review of this system. I fully support Congress' establishment of the Military Compensation and Retirement Modernization Commission to conduct a comprehensive review of military compensation and retirement systems. Keeping faith with those currently serving is a high priority, and in my view the Commission and Congress should ensure that any resulting reforms protect our current servicemembers through grandfathering those who prefer the current retirement structure.

That said, I understand that the Marine Corps desires and intends to keep the faith with marines and only use voluntary separation tools. Whether these voluntary force shaping tools result in the necessary end strength will determine the need for any involuntary force shaping methods.

Question. To what extent will the Marine Corps have to rely on involuntary separations in 2014 through 2018? How will sequestration affect this?

Answer. It is not yet clear to me to what extent the Marine Corps will rely on involuntary separations during this time period. Sequestration, Continuing Resolutions, and government shutdowns exacerbate all problems.

Question. What programs are in place to ensure that separating and retiring sailors and marines are as prepared as they can be as they enter a struggling economy?

Answer. The newly redesigned Transition Assistance Program (TAP) is intended to prepare sailors and marines to make a successful transition from military to civilian life and help shorten their time to post-service employment. Transition GPS includes a 5 day common core curriculum, an option of participating in additional tailored curriculum depending on the members' follow-on interest and a "warm-handover" to government agencies and organizations that provide transitioning members with continued benefits, services and support as veterans.

The Department of the Navy's new transition program will also incorporate career readiness and transition preparation into the entire span of a servicemember's career. In the past, transition and preparation for the civilian workforce occurred late in a servicemember's lifecycle—near the point of separation. Under this new program, these concepts will be incorporated earlier as a way to ensure that the counseling, assessments, and access to resources to build skills or credentials occur at earlier stages.

Question. How fast can the Marine Corps responsibly and fairly reduce end strength while maintaining the integrity and readiness of combat units?

Answer. I am not equipped with sufficient information to effectively respond to this question at this time, but the Marine Corps will almost certainly need a balanced program of reduced accessions and lower retention to achieve the proposed strength reductions while maintaining readiness.

Question. If sequestration continues through 2018, what will be the impact on the Active Duty and Reserve end strengths of the Navy and Marine Corps, and how would the mix between the Active and Reserve Forces be affected?

Answer. In the case of the Marine Corps, I understand that the Commandant's adjusted end strength goal of 182,100 marines by the end of fiscal year 2016 assumes risk. If sequestration continues, I expect the Marine Corps will be required to further reduce end strength and will put the Nation's ability to respond to crisis at risk. In the case of the Navy, Active and Reserve end strength is linked to force structure and would almost certainly decrease as force structure changes are made. As to the planned mix of Active and Reserve Forces, I am not yet equipped with the information necessary to respond to this question but as DOD looks to slow the growth of personnel costs this will be an area that I expect would be evaluate carefully.

Question. What is your understanding of the need for additional force shaping tools requiring legislation beyond what Congress has provided the past 2 years?

Answer. I am unaware of a need for additional force shaping tools beyond what Congress has provided over the past 2 years.

NAVY AND MARINE CORPS RECRUITING AND RETENTION

Question. The retention of quality sailors and marines, officer and enlisted, Active Duty and Reserve, is vital to the Department of the Navy.

How would you evaluate the status of the Navy and Marine Corps in successfully recruiting and retaining high caliber personnel?

Answer. I understand that both services have met their recruiting goals in recent years and have brought in exceptionally high quality cohorts of new sailors and marines. I understand that recruit quality has been so high that attrition of new recruits has been at record lows.

Question. How would you evaluate the recruiting and retention of uniformed and civilian health care professionals?

Answer. Healthcare professionals are always challenging to recruit, but I understand that the Active component Navy has met both recruiting and retention goals this year.

Question. What initiatives would you take, if confirmed, to further improve Navy and Marine Corps recruiting and retention, in both the Active and Reserve components, including health care professionals?

Answer. If confirmed, I will be mindful of the effects of sequestration on efforts to recruit and retain the high-quality sailors and marines in our All-Volunteer Force and will recommend any necessary improvements after consultation with the Service Chiefs or their designees, the Assistant Secretary of the Navy for Manpower and Reserve Affairs and the Surgeon General.

SEQUESTRATION

Question. What would be the impact on the Navy and Marine Corps if another round of sequestration were to take effect during fiscal year 2014?

Answer. Sequestration in fiscal year 2014, particularly when combined with the absence of an appropriation and the restrictions associated with a potential Continuing Resolution, will reduce service readiness in the near-term and continue to negatively impact programs in the long term. I would expect reductions to operations and maintenance funding to impact the Navy's near-term forward presence and depot maintenance and training, which will in turn, affect future operational rotations. In investment accounts, I expect tradeoffs and reduced quantities of ships, aircraft, and weapon systems will likely be required.

Question. What would be the specific impact on Navy and Marine Corps civilian and military personnel; on family programs; on morale, welfare and recreation programs; and on the delivery of health care to service personnel, retirees, and their families?

Answer. Even though military personnel accounts are exempt from sequestration many of these programs are funded from the Operations and Maintenance Accounts. I am not aware of specific impacts at this time but I would expect there will be negative impacts.

SUICIDE PREVENTION

Question. The number of suicides in the total Navy and Marine Corps continues to be of concern to the committee.

If confirmed, what role would you play in shaping suicide prevention programs and policies for the Department of the Navy to prevent suicides and increase the resiliency of service personnel and their families?

Answer. If confirmed, I would commit to leading on this issue and to advance the Department's goal to reduce the number of Navy and Marine Corps suicides by accelerating reviews of successful initiatives both inside and outside the Services to incorporate evidence-based best practices.

MORALE, WELFARE, AND RECREATION

Question. Morale, Welfare, and Recreation (MWR) programs are critical to enhancement of military life for members and their families, especially in light of frequent and sometimes lengthy deployments. These programs must be relevant and attractive to all eligible users, including Active Duty and Reserve personnel, retirees, and families.

What challenges do you foresee in sustaining Navy MWR programs, particularly in view of the current fiscal environment, and if confirmed, are there any improvements you would seek to achieve?

Answer. Sustaining Navy and Marine Corps MWR programs will be challenged by reductions in appropriated fund support to those MWR programs not funded fully by non-appropriated funding, and the changing needs of sailors, marines, and their families based on the fluctuating fiscal environment and any future reductions in end strength. If confirmed, I will assess whether there are ways to improve the sustainment of our most important MWR programs.

FAMILY READINESS AND SUPPORT

Question. Military members and their families in both the Active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of concerns among military families as a result of the stress of deployments and the separations that go with them.

What do you consider to be the most important family readiness issues for Navy and Marine Corps personnel and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced?

Answer. I recognize our sailors and marines can achieve and maintain their peak readiness only when their families are also prepared to handle the mental and emotional rigors of military service.

In my view, continuing to prepare and support our sailors, marines, and their families before, during, and after deployment to promote positive adjustment to deployment, family separation, and family reunion remains one of our most important family readiness issues. By continuing to emphasize the importance of this subset of family readiness programs, the Department can assist commanding officers, sailors, marines, and their families to manage the demands of the naval service lifestyle of ongoing deployments and increasing operational tempo.

Question. How would you address these family readiness needs in light of global rebasing, deployments, and future reductions in end strength?

Answer. Global rebasing, increasing operational tempo, and future reductions in end strength will necessitate continuous assessment of the needed level and nature of services to ensure the health and well-being of our sailors, marines, and their families. Annual assessments of family support programs conducted by the Services allow the identification of changing needs and adjustment and realignment of services as necessary.

Question. If confirmed, how would you ensure support is provided to Reserve component families related to mobilization, deployment and family readiness, as well as to active duty families who do not reside near a military installation?

Answer. A number of information and referral services such as Military OneSource and Military and Family Life Counseling Services are available to both Active Duty and Reserve sailors, marines, and family members and should continue to be resources for servicemembers and family members.

Question. If confirmed, what steps will you take to sustain Navy and Marine Corps family support, given current fiscal constraints?

Answer. If confirmed I would evaluate the balance of appropriated and non-appropriated funding levels for different programs and ensure the services have identified improved effectiveness, efficiency, and economy in the delivery of programs to in-

clude exploration of shared services or similar models for common support with the other military departments as opportunities to provide family readiness programs at needed service levels.

SYSTEMS AND SUPPORT FOR WOUNDED WARRIORS

Question. Servicemembers who are wounded or injured in combat operation deserve the highest priority from the Navy, Marine Corps, and the Federal Government for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from Active Duty if required, and continuing support beyond retirement or discharge. Despite the enactment of legislation and renewed emphasis over the past several years, many challenges remain.

What is your assessment of the progress made to date by the Department of the Navy to improve the care, management, and transition of seriously ill and injured sailors and marines and their families?

Answer. I understand that the Department of the Navy is currently meeting the Integrated Disability Evaluation System (IDES) goal of 295 days, but the Department should continue to improve system performance by leveraging available IT systems that increase process visibility and active leadership to better manage workflow.

Question. What are the strengths upon which continued progress should be based?

Answer. For the serious wounded, ill, and injured, a smooth transition from the Department of the Navy to the Department of Veterans Affairs (VA) remains the most important goal. The Department of the Navy is presently coordinating with the DOD–VA interagency task force to better prepare sailors and marines to make a successful transition from military to civilian life and Veteran status and progress here should continue.

Question. What are the weaknesses that need to be corrected?

Answer. As fiscal resources become increasingly limited it will become more difficult to maintain education, training, and certification for Physical Evaluation Board Liaison Officers, physicians and IDES staff—each of which are critical components to maintaining timeliness and program quality. Challenges remain to improve/develop viable IT solutions that minimize staff workload while delivering the data needed to avoid process delays and post-service benefit gaps.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase the Navy's and Marine Corps' support for wounded personnel and their families, and to monitor their progress in returning to duty or to civilian life?

Answer. To meet the presidential directive to develop a comprehensive plan for a "career ready military", and to comply with the Veterans Opportunity to Work to Hire Heroes Act of 2011 ("VOW Act"), which requires mandatory participation in all elements of the Transition Assistance Program (TAP), the Navy and Marine Corps are fully engaged in implementation of a redesigned TAP.

The Navy is coordinating with the DOD–VA interagency task force to better prepare sailors and marines to make a successful transition from military to civilian life and Veteran status. All eligible separating servicemembers are required to participate in the TAP program; however, wounded, ill, and injured recovering servicemembers may be exempt from the Department of Labor Employment Workshop, provided they are enrolled in the Education and Employment Initiative (E2I) or a similar transition program intended to improve career readiness.

NAVY AND MARINE CORPS CIVILIAN PERSONNEL WORKFORCE

Question. Section 955 of the National Defense Authorization Act for Fiscal Year 2013 required the Secretary of Defense to develop a plan to reduce the size of the civilian personnel workforce by 5 percent over the next 5 years. The plan developed by the Secretary does not meet this objective. Since the time that section 955 was enacted, the Department has implemented hiring freezes and furloughs due to sequestration. As a result, the DOD civilian personnel workforce is substantially smaller than it was when section 955 was enacted or at the time the plan was submitted.

Do you agree that the Navy and Marine Corps civilian employee workforce plays a vital role in the functioning of the Department of the Navy?

Answer. I have made a deliberate effort to understand the critical roles the civilian workforce plays in the Department of the Navy.

Question. Among the Department's 198,000 civilian employees, more than half are engineers, scientists, logisticians, information technology specialists, and acquisition specialists many with critical certifications and advanced degrees. 7,000 are in the medical community, and 35,000 are blue collar artisans. Over 57 percent of the

Navy's civilian workforce are veterans and 15–20 percent of new hires are wounded warriors and disabled veterans.

There are civilian career employees in every single State in more than 558 different occupational series across the country helping to solve fleet issues—whether a malfunction in a ship's main propulsion or a combat system out of alignment. Simultaneously, you have hundreds more developing and manufacturing the critical specialty ordnance items and men and women carefully repairing and maintaining our nuclear submarines and ships. They answer the call, 24/7, providing a rapid response to ensure that our warfighters get what they need, when they need it.

Question. Do you agree that if sequestration continues through fiscal year 2014 and beyond, the Navy and Marine Corps will need to further reduce the size of its civilian workforce?

Answer. I expect that will be the case, but I am not equipped with information to respond to that question at this time. At the very least, I would expect continued hiring freezes and potential furloughs to occur.

Question. In your view, would it be preferable for the Navy and Marine Corps to make planned, prioritized reductions to the civilian workforce, or to downsize using arbitrary reductions based on hiring freezes and workforce attrition?

Answer. Given the ever-changing demands on mission, there must be careful consideration of the analysis of the workload with a strategic approach to ultimately create an affordable workforce which still meets the critical demands placed on the workforce.

TACTICAL AVIATION

Question. Several years ago, the Navy and Marine Corps began to integrate their tactical aviation units.

What is your assessment of this initiative?

Answer. I understand that Naval Aviation force projection is accomplished by the balanced integration of Marine Corps tactical aircraft (TACAIR) squadrons into Carrier Air Wings and, when required, Navy squadrons into Marine Aircraft Wings. I believe that the continued integration of Naval Aviation provides the framework for the Navy and Marine Corps to further enhance core combat capabilities to provide a more potent, cohesive fighting force that is sustainable.

Question. The Department of the Navy is facing a potential shortfall of strike fighter aircraft in the next decade even if the Navy continues to buy F–35 Joint Strike Fighter (JSF) aircraft at the rate projected in this year's budget.

What is your assessment of this situation and what actions should the Department of the Navy take to address this potential shortfall?

Answer. I understand that the strike fighter shortfall is projected to fluctuate throughout the next 20 years.

To date, the Department of the Navy has been able to mitigate its shortfall with the successful execution of its Legacy F/A–18 A–D high flight hour inspection and repair program, and a reduced utilization rates across the F/A–18 A–F fleet. The continued efforts of the Navy/Marine Corps team will further define necessary actions required to manage aging F/A–18 A–D aircraft, address discovery of potentially greater than expected fatigue and corrosion, and ensure required availability of aircraft until JSF Fleet Introduction.

The Navy and Marine Corps continue to adjust transition plans as F–35 procurement ramps are flattened. The Marine Corps is taking advantage of higher service life remaining in its AV–8B inventory by delaying the majority of their transitions to the end of the transition plan. This is expected to reduce the demand for F/A–18 A–D in the later years. I believe that sustainment and relevancy funding will be imperative to maintain the requisite operational capability of the AV–8B throughout the 2020s.

Question. What other potential alternatives do you see for maintaining sufficient strike assets if there were any additional slippage in the initial operating capability date for the F–35 Joint Strike Fighter?

Answer. Future delays in the JSF program will make strike fighter inventory management more difficult.

Without additional investments in other strike fighter production lines, the delay of the F–35C or F–35B would make the strike fighter shortfall more difficult to manage potentially resulting in a significant loss of capability that a multi-role mix of fourth- and fifth-generation aircraft provides across the full spectrum of combat operations.

The timely delivery of the JSF is critical to the Department of the Navy's ability to meet operational demands for sea control, expeditionary strike and to establish and maintain a complementary mix of strike fighter aircraft.

SHIPBUILDING PLAN

Question. The Navy annually submits a 30-year shipbuilding plan.

Do you agree that the 30-year shipbuilding plan should, in fact, reflect realistic cost estimates and include all important shipbuilding efforts for that document to be useful for decisionmakers?

Answer. Yes, the 30-year shipbuilding plan should reflect the Navy's best estimate of costs to procure the balanced fleet to meet the Nation's security requirements. The Navy has placed a great emphasis on improving cost performance in shipbuilding through the use of expanded competition, fixed price contracts, and multiyear procurements and block buys. If confirmed as Under Secretary, I would continue to emphasize achieving our affordability goals and providing transparency to Congress on the Navy's progress in achieving those goals.

Question. What level of funding do you think the Navy will need to execute this plan, and considering competing priorities, do you believe this level of funding is realistic?

Answer. I think that the level of funding needed to execute the plan varies each year but averages approximately $16.8 billion per year in fiscal year 2013 constant dollars. I understand that this level of funding is higher than recent historical averages but must be provided to ensure the Navy can procure the vessels to meet the Nation's maritime security requirements. The Defense Strategic Guidance called for a rebalance toward the Asia-Pacific regions, and there has been a renewed focus on naval assets. Secretary Mabus and service leadership have prioritized shipbuilding and those positive trends can be seen in ship procurement and budget requests. I expect that sequestration continues to pose a significant risk to the Navy's ability to purchase the ships needed to execute the strategy. If sequestration or other competing priorities cause the funding levels called for in the shipbuilding plan to not be met, then adjustments to force structure will necessarily have to be evaluated.

Question. Cost growth continues to be a prevalent problem in Navy shipbuilding programs, particularly for the first ships in new classes. Some experts have taken the position that DOD could improve the performance of its acquisition plans by adopting commercial practices, such as: retiring all major risk prior to signing a procurement contract; fixing the cost and delivery date at contract signing; competing all basic and functional design prior to starting construction; and having a disciplined construction process that delivers ships on cost and on schedule.

To what extent should such commercial shipbuilding best practices, and any others you may be aware of, be incorporated into Navy shipbuilding programs?

Answer. Over the past 4 years, I understand that the fleet numbers have stabilized and the primary causes of cost growth have been addressed in the shipbuilding programs. As part of this, commercial shipbuilding's best practices should be exercised to the maximum extent feasible to achieve cost savings in shipbuilding while still meeting military requirements. I understand that the Navy has expanded use of commercial standards in shipbuilding contracts and has aggressively pursued competition wherever possible.

AIRCRAFT CARRIERS

Question. We are now in a 2-year gap between the decommissioning of the USS *Enterprise* and the availability of a new aircraft carrier, CVN–78 (USS *Gerald R. Ford*). During this period only 10 aircraft carriers will be operational.

What is your view of the Secretary Gate's plan to permanently change the aircraft carrier force structure to 10 from the current number of 11? Is this still the plan?

Answer. In his recommendations for the fiscal year 2010 budget, Secretary Gates directed a shift in the time between construction starts for *Ford*-class carriers to 5 years. I believe that rebasing the build rate on 5-year centers provides a more stable and predictable funding plan for carriers, as well as for the other platforms in the Navy's 30-year shipbuilding plan. This restructured procurement plan also enables a steady state force structure of 11 carriers through 2040 by more closely aligning delivery of *Ford*-class carriers with the notional 50-year service life of the *Nimitz*-class ship each will replace. I understand that the adjustment to 5-year centers does results in a reduction of the aircraft carrier force structure from 11 to 10 CVNs in 2040 and beyond.

Question. How would the aircraft carrier presence requirements of combatant commanders be met with only 10 operational aircraft carriers?

Answer. Navy would look to balance presence requirements with projected operations and maintenance schedules, similar to what the service has been doing since the inactivation of USS *Enterprise* (CVN 65) in December 2012. I understand that the Navy has determined the risk to be acceptable, although moderate, during the

relatively short period of operating with a 10-carrier fleet between the inactivation of CVN 65 and the commissioning of *Gerald R. Ford* (CVN 78).

When the force structure is permanently reduced to 10 carriers in 2040, Navy will have to determine how best to mitigate the risks at that time associated with a reduced force and to properly prioritize worldwide presence requirements. While the inherent flexibility provided by the current Fleet Response Plan will enable the Navy's carrier force to meet some emergent demands, it may not be able to meet all of them.

MARINE CORPS GROUND COMBAT VEHICLES

Question. Over the 2 years the Marine Corps has been working on a ground combat vehicle fleet mix study to refine and link its combat vehicle requirements to sealift and ship-to-shore capabilities, and estimate the life-cycle costs of various alternatives in light of the fiscal challenges of the future.

What is your understanding and assessment of the Marine Corps' current and future ground combat vehicle fleet and mix of capabilities?

Answer. I understand that the Marine Corps combat vehicles are at the front end of much needed recapitalization. The Corps' ground combat tactical vehicle strategy includes developing and procuring the Joint Light Tactical Vehicle (JLTV); developing a modern Amphibious Combat Vehicle (ACV); sustaining a portion of the Humvee fleet through 2030; initiating an upgrade program for the legacy assault amphibious vehicle as a bridge to the ACV; and managing procurement of vehicles to reduce acquisition objectives, a net reduction of about 20 percent based on the more recent force structure reviews.

I understand that the JLTV program remains on track with the 2014 budget request continuing development in support of procurement commencing in 2015 though there may be impacts from fiscal year 2014 sequestration.

The Amphibious Combat Vehicle is, as the Commandant stated in testimony earlier this year, a top Marine Corps priority. The execution of amphibious operations requires a self-deploying amphibious vehicle to seamlessly project ready-to-fight Marine units from sea to land in permissive, uncertain, and hostile environments. This capability enables the Corps to maximize available amphibious lift and accelerate the buildup of power ashore, which is key to overcoming access challenges posed by either the lack of improved infrastructure or the threat of an adversary.

The marines are conducting a combined requirements definition feasibility study assembling the best of Government and industry requirements, systems engineering design, and cost experts. The intent is to bring the best talent and best information together to build on the tremendous body of knowledge possessed across all vehicle programs to determine how to deliver the capability needed by the Marine Corps with high confidence in the affordability of the defined requirements.

Question. What, in your view, are the greatest risks, if any, to the readiness of the current fleet and the realization of a modernized fleet sometime in the future?

Answer. Reductions to operations and maintenance funding is directly impacting the Marine Corps near-term forward presence and depot maintenance and training, which will affect future operational rotations, as well as reducing the readiness of non-deployed forces.

In investment accounts, the biggest risk is to future readiness. I understand that the Marine Corps is weighing alternatives to mitigate this through legacy equipment sustainment and bridging efforts, quantity reductions, scheduled delays and the cost impacts to each of its programs.

Question. If confirmed, what would be your role in the oversight of the Marine Corps' combat vehicle modernization program to ensure that requirements are relevant, up-to-date, and stable, and that technologies are achievable and affordable?

Answer. If confirmed, I would continue to emphasize the key lessons the services have learned, which begin with getting requirements appropriately defined and scoped. Affordability targets must be established with an understanding of both opportunity costs and service impacts and must endeavor to hold those targets in a dynamic and uncertain fiscal environment.

RISK IN THE GROUND VEHICLE INDUSTRIAL BASE

Question. Since the cancellation of the Expeditionary Fighting Vehicle in 2011, the USMC's ground equipment modernization program has been restructured to orient on developing a technologically achievable and affordable amphibious combat vehicle, continued development of the Joint Light Tactical Vehicle, while at the same time upgrading or extending the life of current combat and tactical vehicles.

Given the general slowdown of ground vehicle development, procurement, and maintenance programs across the Marine Corps and the Army, what, in your view,

are the risks to the combat and tactical vehicle industrial base that could undermine Marine Corps readiness and, if confirmed, what actions, if any, are you taking to manage these risks?

Answer. I understand that the Marine Corps went line by line through their programs to mitigate the effects of the slowdown and sequestration in 2013 recognizing some of the bow wave effects into the out-years.

Delays in the JLTV and the ACV programs are concerning and bear close scrutiny as affordability is a major factor in both of those programs.

The ACV is the Commandant of the Marine Corps number one priority for ground modernization. Of course, this does impact other Marine Corps lift requirements, and that too bears close scrutiny.

The Marine Corps has also developed a bridging strategy until the ACV is able to be fielded, and that is to selectively sustain a number of AAVs, which are in the fleet right now. I understand that these efforts will focus on increasing survivability of the vehicles.

Question. If confirmed, what criteria or indications in the industrial base, if any, will you monitor to alert you to potential or imminent loss of capability or capacity to meet the Marine Corps' needs into the future? How would you propose to respond to evidence of an unacceptable increase in this risk or the imminent loss of capability or capacity?

Answer. Preserving the Ground Vehicle market is very important to ensuring current and future capability for the Marine Corps, but I understand that the Marine Corps is only a small piece of the total Ground Vehicle customer base, with the U.S. Army being the larger part. Because of the cross-service demand for Ground Vehicles, the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy (DASD(MIBP)) closely monitors the industrial base.

Maintaining close collaboration with DASD(MIBP) and the other services will be crucial to monitoring and addressing the issues of the supplier base. Many of the critical suppliers are lower tier vendors—in depth monitoring of the supply chain is required to ensure overall health of the market. In the event of imminent loss of essential capability, it may be necessary to employ strategies to preserve key suppliers such as fostering greater Foreign Military Sales volume to partner nations.

NAVY FORCE STRUCTURE

Question. The Chief of Naval Operations has publicly stated that the Navy has a requirement for 306 ships.

Do you agree with this requirement?

Answer. The Navy's plan for a fleet of 306 ships maintains a flexible, balanced force that will prevail in a wide range of combat situations. The fleet is designed to support the current Defense Strategic Guidance and combatant commanders' presence requirements and reflects a reduced number of vessels from the 313 ship plan due to increased forward basing of ships and an increase use of rotating civilian and military crews.

SCIENCE AND TECHNOLOGY PROGRAM

Question. Do you believe that the current balance between short- and long-term research is appropriate to meet current and future Department of the Navy needs?

Answer. I have not yet been briefed on the specific long and short-term balance. In principle, however, I believe a robust research and development (R&D) effort that makes the right investments—and not merely investments in science for the sake of science—is vital to the future capability of the Navy and Marine Corps team. If confirmed, I will work with the Secretary of the Navy to evaluate the Navy's Science and Technology Program and find the right balance of long and short-term investments for the Departmental R&D program.

Question. If confirmed, what direction would you provide regarding the importance of innovative defense science in meeting Navy and Marine Corps missions?

Answer. The Navy and Marine Corps rely upon the technical superiority of our forces to discourage or destroy our enemies. Our challenge is that the rate of technology change continues to accelerate across the world. If confirmed, I would work with the Secretary of the Navy and the Research, Development, Test, and Evaluation (RDT&E) Corporate Board to ensure the Department of the Navy adequately addresses this critical area. I would also work closely with the Director of DARPA, the Office of Naval Research, industry, and academia to leverage their technology investments.

Question. If confirmed, what guidance would you give to ensure research priorities that will meet the needs of the Navy and Marine Corps in 2020?

Answer. The Department of the Navy RDT&E Corporate Board was established specifically for this purpose. If confirmed, I would use this board to actively engage the Department of the Navy's leadership in defining and setting priorities essential to success.

MILITARY SPACE

Question. Do you believe that the current DOD management structure for space programs sufficiently protects Navy space equities?

Answer. My understanding is that the 2003 designation of the Secretary of the Air Force as the DOD Executive Agent for Space created an overarching DOD space oversight function, allowing the Navy access to critical DOD decisions on major space systems and capabilities. The Defense Space Council, which represents this body, affords the Navy the opportunity to review and participate in a variety of cross-cutting space issues in areas from acquisition oversight to requirements generation to studies and analysis. The Navy also participates in most Major Defense Acquisition Program milestones and Joint Requirements Oversight Council opportunities, providing avenues of influence for all space programs, regardless of service or interagency ownership.

Question. In your view, how actively should the Navy be engaged in the management of space programs?

Answer. Space is increasingly becoming constrained, congested, and contested. I expect the Navy's involvement in the definition, management, and execution of space programs is especially important for a Navy increasingly constrained fiscally while at the same time very much reliant on the global distribution of Positioning, Navigation & Timing, Communications, Missile Warning, Environmental and Intelligence, Surveillance and Reconnaissance information provided through space-based systems. Active Navy engagement in space should continue as DOD finds better ways to manage, access, distribute, and utilize information derived from space-based systems and seek to mitigate the challenges to the use of space our adversaries present both now and in the future.

Question. In your view, is the Navy adequately involved in the requirements process for space programs?

Answer. Yes. I understand that the Navy evaluates all capability gaps through internal requirements process as well as existing DOD and Intelligence Community (IC) formal requirements processes.

Question. What is the Navy's appropriate long-term role in space systems, other than as a user of space information and products?

Answer. Space systems are essential to modern warfare and integral to Navy's plans for achieving Information Dominance (ID) through Assured Command and Control, Battlespace Awareness, and Integrated Fires. I understand that Navy is a major user of satellite services and a key consumer of space-derived data within DOD, but most space systems today are acquired and operated by non-Navy organizations, including the U.S. Air Force, the Intelligence Community (IC), the National Oceanographic and Atmospheric Agency, and various U.S. and foreign commercial space providers. This unique arrangement requires a continuous and proactive Navy approach to ensure that space systems under development are optimized for maritime operations and able to support current and future Fleet operations. I expect Navy to continue to develop, acquire, and operate narrowband communication satellites for DOD, and maintain a nationally-recognized center for space technology at the Naval Research Lab, supporting Navy, DOD, and IC needs.

INVESTMENT IN INFRASTRUCTURE

Question. Witnesses appearing before the committee in recent years have testified that the Military Services under-invest in their facilities compared to private industry standards. Decades of under-investment in installations has led to increasing backlogs of facility maintenance needs, substandard living and working conditions, and has made it harder for the Services to take advantage of new technologies that could increase productivity.

Do you believe the Department of the Navy is investing enough in its infrastructure? Please explain.

Answer. I believe our supporting systems, including shore infrastructure, are key enablers to executing the Department's warfighting missions. I'm also aware of the fiscal challenges facing the Department. If confirmed, I will look forward to meeting the challenge of balancing the Department's investments across a broad array of requirements to include shore infrastructure.

ACQUISITION ISSUES

Question. What are your views regarding the need to reform the process by which the Department of the Navy acquires major weapons systems? If confirmed, what steps would you recommend to improve that process?

Answer. The Navy has implemented several initiatives to improve the acquisition process. The Navy has improved oversight and reporting with;

- Continuing refinement of Naval Two-Pass/Six-Gate Review process for early and continuous leadership awareness of requirements and affordability in terms of Total Ownership Costs (TOC) throughout the Acquisition process.
- Implement Better Buying 2.0 Initiatives and improved oversight
- Implemented Policy for Should Cost initiatives to be integral to program planning and execution
- Systems Engineering improvement to bring more mature/complete designs prior to MS B which can then be integrated into better requirements for Industry to give better estimate and proposals.
- Developing partnerships with Industry to support the industrial base and secure investment
- Budgeting and Contracting activities to stabilize funding and maximize multi-year procurements where beneficial.

I fully support these efforts and other efforts to ensure a predictable funding profile for programs. This visibility is particularly important with the current strains on budgets.

Question. Department-wide, nearly half of DOD's 95 largest acquisition programs have exceeded the so-called "Nunn-McCurdy" cost growth standards established in section 2433 of title 10, U.S.C. Many of those programs are being executed by the Department of the Navy.

What steps, if any and if confirmed, would you take to address the out-of-control cost growth on the Department of the Navy's major defense acquisition programs?

Answer. Many of the oversight and acquisition reform efforts have already bent the curve on the overall performance of our acquisition portfolio. I believe better requirements definition, early design maturity, stable funding are critical. I would continue working with the Warfighter on requirements generation. Navy-Industry teamwork throughout the process is essential.

Question. What principles will guide your thinking on whether to recommend terminating a program that has experienced "critical" cost growth under Nunn-McCurdy?

Answer. A key principle for me is an assessment of whether the existing program is still the best approach to meet the requirement and why we have confidence that the adverse cost growth can be contained? One must cast a critical eye at programs that have not delivered on their promises to the warfighter. I believe in the recertification requirements within Nunn-McCurdy: the program is essential to national security, that no suitable alternative of lesser cost is available, new estimates of total program costs are reasonable, and management structure is (or has been made) adequate to control costs.

Question. Many experts have acknowledged that DOD may have gone too far in reducing its acquisition work force, resulting in undermining of its ability to provide needed oversight in the acquisition process.

Do you agree with this assessment?

Answer. Yes.

Question. If so, what steps do you believe the Department of the Navy should take to address this problem?

Answer. The Navy needs to look at how it recruits, incentivizes and retains our acquisition workforce. For example, the Navy needs to protect and expand the use of the Defense Acquisition Workforce Development Fund. The Office of Personnel Management rules governing recruitment and retention incentives are not flexible enough to maximize the use of Section 852 Incentive funds. Other examples include:

- Lifting the hiring freeze
- Provide entry level hiring flexibility through multiple means of recruitment
- Retired annuitants and Intergovernmental Personnel Act (IPA) programs
- Incorporate changes to expand applicant pool for acquisition workforce personnel opportunities
- Retention incentives in the form of bonuses, post-graduate education opportunities, paying off student loans, etc.
- Recruitment bonuses for interns

- Fund developmental opportunities for mid- or senior-level staff

The vast majority of the contracting commands are seeing an increase in seasoned, experienced personnel retiring. I would expect this to create a tremendous amount of corporate knowledge drain from DoN.

Question. The Weapon Systems Acquisition Reform Act of 2009 (WSARA) was intended to ensure that future weapon systems move forward on a sound footing by addressing unrealistic program cost and schedule estimates, the absence of clearly defined and stable requirements, the inclusion of immature technologies that unnecessarily raise program costs and delay development and production, and the failure to solidify design and manufacturing processes at appropriate junctures in the development process.

Do you support the approach taken by WSARA?

Answer. Yes.

Question. What additional steps, if any, do you believe the Department of the Navy should take to address these problems?

Answer. In response to WSARA, I understand that it has been beneficial for spurring acquisition reform. The Navy has been engaged in an aggressive review of the acquisition process and overview. Specifically:

I understand that the Navy has improved oversight and reporting with;

- Continuing refinement of Naval Two-Pass/Six-Gate Review process for early and continuous leadership awareness of requirements and affordability in terms of TOCs throughout the acquisition process.
- Implement Better Buying 2.0 Initiatives and improved oversight
- Implemented Policy for Should Cost initiatives to be integral to program planning and execution.

These are not static initiatives and I would agree with their continuation and expansion.

Question. By some estimates, DOD now spends more money every year for the acquisition of services than it does for the acquisition of products, including major weapon systems. Yet, the Department places far less emphasis on staffing, training, and managing the acquisition of services than it does on the acquisition of products.

What steps, if any, do you believe the Navy should take to improve the staffing, training, and management of its acquisition of services?

Answer. The Navy recognizes services contracts are a significant portion of the Navy's acquisition budget. To that end, I understand that the Department is working to reduce its services spending by up to $4 billion in fiscal year 2014, building on the decrease achieved in fiscal year 2013. I consider service contracting to be "Commander's Business" and we must hold all stakeholder's accountable. I expect the Navy will continue its use of Services Requirement Review Boards (also called Services Courts) and accompanying "Tripwires" to better understand our existing efforts, improve future requirements, and help ensure these activities receive appropriate oversight.

Question. Do you think the Navy should develop processes and systems to provide managers with access to information needed to conduct comprehensive spending analyses of services contracts on an ongoing basis?

Answer. Yes. I expect the Navy will continue to support Defense Procurement Acquisition Policy's efforts to deploy a Services Spend Analysis tool based on Federal Procurement Data System-Next Generation data.

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Question. The United Nations Convention on the Law of the Sea (UNCLOS) is currently pending in the Senate.

What are your views on U.S. accession to UNCLOS?

Answer. Nearly every maritime power and all the permanent members of the U.N. Security Council except the United States have ratified the convention. In my view, our absence as a Party weakens our position and impacts our military, diplomatic, and economic efforts worldwide. Only as a Party to the Convention can the United States fully secure its sovereign rights to the vast resources of our continental shelf beyond 200 miles from shore. I strongly support accession to the LOS Convention.

Question. From a national security standpoint, what do you see as the advantages and disadvantages to being a party to UNCLOS?

Answer. I do not see any disadvantages to becoming a Party from a national security standpoint. As a non-party to the Convention, the United States must assert our navigation and overflight rights and high seas freedoms on the basis of customary international law which is more subject to dispute and change than norms established by treaty. Becoming a party to the treaty would give an immediate boost

to U.S. credibility as we push back against excessive maritime claims and illegal restrictions on our warships or commercial vessels.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Under Secretary of the Navy?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

SEXUAL ASSAULT PREVENTION AND RESPONSE

1. Senator GILLIBRAND. Dr. Rooney, you said in your advance policy questions that you fear that if decisions are made by Judge Advocates General (JAG) based on evidence, prosecutions might go down. If commanders push cases forward to court martial based on good order and discipline—with evidence as a secondary concern—is it not likely that the conviction rate will drop?

Dr. ROONEY. Consideration of the evidence is not a secondary concern. Pursuant to 10 U.S.C. section 834 (Article 34 of the Uniform Code of Military Justice), a military commander, prior to directing the trial of any charge by a general court-martial, must refer the charge to, and receive the consideration and advice of, a staff judge advocate. Included in this written advice is an assessment of whether the charges and specifications are warranted by the evidence. Commanders do consider the evidence. However, because of the very nature of command, commanders must also consider other factors such as the impact that discipline may have on the future behavior of the unit. Therefore, if the evidence is insufficient to convict the accused at a court-martial or if the victim does not want to cooperate, commanders have other administrative options available to them if warranted by the evidence.

Holding offenders accountable is a priority; and I acknowledge that a higher conviction rate is one factor among many that may increase a victim's confidence in the system and, thereby, his or her propensity to report a sexual assault. This willingness to report is a critical element in addressing the crime of sexual assault. At the same time, however, both to reduce the prevalence of sexual assault and to increase a victim's confidence in the system, we also need to continue focusing significant, widespread energy on changing the culture. It is the relentless pursuit of education and training, coupled with effective leadership from the deckplate up, that will have the most impact on culture and behavioral changes. I believe no single focus, whether prosecution, legislation, or training will be sufficient in and of itself to adequately address this issue. It must be a thoughtful and measured combination of all three.

2. Senator GILLIBRAND. Dr. Rooney, please explain, in your view, how a lower conviction rate will improve confidence in the system?

Dr. ROONEY. In my view, victim confidence in the system begins with knowing that unit commanders will respond appropriately. This includes ensuring victims receive the support and services they need and immediately referring all unrestricted reports of sexual assault, and other serious offenses, to the Naval Criminal Investigative Service for an independent and professional investigation. In my view, the

important metric in this regard is not just the conviction rate, particularly if it results from fewer prosecutions, but the reporting rates by victims. Other factors that have an important impact on a victim's confidence in the system include adequately protecting the privacy of the victims, regular consultation with victims throughout the process, and ongoing support given to victims including but not limited to expedited transfers, the provision of victim's legal counsel, and the availability of sustained counseling.

3. Senator GILLIBRAND. Dr. Rooney, please explain how commanders who are under pressure to push more cases forward to court martial, regardless of whether evidence exists, can make a fair determination on which cases to move forward?

Dr. ROONEY. Commanders are not under pressure to push more cases forward to court-martial. Commanders have been charged with promoting a positive command climate where sexual assaults are not tolerated, preventing sexual assaults from occurring in the first place, and ensuring victims are taken care of when a sexual assault does occur. When it comes to matters of discipline, commanders are to exercise their responsibilities to ensure fairness and justice based on the specific factual circumstances of each individual case.

4. Senator GILLIBRAND. Dr. Rooney, if cases are sent to trial based on the good order and discipline of a unit, do you think that maintaining good order and discipline might mean keeping an alleged perpetrator in a unit because he serves an essential function?

Dr. ROONEY. I do not believe that maintaining good order and discipline means keeping an alleged perpetrator in a unit just because he serves an essential function. Good order and discipline includes holding individuals appropriately accountable for their actions, irrespective of whether they serve an essential function. When making decisions about who should remain in or depart from a unit while allegations are under investigation, a primary concern should continue to be the safety and welfare of the alleged victim.

5. Senator GILLIBRAND. Dr. Rooney, do you believe that serving in that essential function is more important than justice?

Dr. ROONEY. No. Everyone is replaceable—from the top commanders down the ranks to include those who have special technical skill sets.

6. Senator GILLIBRAND. Dr. Rooney, do you believe that allowing sexual predators to remain in the military can be consistent with maintaining good order and discipline?

Dr. ROONEY. Criminal conduct of any kind is not consistent with good order and discipline.

7. Senator GILLIBRAND. Dr. Rooney, would it contribute to good order and discipline for a commander to send an innocent servicemember to court martial to prove a point to the rest of the unit as opposed to making the decision based on the evidence and the facts of the case?

Dr. ROONEY. No, doing so would undermine good order and discipline. We must ensure all servicemembers know that our system of justice is fair, effective, and efficient. Furthermore, it would be a violation of the law for a commander to refer a servicemember to court-martial if there was not sufficient evidence to support a prosecution. Under title 10, U.S.C., section 834 (Article 34 of the Uniform Code of Military Justice), a military commander, prior to directing the trial of any charge by general court-martial, must refer the charge to, and receive the consideration and advice of, a staff judge advocate. Included in this written advice is an assessment of whether the charges and specifications are warranted by the evidence. Commanders do consider the evidence.

8. Senator GILLIBRAND. Dr. Rooney, if evidence is not the only basis for making a decision on the disposition of a case, please explain on what basis commanders should be evaluated on their handling of sexual assault cases. Would commanders be rewarded for sending any case forward even if the evidence suggests that perhaps a crime was not committed?

Dr. ROONEY. Commanders should be and are evaluated on their actions in fostering a command climate that does not tolerate sexual assault and that is conducive to victim reporting and support.

9. Senator GILLIBRAND. Dr. Rooney, in your testimony during your nomination hearing in front of the Senate Armed Services Committee you stated that in the

Navy, "commanders' ability and result of command and control on command climate is a critical piece that is considered for any promotion or future command." In August, the Navy released public guidance in NAVADMIN 216/13 Navy Performance Evaluation Changes, that officers and enlisted servicemembers must be evaluated based on their contribution to climate in regard to sexual assault. It appears as if this guidance only applies to enlisted sailors and officers of ranks O–6 and below. Is there a separate directive that applies to flag officers? If so, please provide me with a copy of that directive. If not, please explain why one does not exist, whether and how flag officers are evaluated on command climate with regard to sexual assault, and how this position is consistent with keeping flag officers accountable.

Dr. ROONEY. The Navy is committed to accountability for command climate at all pay grades, particularly for flag officers. I am aware that there is a process for evaluating the performance of flag officers but that it differs from the process used for officers in the grade O–6 and below. I am also aware that there is a different process depending on the grade of the flag officer. O–7s receive written fitness reports and the guidance for completing those reports is contained in Bureau of Naval Personnel Instruction 1610.10C, which specifically requires flag officers to demonstrate that they have created or maintained a command climate that does not tolerate discrimination of any kind. In addition to fitness reports, annual command climate surveys are required. The results are shared with the next senior flag officer in the chain of command. While O–8s through O–10s do not receive written fitness reports, they are evaluated personally by the Chief of Naval Operations and annual command climate survey results are fully discussed with the next senior flag officer in their chain of command. Finally, I am aware that the Navy convenes quarterly Sexual Assault Prevention and Response meetings to evaluate trends across the Fleet. These meetings focus on where flag officer leadership is having positive or negative impacts.

10. Senator GILLIBRAND. Dr. Rooney, you have served as Principal Deputy Under Secretary of Defense for Personnel and Readiness beginning June 2, 2011 and as Acting Under Secretary of Defense for Personnel and Readiness from November 2011 to June 2012. This service afforded you the unique opportunity to take concrete measures to address the growing problem of sexual assault in our military. Outside of any initiatives mandated through statutes passed by Congress, or those statutes currently being proposed by Congress in the National Defense Authorization Act for Fiscal Year 2013, please specify what initiatives or programs aimed at reducing the number of sexual assaults and ensuring the effective prosecutions of these types of assaults have you personally played an instrumental role in creating or implementing?

Dr. ROONEY. During my tenure as the Acting Under Secretary of Defense (Personnel and Readiness) the Department implemented a variety of initiatives to change the way we prevent the crime of sexual assault and how we respond when that crime occurs. Those initiatives include the following:

- The Department elevated initial disposition decisions to O–6 level (Colonel or Navy Captain) for cases of rape, sexual assault, forcible sodomy, and attempts.
- The Department launched the Safe Helpline to give victims 24/7 global access to crisis support staff.
- The Department implemented an expedited transfer policy for victims making such a request.
- We implemented a Department of Defense (DOD) policy to retain investigative documentation for 50 years for Unrestricted Reports.
- The Sexual Assault Prevention and Response Office expanded its outreach and engagement with experts from advocacy groups, legal, educational and law enforcement communities in order to gain constructive criticism and share best practices.
- We revised the Sexual Assault Forensic Exam kit to improve victim care and align evidence collection with national standards.
- In 2011, we established the Sexual Assault Prevention and Response (SAPR) Integrated Process Team, comprised of senior Office of the Secretary of Defense and Service SAPR program managers, as a standing body that meets regularly to review and advise on SAPR matters.
- The Department expanded SAPR Restricted Reporting support services to include adult military dependents.
- The Department expanded SAPR services during emergency care for DOD civilians stationed overseas and for DOD U.S. citizen contractors in combat areas.

- In January 2012, Military Rule of Evidence 514 was enacted providing protected communications between victims and advocates.
- In April 2012, we added sexual assault questions to DOD Command Climate Surveys and implemented policy to conduct assessments within 120 days for new commanders and annually thereafter.

11. Senator GILLIBRAND. Dr. Rooney, what were the goals and metrics of these initiatives/programs?

Dr. ROONEY. DOD implemented specific initiatives to enhance its efforts to prevent the crime of sexual assault and delineated how all should respond when that crime occurs. The mission is twofold: to reduce the prevalence of sexual assault and to increase official reports of sexual assault. Assessment measures were developed to focus on these two elements. As Department leadership has stated before, one sexual assault is one too many. That goal was the guiding principle throughout the announcement and implementation of these initiatives and also served as the basis for assessing outcomes of programs supporting this target.

The Department uses two specific metrics to assess its efforts in preventing sexual assaults and responding to sexual assault when it does occur. Official reports of sexual assault are entered into the Defense Sexual Assault Incident Database which yields information on actual reports filed. Information derived from the Workplace and Gender Relations Survey of Active Duty Members (WGRA) conducted by the Defense Manpower Data Center provides additional data elements. The Department uses findings from the WGRA as a source of information to evaluate prevention and response programs and to assess the gender-relations environment in the Active-Duty Force. The WGRA survey assesses the prevalence of sexual assault and sexual harassment in the Active-Duty Force.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

CIVILIAN AND CONTRACTOR PERSONNEL

12. Senator INHOFE. Dr. Rooney, the Government Accountability Office (GAO) projects the Department of the Navy has overstated its fiscal year 2014 Operation and Maintenance (O&M) budget requirement for civilian personnel by $128 million. What problems does the Navy have with its information technology (IT) systems that preclude an accurate accounting of its civilian personnel?

Dr. ROONEY. methodology in calculating civilian personnel requirements, and therefore with its determination that the requirement is overstated by $128 million. Since the GAO calculates costs based solely on civilians on board at a particular point in time (end strength), the Navy is unable to compare those calculations to pricing, which is based on hours worked (full-time equivalents) and compensation paid for the entire year.

When estimates are submitted for review by the Secretary of Defense, more than a year before the beginning of a new fiscal year, they only reflect any known impacts at the time they are being prepared. The estimates continue to be updated, as new information and new impacts are identified, until the budget is submitted to Congress for approval. In some years, changes occur after the point of submission which may have significant impact on total civilian personnel costs. For example, during fiscal year 2013, a hiring freeze was imposed at the end of January and continued for 8 months through the balance of the fiscal year. While it would seem that a hiring freeze would dramatically reduce funds spent for civilian personnel, the Navy has not found that to be the case. In fact, although the number of people on board has been reduced, compensation costs are slightly higher than planned due to a higher than anticipated number of Voluntary Separation Incentive Payments/Voluntary Early Retirement Authority and lump sum leave payouts. I understand that one effect of the hiring freeze is that the Department will begin the year with fewer civilians on board than planned when the fiscal year 2014 budget was originally submitted to Congress.

Historically, the Navy has had no problems reporting budgeted or actual civilian personnel End Strength and Full-Time Equivalents. I understand that a recent system upgrade resulted in loss of access to actual end strength counts. However, Full-Time Equivalent and Compensation data, used by the Department to track actual costs, is captured in a different system and has remained available throughout this fiscal year.

13. Senator INHOFE. Dr. Rooney, if confirmed, what actions will you take to ensure that the Navy's civilian personnel budget requirements in the President's budget submissions will be accurate in the future?

Dr. ROONEY. The Department of the Navy conducts a rigorous budget review prior to submission of the President's budget to Congress each year. Civilian personnel are priced based on prior year execution and any anticipated pay raises for the coming year. Benefits (including health and life insurance, retirement, leave, et cetera) are priced at current rates, and increased costs are specifically excluded from the budget to contain costs and encourage efficiencies. Since the budget review is conducted more than a year ahead of the beginning of the fiscal year, it is impossible to accurately predict and accommodate changes that may affect estimates after the budget has been submitted to Congress. Estimates reflect any known impact at the time cost figures are being prepared. The hiring freeze and 6-day furlough which occurred in fiscal year 2013, as well as the impact of sequestration on the budget, are examples of changes occurring during the execution year of a budget which will likely affect estimates submitted for the next year's budget.

EFFICIENCIES PLAN FOR CIVILIAN AND CONTRACTOR WORK FORCE

14. Senator INHOFE. Dr. Rooney, do you support the reduction of Navy civilian and contractor personnel to achieve additional savings in the Navy's O&M budget?

Dr. ROONEY. All expenditures should continue to be examined in light of the need to properly balance all components of the work force to achieve efficient and effective results. Every requirement should continue to be validated and prioritized with budget adjustments made as warranted. This includes labor requirements and associated budgets for the Total Force which is comprised of military, civilian and contractor personnel.

15. Senator INHOFE. Dr. Rooney, what percentage reductions in both civilian and contractor personnel end strengths would you support?

Dr. ROONEY. As a result of budget reductions required by the Budget Control Act, I understand that the Department of the Navy is in the process of reviewing and balancing mission capabilities, Total Force (military, civilian, and contractor) manpower requirements and available funding. If confirmed, I support making adjustments to personnel manning levels based on necessary tradeoffs between mission capabilities and funding restrictions rather than a specific percentage target.

16. Senator INHOFE. Dr. Rooney, in your view, will the Navy meet the requirement in section 955 to achieve savings in total funding of the civilian and contractor workforce by at least the percentage savings for military personnel over the Future Years Defense Program?

Dr. ROONEY. I understand that the Navy worked with DOD and provided the data required to facilitate the initial "120 day" report in response to section 955. I understand that the Navyhas the capability to manage the workforce to achieve the savings required by section 955.

17. Senator INHOFE. Dr. Rooney, if confirmed, will you have the requisite authorities to reduce Navy civilian and contractor personnel?

Dr. ROONEY. The Navy has significant although not unlimited authority to make manpower reductions deemed necessary with appropriate notifications. In the case of Navy civilians, title 10, U.S.C., section 129, allows military departments to make reductions when necessary due to a reduction in funds available. The Budget Control Act represents such a reduction in funds. The Department does not, however, have authority to conduct public/private competitions if they are deemed necessary due to the current moratorium. In the case of contractors, Service Contracts have mechanisms in place which include termination clauses and fixed expiration dates. The Navy is able to make reductions (but not conversions) due to funding limitations or changing mission requirements.

TRICARE FEES

18. Senator INHOFE. Dr. Rooney, what is your current position on TRICARE fee increases for working-age military retirees?

Dr. ROONEY. Personnel costs are the fastest-growing part of the overall DOD budget and health care costs are going up at the most dramatic rate in comparison to other personnel costs. As such, I believe that these rising costs need to be mitigated in order for long-term personnel costs to be sustainable. I do support modest

TRICARE premium increases for working-age retirees from the military to help maintain a high quality, sustainable benefit package. Even with the proposed increases, working-age military retirees would have one of the most comprehensive health benefits available, while still significantly less expensive than a competing commercial policy.

19. Senator INHOFE. Dr. Rooney, why do you think the administration has been unsuccessful convincing Congress to legislate the DOD's fee increase proposals?

Dr. ROONEY. Congress is understandingly reluctant to impose additional costs on military retirees, but the proposals are reasonable in scope, appropriately differentiated through tiers, and necessary for the Department to deliver long-term sustainable health benefits. It is important to recognize that these proposals are largely focused on the retired military population and, even with the proposed increases, the amount of beneficiary cost-sharing remains far below the levels experienced by retirees in the mid-1990s. The TRICARE fee proposals do not affect Active Duty servicemembers, and specifically exempt medically-retired servicemembers and their families, as well as survivors of military members who died on Active Duty. Even with these proposed increases, beneficiaries will continue to have access to one of the most comprehensive and exceptionally affordable health benefits available.

These proposals are important to maintaining our obligations to beneficiaries and ensuring our commitment to improving the long-term fiscal stability of the Military Health System. Under the leadership of the Secretary of Defense, the Military Departments have worked carefully to develop these proposals. Furthermore, the Secretary of Defense has articulated the potential risks to other programs should these proposals not be authorized.

20. Senator INHOFE. Dr. Rooney, do you believe that the administration should wait on the Military Compensation and Retirement Commission to report its recommendations before asking Congress to make legislative changes to personnel benefits including health care?

Dr. ROONEY. I support the TRICARE Premium increases for working-age retirees which were first proposed in fiscal year 2012. Even with the proposed increases, working-age military retirees would have one of the most comprehensive health benefits available while still significantly less expensive than a competing commercial policy. I also believe that the Commission will provide other valuable information that can be considered for additional future proposals which may extend beyond health care.

EFFICIENCY EXPERT

21. Senator INHOFE. Dr. Rooney, while serving as Principal Under Secretary for Personnel and Readiness, what actions did you take to cut costs in the personnel and readiness portfolio?

Dr. ROONEY. Within the Office of the Under Secretary, I oversaw the identification of cuts in staff and overhead. Through zero-based management reviews, we streamlined operations within our Defense Agency and Field Activities ensuring successful performance of core priorities while reducing overhead. Additional plans were initiated to reduce civilian manning within the immediate headquarters. I oversaw plans for significant reductions in our service support contracts both within the Headquarters and at the field activities. Finally, we initiated plans to reduce advisory studies, eliminated non-essential, lesser-value reports, and initiated efforts to reduce advisory board and commission requirements.

22. Senator INHOFE. Dr. Rooney, what efficiencies did you implement and how much did you cut DOD's costs in the role as the Under Secretary?

Dr. ROONEY. In response to fiscal realities our country was facing, I oversaw Personnel and Readiness' participation in a series of efforts to increase efficiencies and reduce overhead expenditures across the Department while maintaining readiness. These efforts covered a broad spectrum of activities falling under the P&R portfolio. In the area of civilian personnel, the Military Services and Defense Agencies were to maintain Department-wide civilian full-time equivalents at fiscal year 2010 authorized levels. Through process improvements and overhead reductions, impacts were to be minimized. Health care reforms were proposed to better manage cost growth, recognize a shared commitment for health care with beneficiaries, and better align the Department with the remainder of the country. We directed significant reductions in both our civilian senior executive servicemembers and general/flag officers across the Department. Where possible we eliminated positions. When nec-

essary and appropriate, we maintained positions, but at a lower level (i.e., GS–15, O–6) which provided cost savings in immediate staffs.

23. Senator INHOFE. Dr. Rooney, if confirmed, what will you do to make the Navy more efficient and cost-effective?

Dr. ROONEY. If confirmed, I will continuously strive to assure all organizations and processes are managed as efficiently and effectively as possible. Obtaining a clean financial audit statement for the Department will be a top priority. A major challenge will be to optimize the organization as budgets are reduced in the out years. A major focus will be to avoid across-the-board reductions and focus instead on optimizing organizations, procedures, and processes. An additional focus will be insuring a regular review of new and ongoing contract requirements is undertaken to insure costs are managed in a timely and reasonable manner. Another major focus will be completing the implementation of the Secretary of Defense's efficiency initiatives.

PRIORITIES IN THE NAVY

24. Senator INHOFE. Dr. Rooney, how do you characterize the current readiness of the Navy?

Dr. ROONEY. The Department of the Navy remains globally deployed every day, ready to respond to challenges to our national security interests, building cooperation with allies and other potential partner nations, as well as meeting all Operation Enduring Freedom and validated global force management requirements with highly ready forces. I understand that sustaining combat operations for more than a decade has required the use of a large share of the available assets from home bases and stations. The Navy, as the CNO has recently testified, is taking risk in the capacity to surge additional forces forward in response to contingency requirements as a result of funding reductions from sequestration. In addition to the obvious strategic and operational risk, this has a long-term impact on overall readiness that must be resolved. For the Marine Corps, I understand that over half of non-deployed Marine units are experiencing degraded readiness due to portions of their equipment being redistributed to support units deploying forward. I understand that this unbalanced readiness across the force has degraded the Corps' ability to respond to major contingencies within required timelines.

25. Senator INHOFE. Dr. Rooney, what trends cause you concern?

Dr. ROONEY. I am most concerned about readiness trends and the impact of operating tempo on personnel.

From a readiness perspective, the most critical concern is the underfunding of readiness accounts that is continuing now into fiscal year 2014, as a result of extended Continuing Resolutions and sequestration. Cuts within the magnitude of a long-term sequestration and/or Continuing Resolutions will have a significant impact on the global security climate, the perceptions of our enemies, and the confidence of our allies.

As a nation we have asked a great deal of the young men and women serving our country over the last 12 years. While proud to answer the call, they have endured shortened turn-around times, double deployments in a single operational cycle, or frequently extended deployments to provide the force levels required. The Navy and Marine Corps team must remain globally deployed to accomplish its mission, but will need to do so in a manner which provides some predictability in the lives of our sailors, marines, and their families.

26. Senator INHOFE. Dr. Rooney, are you concerned about the potential of hollow forces in the Navy and Marine Corps?

Dr. ROONEY. I am most concerned about the potential for reduced readiness and the compounding effects which can occur in those circumstances. The Navy and Marine Corps provide the capability to respond to today's crises anywhere in the world. The force is required to maintain high levels of readiness, so they can deploy on short notice and protect our national security. A hollow force cannot be an option.

Our operational readiness is preserved through a careful balance of high quality people, well-trained units, modernized equipment, well-maintained installations, and a force level sufficient to accomplish our many missions. Failure in any one of these pillars of readiness begins to set the conditions for an eventual hollowing of the force. I am specifically concerned about the reduction of Marine Corps end strength and the need for precision in how those reductions are implemented. If confirmed, I will assist the Department of the Navy and work with Congress to ensure

we are doing all within our power to execute budget reductions in a manner that avoids hollowing the force.

27. Senator INHOFE. Dr. Rooney, do you believe the Department of the Navy has the right funding priorities in place to address these readiness concerns?

Dr. ROONEY. The Secretary has been very clear that his first priority is to sustain a ready force today. In the context of the Budget Control Act's revised discretionary caps and reduced Overseas Contingency Operations accounts, that is the right priority—but the Navy must also continue to build new platforms and modernize existing ones that sustain our asymmetric advantages, as well as our industrial base, to refocus training for future security environments and keep faith with marines, sailors, and their families. I am aware that there are not only direct costs for investments, but opportunity costs. If you spend it on one thing, you can't spend it on another. If confirmed, I look forward to looking into all of our programs to make sure that not only the direct cost, but the opportunity costs are carefully considered in making investment decisions.

MANNING POLICY DURING A SHUTDOWN

28. Senator INHOFE. Dr. Rooney, based on your prior service as the Assistant Secretary of Defense for Personnel and Readiness, what is your understanding of the current policy during the Government shutdown for the determination of which DOD civilians should be at work and which ones should be furloughed?

Dr. ROONEY. In the case of a government shutdown and absent an express appropriation to the contrary, civilian personnel, and military technicians who are not necessary to carry out or support excepted activities, are to be furloughed. Only the minimum number of civilian employees necessary to carry out excepted activities will be exempted from furlough. Positions that provide direct support to excepted positions may also be deemed excepted if they are critical to performing the excepted activity. Senate confirmed officials appointed by the President are not subject to furlough and their immediate office personnel necessary to support excepted activities may also be considered excepted at the discretion of the appointee. Foreign national employees paid with host country funds are exempt from furlough as are those where our bilateral agreements prohibit furlough.

29. Senator INHOFE. Dr. Rooney, during the Government shutdown should shipyards and depots be fully manned and operating?

Dr. ROONEY. Assuming that the question is about public shipyards and depots funded with appropriated funds, only a minimum number of civilian employees necessary to carry out excepted activities would be excepted from furlough. This decision is not discretionary but is controlled by the policy defining excepted activities as well as the use of appropriated funds.

LITTORAL COMBAT SHIP

30. Senator INHOFE. Dr. Rooney, we are planning to buy 52 Littoral Combat Ships (LCS) for almost $40 billion with no confirmation of how the ship will be used. Do you share this concern?

Dr. ROONEY. I understand that the concept of operations and design specifications for LCS were developed to meet capability gaps in the areas of Surface Warfare, Mine Counter Measure and Anti-Submarine Warfare with focused mission packages that deploy manned and unmanned vehicles to execute a variety of missions within those broader areas. I also understand that the Navy is in the process of testing and fielding the Mine Counter Measure and Surface Warfare mission packages while the Anti-Submarine Warfare mission package completes its initial development phase. Finally, USS *Freedom* (LCS 1) is currently deployed to Singapore with a Surface Warfare mission package and the ship is executing its intended mission that includes demonstrating the U.S. commitment to maintain security and stability in the vital Asia-Pacific region. USS *Fort Worth* (LCS 3) is scheduled to deploy to Singapore in the fall of 2014. Based on this information, I do not share your concern, however I do acknowledge the need to continue to closely monitor both test results and ongoing requirements as additional ships are constructed.

31. Senator INHOFE. Dr. Rooney, if confirmed, what would you recommend to address the concerns about capabilities, survivability, manning and sustainment costs regarding LCS?

Dr. ROONEY. I understand that the LCS program is on track to meet all the approved requirements for capability, survivability, manning and sustainment costs. Since the 52 ship LCS program is a key component of the Navy's current and future force, rigorous oversight by me and my staff will continue to be exercised to ensure the program remains on its path to success and meets our Nation's needs. If confirmed, I will ensure Congress is apprised of program progress as future program decisions are made.

AIRCRAFT CARRIERS

32. Senator INHOFE. Dr. Rooney, the Department of the Navy recently announced a delay in the award of the design and construction contract for the next aircraft carrier CVN 79 in order to look for ways to reduce costs. This is a good first step in looking for lessons from the first carrier to save taxpayer funds for the next two. Do you support the delay in the award of a construction contract?

Dr. ROONEY. I understand the Navy is negotiating the award of the Detail Design and Construction contract for CVN 79. I also understand that until these negotiations conclude, the Navy intends to extend the current Construction Preparation Contract to authorize planning, material procurement, and discrete work that are aligned with the ship's optimal build plan. This extension should mitigate impacts to the ship's delivery schedule and the industrial base. Continued negotiations on the design contract will afford an opportunity for the shipbuilder to incorporate further construction process improvements into the construction plan. I support this effort to drive affordability into the ship and protect the industrial base.

33. Senator INHOFE. Dr. Rooney, do you believe the Navy can afford an aircraft carrier costing more than $12.8 billion?

Dr. ROONEY. I understand that actions taken by the Navy and the shipbuilder to reverse the trends in cost growth have yielded improved performance on the CVN 78 Program; however, cost growth incurred earlier in the construction of the lead ship could not be undone. In addition, the approach to carrier construction has undergone an extensive affordability review and resulted in changes on CVN 79 that will significantly reduce the cost to build the ship. If confirmed, I will continue efforts to drive cost reductions through lessons learned from the first of class and innovative approaches to carrier construction to reduce the cost to build CVN 79 and beyond.

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

LITTORAL COMBAT SHIP

34. Senator MCCAIN. Dr. Rooney, in response to my questions in the hearing about whether you agree with the GAO recommendation that, "The apparent disconnect between the LCS acquisition strategy and the needs of the end user suggest that a pause is needed." You confirmed the controversy with the program and the need for very stringent requirements, but stated that you were concerned that a pause would cause the costs to go up. Please provide me your description of very stringent requirements you would base future acquisition decisions.

Dr. ROONEY. If confirmed I would ensure future acquisition decisions will be informed by progress to achieve program milestones as well as rigorous analysis of the cost of ships and a "should cost" assessment. Contracts for ships beyond the Block Buy should also be informed by actual cost returns, not estimates, for all ships delivered as well as ships under construction.

35. Senator MCCAIN. Dr. Rooney, if confirmed, would you advocate for continued funding of the LCS if controversy or questions continue to persist about the ship's capabilities?

Dr. ROONEY. If confirmed, I would ensure that prior to moving forward with future major acquisition decisions and the associated funding, that the program continues to demonstrate progress towards meeting the requirements for Initial Operational Capability of each seaframe and associated Mission Packages.

36. Senator MCCAIN. Dr. Rooney, I am extremely concerned that we are planning to buy 52 of these ships for $37 billion with no confirmation of how the ship will be used or to what extent it will satisfy the requirements of combatant commanders. Do you share these concerns?

Dr. ROONEY. I understand that the concept of operations and design specifications for LCS were developed to meet capability gaps in the areas of Surface Warfare, Mine Counter Measure and Anti-Submarine Warfare with focused mission packages that deploy manned and unmanned vehicles to execute a variety of missions within these areas. I further understand that the Navy is in the process of testing and fielding the Mine Counter Measure and Surface Warfare mission packages while the Anti-Submarine Warfare mission package completes its initial development phase. Finally, USS *Freedom* (LCS 1) is currently deployed to Singapore with a Surface Warfare mission package. The ship is executing its intended mission that includes demonstrating the U.S. commitment to maintain security and stability in the vital Asia-Pacific region. USS *Fort Worth* (LCS 3) is scheduled to deploy to Singapore in the fall of 2014. Based on this information, I do not share your concern, however I do acknowledge the need to continue to closely monitor both test results and ongoing requirements as additional ships are constructed.

NAVY AUDITABILITY

37. Senator MCCAIN. Dr. Rooney, in your response to written hearing questions, you said you didn't have enough information to say whether the Navy will meet its legal obligation to meet the financial audit deadlines for 2014 to 2017. What is your opinion today?

Dr. ROONEY. Based on the Department's currently favorable risk assessment of the remaining efforts, today I am cautiously optimistic that the Navy will achieve the fiscal year 2014 mandate. A brief summary of the Department of the Navy's progress toward achieving audit readiness on its Statement of Budgetary Activity (SBA) by the end of fiscal year 2014 follows:

- The Marine Corps' portion of this statement has been under audit for several annual cycles, and has made great strides towards obtaining a favorable opinion.
- In addition to the Marine Corps effort, the Navy has asserted audit readiness on seven SBA-related business areas. These areas include: E–2D Advanced Hawkeye Major Defense Acquisition Program (MDAP), Appropriations Received, Civilian Pay, Transportation of People (TOP), Reimbursable Work Orders (RWO), Military Pay, and Fund Balance with Treasury (FBWT). Of these seven, four (E–2D MDAP, Appropriations Received, Civilian Pay, TOP) received favorable opinions after independent examinations were completed on them.
- Exams on two more of these SBA-related areas (RWO, Military Pay) are currently underway, and the Navy expects the third examination (FBWT) to commence soon.
- Three remaining business areas (Contract/Vendor Pay, Requisitioning, and Financial Statement Compilation/Reporting) comprising the SBA are on schedule to be asserted in fiscal year 2014.

38. Senator MCCAIN. Dr. Rooney, can the Navy meet its legal financial audit obligations?

Dr. ROONEY. I am cautiously optimistic that the Department will achieve the fiscal year 2017 mandate of full financial auditability. Reaching audit readiness on the Statement of Budgetary Activity will be a big step toward the fiscal year 2017 goal, and the Navy has a sound approach to known remaining challenges, including: sustaining the auditability gains made so far; strengthening mission essential asset accountability and valuation; and improving the controls in relevant financial systems, including those managed by service providers.

PERSONNEL STRENGTH

39. Senator MCCAIN. Dr. Rooney, last month the GAO provided an analysis of the personnel strength, and the GAO said the Navy "could not provide how many civilians it has as of July 2013, because according to Navy officials there's a problem with its information systems." How many civilian employees does the Department of the Navy have?

Dr. ROONEY. As of the end 30 September 2013, the Navy civilian population was 254,240. This includes 195,665 U.S.-Direct employees, 44,817 Non-appropriated Fund Instrumentality employees and 13,758 Foreign National employees.

[The nomination reference of Dr. Jo Ann Rooney follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
September 11, 2013.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Jo Ann Rooney, of Massachusetts, to be Under Secretary of the Navy, vice Robert O. Work, resigned.

[The biographical sketch of Dr. Jo Ann Rooney, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF DR. JO ANN ROONEY

Education:

Boston University School of Management
- September 1979–May 1983
- Bachelor of Science Degree awarded May 1983

Suffolk University Law School
- September 1984–February 1987
- Juris Doctor Degree awarded February 1987

Boston University School of Law
- August 1989–May 1991
- Master of Laws Degree awarded May 1991

University of Pennsylvania
- August 2003–May 2005
- Doctorate of Education awarded in May 2005

Employment record:

Huron Consulting Group
- Managing Director
- September 2012–present

U.S. Department of Defense, Office of the Secretary of Defense
- March 2011–September 2012
  - March 2011–May 2011, Senior Advisor to the Under Secretary of Defense (Comptroller)
  - June 2011–September 2012, Principal Deputy Under Secretary of Defense for Personnel and Readiness (Confirmed by Senate May 2011 after hearing before SASC on February 2011)
  - November 2011–June 2012, Acting Under Secretary of Defense for Personnel and Readiness

Mount Ida College, Newton, MA
- July 2010–December 2010
- July 2010–December 2010, President
- July 2010–December 2010, Professor of Business Administration

Spalding University, Louisville, KY
- President and Professor of Business Administration
- August 2002–June 2010

Emmanuel College, Boston, MA
- Adjunct Faculty
- August 1994–August 2002

The Lyons Companies, LCC, Waltham, MA
- Corporate General Counsel/Chief Financial Officer/Partner
- September 1994–August 2002

Maselan and Jones, PC, Boston, MA
- Tax Attorney
- July 1993–September 1994

Stearns, Rooney & Associates
- July 1992–December 1993

• Partner

Cigna Companies, Boston, MA and While Plains, NY

• June 1991–July 1993

• July 1992–July 1993, Staff Attorney
• June 1991–June 1992,Technical Manager

Honors and awards:

Department of Defense Medal for Distinguished Public Service, September 2012
Today's Woman Magazine, 2006 Most Admired Woman in Education
Business and Professional Women/River City, 2006 Woman of Achievement
Business First, Partners in Health Care Award 2006, 2007, 2008, 2009, and 2010
Scholar House, Lucy Award 2009 (outstanding achievement supporting educational opportunities for women and families)
Mayor's Citation for Community Service to the City of Louisville, February 1, 2010 (presented for distinguished and outstanding service to the City of Louisville)
Beta Gamma Sigma
Lock Honorary Society

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Dr. Jo Ann Rooney in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Jo Ann Rooney.

2. **Position to which nominated:**
Under Secretary of the Navy.

3. **Date of nomination:**
September 11, 2013.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
March 23, 1961; Hazleton, PA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Single.

7. **Names and ages of children:**

None.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.

University of Pennsylvania, Graduate School of Education, August 2003–May 2005, Ed.D. (Doctorate in Education) Higher Education Management, May 2005.

Boston University School of Law, August 1989–May 1991, LL.M. (Master of Laws) in Taxation, May 1991.

Suffolk University Law School, September 1984–February 1987, J.D. (Juris Doctorate) February 1987.

Boston University School of Management, September 1979–May 1983, B.S. Business Administration, Finance Concentration, Summa Cum Laude, May 1983.

West Hazleton High School, September 1975–June 1979, High School Diploma, June 1979.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

9/2012–present, Managing Director, Huron Consulting Group, Chicago, IL

3/2011–9/2012, U.S.Department of Defense, Office of the Secretary of Defense, Pentagon, Washington, DC.

11/2011–6/2012, Acting Under Secretary of Defense for Personnel and Readiness

6/2011–9/2012, Principal Deputy Under Secretary of Defense for Personnel and Readiness (hearing before U.S. Senate Armed Services Committee 2/2011, confirmed by the U.S. Senate May 2011)

3/2011–5/2011, Senior Advisor to the Under Secretary of Defense Comptroller

7/2010–12/2010, President of Mount Ida College, Newton, MA

7/2010–12/2010, Professor of Business Administration, Mount Ida College, Newton, MA

8/2002–6/2010, President of Spalding University, Louisville, KY

8/2002–6/2010, Professor of Business Administration, Spalding University, Louisville, KY

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

9/2012–present, Managing Director (not a member of the Board of Directors), Huron Consulting Group, Chicago, IL

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

American Bar Association
Massachusetts Bar Association and Massachusetts Board of Bar Overseers
Rhode Island Bar Association
Florida Bar Association
Beta Gamma Sigma National Honor Society
Member - Trustees of the Reservations (MA)
Member - Boat U.S.
Member - U.S. Rowing
Member - Hull Lifesaving Museum
Penn Alumni Association (University of Pennsylvania)
Suffolk University Alumni Association
Boston University Alumni Association
St. Paul Parish (Hingham, MA)

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for whichyou have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

None.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Department of Defense Medal for Distinguished Public Service - September 2012

Today's Woman Magazine, 2006 Most Admired Woman in Education Business and Professional Women/River City, 2006 Woman of Achievement

Business First, Partners in Health Care Award 2006, 2007, 2008, 2009, and 2010

Scholar House, Lucy Award 2009 (outstanding achievement supporting educational opportunities for women and families)

Mayor's Citation for Community Service to the City of Louisville, February 1, 2010 (presented for distinguished and outstanding service to the City of Louisville)

Beta Gamma Sigma

Lock Honorary Society

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

November 1, 2012 - University of Michigan - 6th annual Susan B Meister Lecturer in Child Health Policy "Our Military's Children: Insights From Over a Decade of War", Prepared and Presented By: Dr. Jo Ann Rooney

Dissertation - Spring 2005 - Navigating in a Building Sea of Change: Successful Growth Strategies of Two Private Higher Education Institutions, Author: Dr. Jo Ann Rooney

April 2009 - Association of Governing Boards (AGB) National Conference on Trusteeship, "Board Engagement in Major Academic Change", Prepared and Presented By: Dr. Jo Ann Rooney and Dr. L. Randy Strickland

May 2008 - Kentucky Council on Post Secondary Education (CPE) 8th Annual Conference on the Scholarship of Teaching and Learning - Challenging Student to Think Critically and Learn Deeply, Keynote Address "Boomers vs. X vs. Y: Educating Across Generations", Prepared and Presented By: Dr. Jo Ann Rooney

April 2008 - Association of Governing Boards (AGB) National Conference on Trusteeship, "Fostering Active Board Participation in Academic Governance", Prepared and Presented By: Dr. Jo Ann Rooney and Dr. L. Randy Strickland

February 2008 - Kentucky Council on Post Secondary Education (CPE) Adult Learner Summit, "Best Practices in Retention in Accelerated Programs", Prepared and Presented By: Dr. Jo Ann Rooney

December 2007 - Commission on Colleges of the Southern Association of Colleges and Schools (SACS) Annual Meeting, "Reaffirmation 101: A Case Study of Spalding University" Prepared and Presented By: Dr. Jo Ann Rooney, Dr. L. Randy Strickland, Dr. Lynn Gillette, and Victoria Murden McClure

December 2007 - Commission on Colleges of the Southern Association of Colleges and Schools (SACS) Annual Meeting, "General Education Assessment ASAP" Prepared and Presented By: Dr. Jo Ann Rooney, Dr. L. Randy Strickland, Dr. Lynn Gillette

November 2007 - Council for Accelerated and Experiential Learning International Conference, "Demonstrating the Effectiveness of Accelerated Programs" Prepared and Presented By: Dr. Jo Ann Rooney, Dr. L. Randy Strickland, Dr. Lynn Gillette

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

I have given several speeches during the last 5 years. Three representative speeches are provided, and additional speeches can be made available upon request. I also have a record of written and oral testimony before congressional oversight committees all of which are included in the Congressional Record.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JO ANN ROONEY.

This 27th day of September, 2013.

[The nomination of Dr. Jo Ann Rooney was reported to the Senate by Chairman Levin on October 31, 2013, with the recommendation that the nomination be confirmed. The nomination was returned to the President at the end of the first session of the 113th Congress on January 6, 2014, under provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.]

APPENDIX

COMMITTEE ON ARMED SERVICES QUESTIONNAIRE ON BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF CIVILIAN NOMINEES

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

2. **Position to which nominated:**

3. **Date of nomination:**

4. **Address:** (List current place of residence and office addresses.)

5. **Date and place of birth:**

6. **Marital Status:** (Include maiden name of wife or husband's name.)

7. **Names and ages of children:**

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

13. **Political affiliations and activities:**
(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

COMMITTEE ON ARMED SERVICES FORM

FINANCIAL AND OTHER INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Information furnished in Parts B through F will be retained in the committee's executive files and will not be made available to the public unless specifically directed by the committee.

Name:

PART B—FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all business connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

5. Is your spouse employed and, if so, where?

6. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

PART C—POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

4. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration and execution of law or public policy.

5. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

6. Do you agree to provide to the committee any written opinions provided by the General Counsel of the agency to which you are nominated and by the Attorney General's office concerning potential conflicts of interest or any legal impediments to your serving in this position?

PART D—LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

4. Have you ever been convicted (including a plea of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

5. Please advise the committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

PART E—FOREIGN AFFILIATIONS

1. Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

2. If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

3. During the past 10 years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

4. Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

PART F—FINANCIAL DATA

All information requested under this heading must be provided for yourself, your spouse, and your dependents.

1. Describe the terms of any beneficial trust or blind trust of which you, your spouse, or your dependents may be a beneficiary. In the case of a blind trust, provide the name of the trustee(s) and a copy of the trust agreement.

2. Provide a description of any fiduciary responsibility or power of attorney which you hold for or on behalf of any other person.

3. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, executory contracts and other future benefits which you expect to derive from current or previous business relationships, professional services and firm memberships, employers, clients and customers.

4. Have you filed a Federal income tax return for each of the past 10 years? If not, please explain.

5. Have your taxes always been paid on time?

6. Were all your taxes, Federal, State, and local, current (filed and paid) as of the date of your nomination?

7. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

8. Have any tax liens, either Federal, State, or local, been filed against you or against any real property or personal property which you own either individually, jointly, or in partnership?

(The committee may require that copies of your Federal income tax returns be provided to the committee. These documents will be made available only to Senators and the staff designated by the Chairman. They will not be available for public inspection.)

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

_____.

This _____ day of _____, 20____.

COMMITTEE ON ARMED SERVICES QUESTIONNAIRE ON BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF CERTAIN SENIOR MILITARY NOMINEES

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES FOR CERTAIN SENIOR MILITARY POSITIONS

INSTRUCTIONS TO THE NOMINEE:

Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

If you have completed this form in connection with a prior military nomination, you may use the following procedure in lieu of submitting a new form. In your letter to the Chairman, add the following paragraph to the end:

> "I hereby incorporate by reference the information and commitments contained in the Senate Armed Services Committee form 'Biographical and Financial Information Requested of Nominees for Certain Senior Military Positions,' submitted to the Committee on [insert date or your prior form]. I agree that all such commitments apply to the position to which I have been nominated and that all such information is current except as follows: . . . ." [If any information on your prior form needs to be updated, please cite the part of the form and the question number and set forth the updated information in your letter to the Chairman.]

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

2. **Position to which nominated:**

3. **Date of nomination:**

4. **Address:** (List current place of residence and office addresses. Also include your office telephone number.)

5. **Date and place of birth:**

6. **Marital Status:** (Include name of husband or wife, including wife's maiden name.)

7. **Names and ages of children:**

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.

10. **Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the administration in power?

COMMITTEE ON ARMED SERVICES FORM

FINANCIAL AND OTHER INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Information furnished in Parts B through E will be retained in the committee's executive files and will not be made available to the public unless specifically directed by the committee.

Name:

PART B—FUTURE EMPLOYMENT RELATIONSHIPS

1. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your military service. If so, explain.

2. Has anybody made a commitment to employ your services in any capacity after you leave military service?

PART C—POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

4. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

5. Do you agree to provide to the committee any written opinions provided by the General Counsel of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?

6. Is your spouse employed and, if so, where?

PART D—LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or litigation? If so, provide details.

4. Have you ever been convicted (including a plea of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

5. Please advise the committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

PART E—FOREIGN AFFILIATIONS

1. Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

2. If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

3. During the past 10 years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

4. Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

_____.

This _____ day of _____, 20____.

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